

<i>P.O. 1106 Enforcement</i>			
Effective From:	11-13-2020	Effective To:	Current

*F. P.O. 1106 – Enforcement*

1. PURPOSE

i) The Department must enforce traffic laws, investigate traffic crashes, assist motorist, and direct traffic to facilitate the safe and expeditious movement of vehicles and pedestrians. To obtain compliance with traffic laws and to develop driver awareness of the cause of traffic collisions, the Department appropriately warns, issues written citations, and / or physically arrests traffic violators.

2. MOTORISTS ASSISTANCE

i) Non-Emergency Assistance

a) Officers shall stop and assist all disabled motorists regardless of duty status, unless on an emergency assignment. If such an assignment prevents an officer from rendering assistance, the officer shall see that appropriate assistance is requested.

b) Officers must first determine the type of assistance needed. If the officer is able to provide the assistance directly, he may do so. Officers shall use caution when performing services that are potentially hazardous, such as, tire changes, jump starts, etc. Other than that, the officer shall summon the necessary assistance. If the security of the motorist is not an issue, the officer shall summon the assistance and resume patrol.

c) If the vehicle requires a wrecker, the driver will be given the option of obtaining his own wrecker or one from the Troop's wrecker list. The officer should remain until the wrecker has arrived, unless circumstances mandate the officer resume patrol.

ii) Emergency Assistance

a) An officer encountering a motorist in need of immediate medical assistance shall contact the Communications Specialist immediately. The Communications Specialist will then contact the appropriate emergency services to respond.

b) Officers will render first aid to any injured party consistent with their level of training and the equipment at hand.

c) Officers are prohibited from escorting civilian vehicles involved in emergency situations, unless articulable justification is present.

d) An officer encountering a fire shall use the fire extinguisher in his unit and attempt to put out the fire, if possible. If not possible, the fire department shall be summoned.

3. ENFORCEMENT

i) Patrol officers shall remain cognizant of areas that have a high occurrence of crashes within their assigned patrol area and / or other public concerns. The officer should devote a portion of each tour of duty to enforcement activities in those areas. Use of highly visible patrol in these areas may be used as a deterrent.

ii) An officer will responsibly use the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations.

iii) Hazardous traffic violations, such as speeding, are those that impair the safe movement of vehicles and pedestrians. It shall be the practice to issue citations or to arrest if applicable, for hazardous moving violations and operating unsafe or improperly equipped vehicles.

iv) Non-Hazardous traffic violations include equipment violations, vehicle licensing, MVI certifications, driver's license regulations, etc. It shall be the practice to issue citations for these offenses, but violation tickets / verbal warnings may be appropriate at times.

v) Multiple charges may be issued utilizing the multi-offense facet of the Uniform Traffic Summons / Complaint Affidavit.

- vi) Violation tickets/Verbal warnings shall be issued for a period of thirty (30) days after the date a new law, ordinance, or signage becomes effective.
  - vii) Officers shall take appropriate enforcement action when a violation of law resulted in a traffic crash.
4. UNIFORM TRAFFIC SUMMONS / COMPLAINT AFFIDAVIT
- i) The four-copy Uniform Traffic Summons / Complaint Affidavit Report (DPSSP 3101) shall be filled out completely with all required information by the arresting officer. When a physical arrest is made, the signature line will show “Incarcerated in (Name of Parish / City) Parish / City Jail.”
  - ii) Distribution of Copies
    - a) The original copy (white) is the Affidavit and will be filed with the appropriate district attorney or prosecuting attorney's office.
    - b) The second copy (blue) is the Abstract of Court Record and shall be filed with the parish clerk of court, city court clerk, mayor's court or other presiding court with jurisdiction over the violation.
      - 1) Executive Officers, or their designee, shall ensure driver's licenses surrendered to officers in lieu of bond are stapled to this copy and forwarded to the appropriate clerk of court's office.
      - 2) An asterisk should be inserted near the number of the summons transcribed on the transmittal form in cases where a driver's license was not relinquished by the defendant in lieu of bond.
    - c) The third copy (yellow) is the File Copy and shall be systematically filed, preferably in alphabetical order at the Troop / Section. This copy shall be retained by the Troop / Section in accordance with [P.O. 409, Records](#). The copy may be used by arresting officers for preparation of court testimony and by supervisory personnel to evaluate arrest quality.
    - d) The fourth copy (cardstock) is the violator's copy of the affidavit. When a physical arrest is made, the cardstock copy should be deposited with the booking official (jailer) at the place of incarceration. The temporary operator's permit shall be voided or destroyed.
    - e) It is permissible, if the court of competent jurisdiction so authorizes, that both the Affidavit and "Abstract of Court Record" copies be filed with the district attorney's office.
    - f) Any other deviation from this practice will require a court order and approval from the Deputy Superintendent of Support.
  - iii) Executive Officer's Responsibilities.
    - a) The Executive Officer, or his designee, shall:
      - 1) Have the responsibility for issuance and record maintenance of books of Uniform Traffic Summons / Complaint Affidavits
      - 2) Ensure books of Uniform Traffic Summons / Complaint Affidavits are issued to officers in sequential order, logged by a shift supervisor, and signed by the receiving officer.
      - 3) Ensure books of Uniform Traffic Summons / Complaint Affidavits are not traded among officers or commands.
      - 4) Commissioned personnel assigned to Headquarters in Baton Rouge may obtain books of Uniform Traffic Summons / Complaint Affidavits from Troop A.
      - 5) Ensure Uniform Traffic Summons / Complaint Affidavits submitted for review are placed in a secure, locked receptacle with access limited to the Executive Officer and shift supervisors.

- 6) Ensure Troop office personnel do not order an excessive quantity of Uniform Traffic Summons / Complaint Affidavits. Orders should be based on the volume of affidavits written. A ninety (90) day supply of affidavits should be kept on-hand.
- iv) Shift Supervisor's Responsibilities
  - a) The shift supervisor shall ensure all Uniform Traffic Summons / Complaint Affidavits are completed accurately, initialed, and notarized, if applicable. After review, the shift supervisor shall initial the yellow File Copy.
- v) Officer's Responsibilities
  - a) Officers shall:
    - 1) Issue affidavits in sequential order.
    - 2) Log the numbers of all issued and voided affidavits in the space provided on the manila, outside cover of the Uniform Traffic Summons / Complaint Affidavit booklet. The log shall be submitted with other paperwork when the book is empty. This information may be checked and verified by the shift supervisor and should be retained for a period of six (6) months.
    - 3) Use a medium or fine point black ink pen to complete paperwork.
    - 4) Denote the time of the offense in military time.
    - 5) Be responsible for books of Uniform Traffic Summons / Complaint Affidavits issued to them.
    - 6) Submit all citations to the appropriate Troop for processing. An officer shall not void a citation after it has been issued to the violator. [LRS 32:398.2](#) restricts citation disposal to actions of district attorneys or courts.
    - 7) Void unissued Uniform Traffic Summons / Complaint Affidavits in accordance with the provisions of [LRS 32:398.3](#). A Lost or Damaged Traffic Citation(s) form (DPSSP 3132) must be submitted with the canceled affidavit signed by both the issuing officer and Troop Commander.
    - 8) Utilize the multi-offense facet of the Uniform Traffic Summons / Complaint Affidavit when citing violators with multiple charges unless circumstances beyond Departmental control dictate otherwise.
- 5. STOPPING VIOLATORS
  - i) When conducting a traffic stop, it is imperative that precautions be taken to ensure the safety of the officer and the public.
  - ii) Bearing and Appearance
    - a) Professional Manner
      - 1) Officers making enforcement contacts should be professional in their appearance, speech, bearing and demeanor.
    - b) Direct Communication
      - 1) Enforcement action should be made through direct, personal verbal communication between enforcement personnel and violators.
      - 2) Gestures, signals, abnormal operation of patrol vehicles, and other forms of non-verbal communication should be avoided unless necessary due to exigent circumstances.
  - iii) Marked Units
    - a) When an officer has determined that enforcement action is warranted, he shall activate the unit's emergency lights and / or audible warning devices notifying the violator of the patrol officer's presence. He shall notify the appropriate Troop, sheriff's office, or police department and should give the:
      - 1) Vehicle's registration number.
      - 2) Vehicle's description.
      - 3) Location of the stop.
      - 4) Direction of travel.

- b) Officers should consider the age, sex, condition of the driver, weather conditions, traffic density, and roadway and shoulder condition when stopping a violator. Officers should not hesitate to direct the violator to a safe location.
  - c) When the violator has come to a complete stop, the officer should position his vehicle in a manner which will afford the greatest degree of protection for himself, the violator, and approaching motorists.
    - 1) When appropriate, officers should attempt to illuminate the violator's vehicle as much as practical using the spotlight, headlights and the overhead takedown lights.
    - 2) Circumstances, such as traffic, road, weather, and lighting conditions, may require officers to adjust their vehicle stop procedures.
  - d) If the violator fails to stop immediately, but does not attempt to evade or elude the officer, the officer should be mindful that the violator could be attempting to locate a safe, populated or well-lighted area before stopping. This shall not be considered a pursuit as defined in [P.O. 1112, Pursuit/Roadblock](#), and officers should be patient and indulgent of a violator's apparent safety concerns.
  - e) Officers should summon the driver to exit his vehicle and stand at the front of the officer's vehicle.
    - 1) Officers should not use the P.A. system, except with clear justification.
    - 2) Officers shall not walk to the violator's vehicle, except when absolutely necessary.
  - f) When speaking to the driver, the officer shall attempt to:
    - 1) Greet the driver courteously.
    - 2) Identify himself as (rank and name) an officer of the Louisiana State Police.
    - 3) Inform the driver of the reason for the stop.
    - 4) Obtain the violator's driver's license, vehicle registration and proof of liability insurance.
    - 5) Listen and consider any justification offered by the violator for having committed the violation.
  - g) While the violator is out of his vehicle, unless there is substantial and articulable justification, the officer shall not:
    - 1) Sit in the patrol vehicle to write the citation.
    - 2) Allow the violator to sit in the patrol vehicle.
    - 3) Allow the violator to return to his vehicle without diligent supervision.
    - 4) Allow passengers to exit the violator's vehicle.
  - h) Officers must remain observant of the violator, any additional occupants of the vehicle, and traffic until the stop is completed.
- iv) Unmarked Units
- a) Officers who are driving an unmarked vehicle should use discretion when stopping violators. Officers should be mindful that a violator may be reluctant to stop for a vehicle which is not clearly distinguishable as a police vehicle.
  - b) Only unmarked vehicles authorized by the Troop Commander may be utilized to conduct traffic enforcement on a regular basis.
  - c) If an officer is wearing civilian attire operating an unmarked vehicle, and he observes a traffic violation which endangers public safety, he should contact the Troop in which he is traveling and obtain assistance from a marked unit. If there is no marked unit available, officers are authorized to stop the vehicle using extreme caution.
  - d) Officers shall comply with [LRS 49:121\(I\)](#).

## 6. CITING VIOLATORS

- i) Louisiana Highway Regulatory Act, [LRS 32:1-32:399](#).
  - a) Pursuant to [LRS 32:411](#) and [LRS 32:411.1](#), officers shall not physically arrest persons who violate the Louisiana Highway Regulatory Act, [LRS 32:1-32:399](#), unless:
    - 1) The violator refuses to sign the promise to appear section of the traffic summons and refuses to surrender his driver's license in lieu of bond.
    - 2) The violator is wanted for failure to appear in connection with other traffic citations.
    - 3) The violator has a warrant issued for his arrest for any other reason.
    - 4) The arresting officer has probable cause to believe that the person charged has committed a Title 14 offense.
  - b) A valid license acceptable for surrender shall include:
    - 1) A license expired less than sixty (60) days.
    - 2) A temporary license issued by the Department of Public Safety.
    - 3) A temporary license issued in receipt of a license deposited in lieu of bond under [LRS 32:411](#).
- ii) Driver's License Law, [LRS 32:401-32:429](#).
  - a) Pursuant to [LRS 32:411](#), an officer may at his discretion issue a temporary license and take in lieu of bond the driver's license of a violator cited under the following circumstances:
    - 1) Exceeding the speed limit by 25 mph or more.
    - 2) Exceeding the speed limit in a school zone.
    - 3) Drag racing.
    - 4) Commission of an offense resulting in an injury crash.
    - 5) Commission of the same offense twice within one hour.
    - 6) A compulsory insurance violation cited after the expiration of the temporary license sticker.
  - b) The time given to appear in court for the citation should be at least five (5) days after the arrest.
  - c) Violators must be advised that a failure to appear subjects him to suspension of driving privileges and / or additional fines.
  - d) Violators shall be advised to allow five (5) days for the transmittal of their licenses to the court system.
  - e) Violators with licenses expired less than sixty (60) days shall be issued a Violation Ticket (DPSSP 3115) directing the renewal of the expired license within five (5) days from the date of issuance.
  - f) The officer must destroy the temporary license in those cases that he does not attach a license for bond.
  - g) Persons driving during a period of suspension, revocation, or cancellation of their driver's license, shall be issued a citation for a violation of [LRS 32:415](#), and shall not be allowed to drive away from the scene. The officer may afford the violator the opportunity to sign the promise to appear section of the traffic citation. When a physical arrest is made, the provisions of this order shall be adhered to.
  - h) Employees of this Department shall not accept appearance bonds or fines under any circumstance. Violators shall be directed to the responsible sheriff's office, traffic violation bureau, district attorney's office or municipal court system to post bond or pay fines.
  - i) Should the violator inquire as to the amount of a bond or fine, officers should direct the violator to contact the appropriate judicial authority.

- j) The Weights and Standards Police have the enforcement responsibility of [LRS 32:380](#) through [32:387](#). Officers may contact that unit for assistance when encountering any such violations.
- k) Any Troop Commander in receipt of a court order directing him to comply with a procedure concerning the disposition of violators and drivers' licenses shall advise the Office of Legal Affairs. Until and unless directed otherwise, all such court orders shall be obeyed.

7. OUT-OF-STATE VIOLATORS

- i) The Non-Resident Violators Compact is administered in Louisiana by the Office of Motor Vehicles.
- ii) The compact requires that Louisiana give all signatory members the opportunity to sign the promise to appear section of the traffic citation or otherwise properly attend to citations received from an officer of this Department.
- iii) Violators to whom this compact applies shall be given a minimum of thirty (30) days to comply with the terms of the citation. More time may be appropriate depending on preset court dates.
- iv) Compact state violators shall retain their operator's license. An officer shall not require or permit an out-of-state violator to surrender his license in lieu of bond.
- v) An out-of-state violator refusing to give written promise to appear shall be required to post bond.

8. DIPLOMATS AND CONSULAR REPRESENTATIVES

- i) International law requires that special privileges and immunities be granted to foreign diplomats, consular representatives and dependents under Title 22, Chapter 6 of the United States Code. Diplomatic immunity does not exempt diplomatic officials from conforming to national and local laws, but requires that the violation be dealt with through diplomatic channels. Any person possessing diplomatic immunity may be taken into protective custody for his safety or the safety of others. When this occurs, the U.S. Department of State must be notified immediately.
- ii) Traffic Enforcement
  - a) Officer's Responsibility
    - 1) Stopping a foreign diplomat, consular representative, or dependent, and issuing a summons does not constitute arrest or detention and is permitted. However, the subject may not be compelled to sign the traffic citation.
    - 2) When stopping for suspicion of impaired driving, a standardized field sobriety test should be offered, and if taken, the results fully documented. If the officer finds that a breath test is required to further his investigation, then the subject may be taken into protective custody and offered an Intoxilyzer test. The test may not be compelled. If the officer finds the subject is too impaired to drive safely, the officer shall comply with the procedures set forth by the U.S. Department of State's Diplomatic and Consular Immunity manual. At no time should the subject be booked into a custody facility. Documents pertaining to the incident shall be processed through established Troop procedures for handling arrests.
    - 3) In the event a foreign diplomat is stopped by an officer who has probable cause to believe that the driver has committed a violation, the officer shall record the driver's name, address, motor vehicle license number, operator license number, and all relevant information contained on the driver's license or identification card issued by the United States Department of State. The information collected along with a copy of the traffic citation, if applicable, shall be forwarded to LSP Criminal Records Section within seven (7) calendar days after the incident.
    - 4) If a foreign diplomat is involved in a vehicle crash, the officer shall forward all the information collected with a copy of the written report of the crash investigation to the LSP Criminal Records Section within forty-eight (48) hours

- after the completion of the crash investigation.
- 5) The LSP Criminal Records Section shall receive all information, including copies of citations and crash reports, and forward such information and copies of reports and citations to the Bureau of Diplomatic Security, Office of Foreign Missions, of the United States Department of State within seven (7) calendar days following receipt of such information.
- b) Supervisor's Responsibility
    - 1) Verify the identification and status of the individual by referring to the U.S. Department of State's Diplomatic and Consular Immunity manual maintained by each Troop.
    - 2) Contact the U.S. Department of State immediately.
    - 3) Make a desk log entry, indicating:
      - (i) Name of violator.
      - (ii) Country represented.
      - (iii) Time of call.
      - (iv) Name of U.S. Department of State representative spoken to and any instructions provided by that person.
      - (v) Determine the best course of action to be taken.
9. LOST LICENSES
- i) When a violator deposits his license in lieu of bond, the Department becomes responsible for accounting for that license.
  - ii) Should a license become lost during processing, the following shall apply.
    - a) A note shall be placed on the temporary license extending it for twenty (20) days along with the initials of the officer making the extension.
    - b) The Troop Commander shall direct a letter to the Administrator of the Office of Motor Vehicles advising that the license belonging to the violator was lost while in the possession of the Department and that the violator is entitled to a replacement.
10. UTILIZATION OF LOUISIANA COURTS
- i) City Courts
    - a) When a citation is issued for a violation within the corporate limits of a municipality, the violator should be charged under the Revised Statutes of the Louisiana Highway Regulatory Act, the Driver's License Law and / or the Criminal Code.
    - b) When a municipal court has its jurisdiction limited to the corporate limits of the municipality, all violators cited by commissioned officers of this Department may be directed to either the appropriate municipal court or district court with jurisdiction. The violator shall be directed to post bond with the appropriate clerk of court or designated city court custodian.
    - c) When a local court has jurisdiction for a ward, which may extend beyond the boundaries of a municipality, those violators cited for violations occurring within the ward may be directed to either the ward court or the appropriate district court for disposition of the charges. The violator shall be directed to post bond with the appropriate district or ward clerk of court if necessary.
  - ii) District Courts
    - a) All citations issued as a result of violations occurring in unincorporated areas on rural highways or roadways, except as stated above, shall be filed with the district court having jurisdiction.
    - b) Uniform Traffic Summons / Complaint Affidavits shall be filed with the district attorney's office with jurisdiction and the Abstract of Court Record shall be filed with the Clerk of Court in the parish where the offense was committed.

## 11. TRANSPORTATION OF ARRESTED PERSONS

- i) Officers shall thoroughly search the area used for transporting prisoners prior to the beginning of their shift. He shall ensure that the area is free of weapons and contraband, mechanically safe, free of damage or defect, and is properly equipped for use.
- ii) Once a prisoner has been removed from the vehicle, a thorough search shall be conducted as soon as practicable, but in all cases, before the vehicle is reused. This will not only ensure that the prisoner has left nothing in the vehicle, but if items are found, link them in a timely manner to the prisoner.
- iii) Prisoners shall be properly handcuffed, searched and transported in the rear of a marked patrol vehicle. The vehicle shall be equipped with a protective screen and the use of seatbelts on prisoners shall be mandatory unless exigent circumstances exist.
- iv) The "child safety" and window lock features on patrol vehicles equipped with such equipment should be activated to help prevent prisoners from escaping during transport.
- v) If circumstances are such that it is necessary to transport a prisoner in the front seat, extreme caution shall be used. Prisoners shall be restrained with a seatbelt in accordance with law.
- vi) Officers transporting persons of the opposite sex or juveniles shall transmit beginning and ending mileage to a Troop or local radio dispatcher. Officers may transmit the beginning and ending mileage for persons of the same sex when they believe it would be prudent to do so.
- vii) When multiple uniform officers are transporting one or more prisoners in a patrol vehicle, the additional officer may be seated in the front passenger seat of the transporting vehicle. The location of the prisoner in the rear seat is at the officer's discretion.
- viii) A prisoner being transported in an unmarked vehicle shall be handcuffed, searched and seated in the front passenger seat. The use of a seatbelt shall be mandatory.
- ix) When multiple plainclothes officers are transporting one or more prisoners in an unmarked vehicle, the additional officer shall be seated in the rear of the vehicle. The location of the prisoner in the rear seat is at the officer's discretion. The use of a seatbelt shall be mandatory unless exigent circumstances exist.
- x) Officers should not stop while transporting prisoners from the point of arrest to the booking facility, except when third parties may be subject to a serious threat of injury and the risk to the prisoner is minimal.
- xi) While in transit, prisoners will not be permitted to converse with anyone except other prisoners and custodial authorities. Prisoners will not be permitted to place phone calls.
- xii) Handicapped prisoners may be transported in a patrol vehicle if the nature of their disability permits.
- xiii) If a prisoner escapes during transportation, the transporting officer shall immediately notify his immediate supervisor and the appropriate Troop communications of the situation. The Troop supervisor shall contact the local agency with jurisdiction and coordinate actions to apprehend the prisoner.
- xiv) If the prisoner is apprehended, the transporting officer shall ensure that additional charges are filed at the time of booking. The officer's report shall reflect the escape attempt.
- xv) If the prisoner is not apprehended at the time of the escape, the transporting officer shall file the applicable paperwork with the district attorney's office having jurisdiction and reflect the same in his report.
- xvi) Upon arrival at the booking facility, an officer shall:
  - a) Secure his weapon(s) as per the booking facility's protocol.
  - b) Remove the restraining devices just prior to placing the prisoner in the holding cell or relinquishing custody of the prisoner to the booking facility custodian.
  - c) Provide the booking facility custodian with the applicable written documentation and ensure that the location of booking is noted in the arrest report.
  - d) Provide the booking facility custodian with any medical or security hazards known about the prisoner.



xvii) When transporting a prisoner who is known to be a security risk, the officer shall utilize any approved methods of securing the prisoner. If additional security is warranted, another officer shall assist with transportation. If there is a heightened security and / or risk, contact with the receiving agency shall be made prior to transportation of the prisoner.

#### 12. TRANSPORTATION OF SICK OR INJURED PRISONERS

- i) Prisoners who are ill shall be transported by an emergency medical service. Prisoners who are injured will be transported consistent with the severity of their injuries.
- ii) If they are ambulatory, a patrol vehicle may be utilized.
- iii) If they are not ambulatory, they shall be transported by an emergency medical service. The totality of circumstances will determine if the accompanying officer rides in the ambulance or follows behind.
- iv) It is the discretion of the officer as to whether or not sick, injured, or handicapped prisoners are restrained and as to the manner in which they are restrained.
- v) Caution should be exercised during times when the prisoner may not be restrained as this poses a heightened risk for escape, suicide, and assault on hospital personnel or the transporting officer.
- vi) Visitors to the prisoner are prohibited, including telephone contact with the prisoner.
- vii) Only under unusual circumstances will the prisoner be allowed out of the officer's sight.
- viii) Upon release, officers shall obtain a medical release for the prisoner from the hospital and present same to the parish prison. This should include any special medical instructions required for the prisoner.
- ix) Before being transported, the prisoner shall be restrained and searched.

#### 13. DOCUMENTING ARRESTS

- i) In the event of any physical arrest, it is the duty and responsibility of the arresting officer to submit a State Police Report of Arrest ([DPSSP 3131](#) or [DPSSP 3104](#)); the narrative of this report should explicitly outline the circumstances of the arrest.
- ii) If a violation of the Louisiana Highway Regulatory Act, [LRS 32:1-32:399](#), has special circumstances that the officer may wish to retain for court purposes and a summons was written, it is recommended that the arresting officer complete the bottom and rear portion of the white copy of the summons.
- iii) Officers shall complete the applicable jurisdiction arrest report when required by that judicial district.
- iv) It shall be the duty of the shift supervisor to thoroughly check the arrest report following any physical arrest to ensure, within reason, the circumstances surrounding an arrest were such that the arresting officer had reason to believe that the violator committed the offense charged and that booking was required.

#### 14. MISSING PERSONS

- i) Reports of missing persons shall be referred to local agencies for investigation. It is the policy of the Louisiana State Police to assist other agencies in locating and resolving cases involving missing persons.
- ii) Whenever circumstances dictate the Department to assume a missing person's investigation, the Troop personnel initiating the investigation should notify its Commander and Public Information Officer via chain-of-command.
- iii) The initial call taker must gather as much pertinent information as possible in order to properly classify a report of a missing person and initiate a proper response. At a minimum, an attempt should be made to collect the following information:
  - a) Name, age, physical and clothing description of the subject, and the relationship of the reporting party to the missing person.
  - b) Time and place of last known location and the identity of anyone accompanying the subject.
  - c) The extent of any search for the subject prior to the filing of the report.
  - d) Whether the subject has been missing on prior occasions and the degree to which the

- absence departs from established behavior patterns, habits or plans.
    - e) Whether the individual has been recently involved in domestic incidents, suffered emotional trauma or life crises, is dependent on drugs, alcohol, and / or has a history of mental illness.
    - f) The current physical condition of the subject and whether the person is presently on, or has recently had a change in prescription medication.
  - iv) The initial call taker may initiate a regional broadcast to surrounding agencies providing preliminary information obtained from the person making the missing person's report.
  - v) An officer shall be dispatched to interview the person making the missing person's report. Upon confirmation that a person is missing, communications personnel shall enter the appropriate information into the National Crime and Information Center.
  - vi) Information gathered during the initial phases of a missing person incident should be used to broaden the scope of the investigation to include locations and patterns of search.
  - vii) If the missing person is a child, especially a young child missing from the home or near the home, every effort should be made by initial responding units to make a thorough search of the child's home, garage, shed, or any other structure on the premises. Additionally, it should be determined if the child:
    - a) Is, or may be, with any adult who could cause him injury.
    - b) May have been the subject of a parental abduction.
    - c) Has previously run away from home, has threatened to do so or has a history of explainable or unexplainable absences for extended periods of time
  - viii) In the case of a person being designated as "missing critical" or any other at-risk person who may be reported missing, the shift supervisor may:
    - a) Notify surrounding agencies of the missing person
    - b) Broadcast available information to on-duty officers via radio and MDT
    - c) Evaluate collected information to determine if the aviation unit should be contacted for an aerial search
    - d) Seek assistance from an agency with a canine search team
15. **TRAFFIC CONTROL**
- i) When directing traffic, officers shall use hand signals and gestures for manual traffic direction and control as instructed in the State Police Training Academy.
  - ii) During periods of low visibility, officers should use road cones (if available) or flares to clearly delineate the travel path or block the roadway.
  - iii) When an officer is at the scene of a fire, he shall locate himself at such a distance from the actual fire scene to:
    - a) Allow for the movement of necessary equipment and vehicles.
    - b) Prevent the introduction of other traffic, particularly prohibiting vehicles from crossing any fire hoses.
  - iv) Officers shall be required to wear their issued reflective vests while performing traffic direction, crash investigation and control duties.
  - v) When available and practicable, traffic barricades may be used to either augment or take the place of manual traffic control.
  - vi) Traffic signals may be operated manually or set to flash when the shift supervisor deems it necessary to help facilitate traffic control.
16. **FIELD INTERVIEW CARDS**
- i) When an officer in the field observes suspicious activity, his subsequent investigation might have an inconclusive outcome causing the subject to be released. Although the subject is not arrested and is not currently wanted, he may be of interest to another member of the Department.
  - ii) Field intelligence information may be collected from individuals who are in custody and those who are not in custody. When requesting information from suspects who are not in custody, the officer must rely upon persuasion, not coercion. The individual has the right to

- refuse to divulge the information and to leave at any time.
- iii) The Department maintains a database of all documented field interviews conducted by officers. It is essential to the continuing investigation component of the Department that all field interviews be documented. The Incident Reporting System's (IRS) Field Interview Card shall be utilized to document these contacts.
17. NOTIFICATION OF FIELD REQUEST FOR ASSISTANCE
- i) When an officer learns through any means of another officer or citizen in need of assistance, he shall notify the Troop or communications specialist of the following as soon as practicable:
    - a) Nature of the assistance.
    - b) Location in which assistance is needed.
    - c) Disposition of the situation once assistance is rendered.
18. DRIVER'S LICENSE / VEHICLE REGISTRATION ENFORCEMENT
- i) Drivers of vehicles whose registration has been expired less than one calendar month shall be issued a Violation Ticket allowing five (5) days in which to comply with the law. In no event should the driver be issued a Uniform Traffic Summons / Complaint Affidavit.
  - ii) Drivers of vehicles whose registration has been expired more than one calendar month should be issued a Uniform Traffic Summons / Complainant Affidavit for violation of LRS 47:508.
  - iii) Application of Title 47 to Nonresidents Working in Louisiana
    - a) "Non-resident" means every person who is not a resident of this state.
    - b) Persons dwelling outside of this state but whose occupation or business requires them to spend one-half or more of their working hours in this state are considered residents.
    - c) Every out-of-state person, regularly employed in or carrying on business within this state for a period of at least thirty (30) consecutive days and owning or leasing and regularly operating in such business or in connection therewith, any motor vehicle, trailer, or semi-trailer within this state, shall be required to register each vehicle and pay use taxes the same as residents, except as provided for by any reciprocal agreements between this and any other state.
    - d) The policy will be to allow thirty (30) days for voluntary compliance.
    - e) Louisiana has a reciprocal agreement with Texas, Arkansas and Mississippi allowing any resident of those states that commute to Louisiana daily in the course of their employment to avoid being considered residents of Louisiana.
    - f) Once an officer determines that an out-of-state person meets the requirements set forth in this order requiring registration in Louisiana, the following procedures shall apply:
      - 1) The violator may be cited for a violation of [LRS 32:51](#).
      - 2) The violator shall be issued a Violation Ticket directing him to report to the nearest Motor Vehicle Office to register his vehicle within five (5) days.
  - iv) Driver's License Enforcement Against Military Personnel and their Dependents
    - a) Nonresident military personnel and their dependents have been allowed to operate vehicles in the state without having to obtain a Louisiana driver's license or vehicle registration.
    - b) The dependents of military personnel will not be deemed to have established residence in Louisiana if they have accepted employment in Louisiana outside a military reservation
    - c) If these persons operate a vehicle to travel to their place of employment, they will not be required to possess a Louisiana driver's license
    - d) Any vehicle used in this regard will not be required to display a Louisiana license plate
  - v) Driver's License and Vehicle Registration Enforcement for New Residents
    - a) Officers of this Department shall allow a new resident ninety (90) days to secure a Louisiana operator's license and thirty (30) days to secure a Louisiana Motor Vehicle Registration.

- vi) Revocation and Suspension of Driver's License
  - a) Officers shall include printouts of records indicating suspension with the Uniform Traffic Summons / Complainant Affidavit.
  - b) Any driver's license in the possession of a violator as described herein shall be attached to the violation ticket (DPSSP 3115) by the arresting officer for transmittal to the Office of Motor Vehicles.
  - c) Officers detecting a person, who appears to be incompetent, physically or mentally disabled, or suffering from disease or other conditions that could prevent him from exercising reasonable and ordinary care over a motor vehicle, shall complete a Report of Driver Condition or Behavior Form and submit it to the Troop for processing.
- 19. SAFETY BELT / CHILD RESTRAINT ENFORCEMENT
  - i) It shall be a violation to remove, alter or render unusable the safety belts of any vehicle. The driver / passengers of a vehicle having the safety belts removed, altered or unusable shall be issued a Uniform Traffic Summons / Complaint Affidavit along with a five (5) day Violation Ticket requiring the re-equipping of safety belts.
- 20. LOUISIANA MOTOR VEHICLE INSPECTION STICKERS
  - i) Certificates expired less than one calendar month may be issued a Violation Ticket directing inspection be accomplished no later than the last day of the current month. In every case that an officer issues a citation, a five (5) day violation ticket will also be issued to allow a five day period during which the violator will not be cited again for the same infraction.
  - ii) Operators of vehicles with MVI certificates expired more than one month may, at the officer's discretion, be cited and / or issued a Violation Ticket which directs inspection.
  - iii) The officer issuing such Violation Ticket shall make a written note in the remarks section as to the date that the certificate expired and direct the operator of such vehicle to present his copy of the Violation Ticket to the inspection station conducting the inspection.
  - iv) Troops will handle Violation Tickets of this nature in the same manner as other Violation Tickets.
  - v) In every case that an officer issues a citation, a five (5) day violation ticket will also be issued to allow a five day period during which the violator will not be cited again for the same infraction.
  - vi) Operators of vehicles with rejection certificates issued more than fifteen (15) days previously, or certificates stamped with an "X" on the face of them in violation of the twenty-five mile radius restriction placed thereon, shall be issued an arrest citation indicating a violation of [LRS 32:53](#) D. A Violation Ticket shall also be issued in accordance with the paragraph above.
  - vii) Certificates with unreadable serial numbers, defaced, altered or unreadable information on the reverse side or certificates displaying the word "VOID" on the face are not valid and should be confiscated. Violators with invalid stickers as described should be given a five (5) day Violation Ticket. It may be appropriate to issue citations in this type of case (e.g., altered or switched stickers).
  - viii) Out-of-State Certificates:
    - a) Acceptance as an alternate means of compliance with the program any Louisiana registered vehicle bearing a valid certificate of inspection and approval issued in the District of Columbia or in another state of the United States, provided such certificate was obtained while such vehicle was regularly assigned, garaged or stationed outside the State of Louisiana or registered in another state when inspected by that state.
    - b) Acceptance as validly inspected any vehicle registered in another state which is exempt from obtaining a yearly inspection required by that state.
    - c) Extension of time for obtaining yearly inspections shall be granted to the registered owner or operator of a Louisiana vehicle which was not in this state during the time an inspection was required. Such extension of time shall be limited to five (5) days following the return of the vehicle to Louisiana.

- d) Enforcement action is generally inappropriate upon the occasion of a properly registered vehicle that is domiciled in another state.

## 21. COMPULSORY INSURANCE ENFORCEMENT

- i) An officer who determines that a Louisiana registered vehicle is being operated on a public roadway without the required compulsory insurance or proof thereof shall:
  - a) Complete all appropriate blanks of a Notice of Violation (DPSSP 6615) (NOV), have the operator sign the notice, and issue the green copy to the vehicle operator.
  - b) Remove the license plate from the vehicle. Care should be taken during removal of the plate so as to prevent damage to the vehicle. However, there may be occasions in which the plate may have to be minimally damaged to fully effect its removal.
  - c) Summon a wrecker to the scene for vehicle impoundment except when any of the following conditions exist:
    - 1) A passenger in the vehicle is under the age of twelve (12) years.
    - 2) The driver or any passenger is handicapped.
    - 3) The officer perceives that there would be a threat to the public safety or to the occupants of the vehicle when considering factors such as location and time of the stop.
    - 4) The officer otherwise has reason to believe the vehicle is properly insured.
    - 5) An officer should use good judgment if opting to impound a vehicle even if none of the above conditions exist.
  - d) If the vehicle is not stored because one of the exceptions listed above exists, the officer shall:
    - 1) Complete the Temporary Vehicle Use Authorization sticker (DPSSE 2000) for the vehicle. It is recommended that a broad-tipped, black, permanent ink marker be used to complete this sticker instead of a ballpoint pen to facilitate ease in reading the sticker.
    - 2) Ensure the Temporary Vehicle Use Authorization sticker is affixed to the lower left corner of the rear window unless such placement is impractical because of vehicle construction. In such cases, the sticker should only be affixed to a glass surface on the vehicle, never to a non-glass surface.
  - e) Upon completion of the stop, the officer seizing a license plate, including any temporary license plate for a violation of the Compulsory Insurance law shall attach the Department (white) copy of the NOV to the plate. The officer shall submit the license plate to the Troop with both the Department and law enforcement copies attached. This process shall be completed no later than the conclusion of the shift during which it was seized.
  - f) An officer encountering a vehicle without a license plate where the driver is also unable to show proof of compulsory insurance should issue a NOV and impound the vehicle. The officer should issue a Uniform Traffic Summons / Complaint Affidavit (DPSSP 3101) to the operator for a violation of [LRS 32:51](#), Vehicle License Required.
  - g) An officer should not take enforcement action for the sole purpose of determining the insurance status of a vehicle displaying a valid Temporary Vehicle Use Authorization sticker. However, a valid Temporary Vehicle Use Authorization sticker does not relieve an owner of the responsibility for possessing liability insurance on his vehicle. Therefore, should an officer otherwise encounter a vehicle, which has a valid Temporary Vehicle Use Authorization sticker, and the officer determines that the vehicle has no insurance; the officer should issue a NOV and impound the vehicle.
- ii) An officer encountering a vehicle displaying an expired Temporary Vehicle Use Authorization sticker should take immediate enforcement action. If the driver is unable to provide proof of insurance, the officer should issue a NOV, and cite the operator for violating [LRS 32:51](#), Vehicle License Required, or other applicable statute.

- iii) Commissioned officers shall honor any legitimate vehicle's owner / operator request for a specific wrecker or storage service company, in accordance with [P.O. 1113 Storage of Vehicles](#). If no request is made, wreckers are to be dispatched from each Troop's rotational list.
- iv) In accordance with [LRS 32:863.1\(D\)1](#), the operator of a vehicle which is registered in another state is only required to provide proof of insurance when involved in a vehicle crash. Should an officer investigate a crash involving an out-of-state vehicle which is either uninsured or the operator is unable to provide proof of insurance, the officer may only issue a NOV. The license plate shall not be removed from the vehicle. The vehicle shall not be impounded solely because of the insurance violation.
- v) It shall be the responsibility of Motor Vehicle field offices throughout the state to verify compliance with compulsory motor vehicle liability security and to provide for the release of impounded vehicles. Officers of this Department are not authorized to release vehicles impounded solely because of an insurance violation.
- vi) To ensure uniformity and expedite the delivery of seized license plates to the Office of Motor Vehicles, each Troop Commander shall:
  - a) Establish and maintain a repository for seized license plates within his Troop.
  - b) Coordinate with OMV to determine the specific Motor Vehicle facility where seized license plates will be delivered.
  - c) Ensure a daily transmittal listing all plates seized and the Motor Vehicle facility to which they are delivered is prepared.
  - d) Ensure seized plates are deposited with the specified Motor Vehicle office each morning, excluding Saturdays, Sundays, and holidays.
  - e) Establish and maintain a file for the daily transmittal and the law enforcement copy of each NOV to be retained for one year.

22. RADAR / LIDAR OPERATIONS – COMMAND RESPONSIBILITIES

- i) Troop Commanders shall authorize the use of police traffic radar / LIDAR only under the following conditions:
  - a) The operator is certified by the Department.
  - b) The equipment is approved for use by the Superintendent, or his designee.
- ii) Each Troop shall maintain a file on each radar / LIDAR unit for as long as it is in use. The file shall contain:
  - a) The name of the officer assigned the equipment.
  - b) The maintenance of each unit.

23. RADAR/LIDAR OPERATION PROCEDURES

- i) Radar / Lidar will not be used in the immediate vicinity of any traffic control requiring a reduction in speed or in a reduced speed zone sooner than thirty (30) days after the posting of such a zone.
- ii) Operations must comply with the following:
  - a. Certification by a certified Department radar / LIDAR instructor.
  - b. Re-certification every three years.
- iii) Operators will perform field calibration tests as follows:
  - a. At the beginning of each shift, the operator will check each of the following, in accordance with their radar / LIDAR manufacturer's instructions, and log the results of the check on the operator's Daily Activity Report Form DPSSP 1200 or the TESS Activity Report form.
    - 1. Lamp test.
    - 2. Internal circuit check.
    - 3. Tuning fork test with certified tuning forks.(Radar Only)
    - 4. Sight alignment test. (Lidar Only)
    - 5. Known distance test. (Lidar Only)

- b. No radar / LIDAR which at any time fails any of the above calibration tests shall be used.
  - iv) Once every three years, radars will undergo a certified electronic calibration test.

24. ELEVATED HIGHWAY ENFORCEMENT

- i.) Officers conducting enforcement on elevated highways should take extra care in selecting locations that are suitable for enforcement, considering traffic and weather conditions.
- ii.) Prior to conducting enforcement on elevated highways, all personnel, engaged in patrol activities are required to attend the elevated highway enforcement training.
- iii.) Flagging of vehicles is prohibited on all elevated sections of roadway and all multi-lane roadways with a posted speed of 55 mph or greater. Officers may flag a vehicle over if an immediate hazard exists.
- iv.) Officers operating RADAR or LIDAR outside of their patrol unit on an elevated highway shall position themselves at least 6 feet from the nearest travel lane.
- v.) Officers shall not approach a vehicle during a traffic stop on an elevated highway unless it is absolutely necessary. If it is necessary to approach the vehicle, officers should approach on the side of the vehicle furthest from the lane of travel.
- vi.) When conducting enforcement on elevated sections of roadway during hours of darkness, officers shall not stand outside of their patrol unit to conduct enforcement. At a minimum, the vehicle's parking lights shall remain on.

25. DWI ENFORCEMENT

- i) Drug – For the purposes of this section, a drug is defined as alcohol, any abused or Controlled Dangerous Substance (CDS), or any substance that, when taken into the human body, can impair the ability of the person to operate a vehicle or watercraft safely.
- ii) When a person has been arrested for Driving While Intoxicated (DWI), and refuses or is unable to provide a toxicological sample, the person shall be charged with DWI and the officer shall attempt to secure a search warrant for blood.
- iii) Any person whose blood alcohol concentration (BAC) is proven to be .30g% or greater by an alcohol breath test, or who is believed to be dangerously impaired and requires medical assistance, shall be transported to the nearest medical facility
  - a) The officer shall attempt to obtain a physician's order or medical clearance stating that the violator can be incarcerated. If medical personnel refuse to treat the person, the officer shall document the name of the personnel and / or the medical facility which refused to treat the violator.
- iv) If the arrested person has a BAC, proven by a chemical breath test to be at or above .08g%, the person shall be charged with DWI. If the arrested person has a BAC, proven by a chemical breath test to be .079g% or below, they shall be charged based upon the level of impairment. If the level of impairment displayed is not consistent with the subject's BAC, a certified Drug Recognition Expert (DRE) should be consulted.
- v) Officers may be authorized to issue a summons for first and second DWI offenses when necessary due to lack of jail space or if the person is injured and incapable of being booked in accordance with the Code of Criminal Procedure or when otherwise noted with exigent circumstances and the approval of the Shift Supervisor. In all other cases officers are encouraged to have all violators booked as soon as practicable. When an officer feels a summons is required in lieu of booking, as stated above, the officer shall assure that the violator is released to a responsible third party.

26. BLOOD WITHDRAWAL PROCEDURES FOR ARRESTED SUSPECTS

- i) Officers shall utilize one of the following methods to obtain a blood sample from an arrested subject:
  - a) Actual consent from the subject, or
  - b) A search warrant for blood based on probable cause of impairment, or

- c) Exigent circumstances which shall be considered on a case-by-case basis and approved by the Shift Supervisor or their designee.
- ii) When dealing with non-compliant persons, officers shall use only that level of medically safe force necessary to secure the suspect so that blood may be withdrawn, including physical force, handcuffs, or hospital restraining devices. Officers shall ensure that the hospital staff does not participate in the restraining of the suspect. The person authorized to administer the test is immune from prosecution and civil liability insofar as the administration of the test. Their immunity is jeopardized by their involvement in law enforcement activities such as restraining a suspect.
- i) Only a physician, physician assistant, registered nurse, licensed practical nurse, emergency medical technician, chemist, nurse practitioner, or other qualified technician shall perform a chemical test in accordance with the provisions of LRS 32:664 when directed to do so by a law enforcement officer for the purpose of determining the alcoholic content or presence of any drugs or illegal controlled dangerous substance. (A licensed practical nurse can only obtain a blood sample with a court order).
- ii) If verbal consent from the arrested person is given, but the person that is authorized to administer the test refuses to draw the blood of a suspect after being directed to do so by the officer, the officer shall obtain a court order for the blood draw in accordance with the provisions of L.R.S. 32:666 (A).
- iii) If required, officers shall refer to the use of force reporting requirements as outlined in [P.O. 238 Use of Force](#).

## 27. OPERATING A VEHICLE WHILE UNDER SUSPENSION ENFORCEMENT

- i) An officer who determines that the driver's license of the operator of a motor vehicle registered in Louisiana is suspended or revoked at the time of a stop, involved in an accident, or otherwise subject to any investigation for any other reason, and the motor vehicle is registered in the name of the operator, shall:
  - a) Complete all appropriate blanks of the Notice of Suspension ([DPSSP 6714](#)) (NOS), have the operator sign the notice, and issue the green copy to the vehicle operator.
  - b) Remove the license plate from the vehicle. Care should be taken during removal of the plate so as to prevent damage to the vehicle.
  - c) Complete the Temporary Vehicle Use Authorization Sticker ([DPSSP 6713](#)) for the vehicle. It is recommended that a broad-tipped, black, permanent ink marker be used to complete this sticker instead of a ballpoint pen to facilitate ease in reading the sticker. The date shall be no less than three (3) inches in height
  - d) Ensure the Temporary Vehicle Use Authorization sticker is affixed to the lower left corner of the rear window unless such placement is impractical because of vehicle construction. In such cases, the sticker should only be affixed to a glass surface on the vehicle, never to a non-glass surface.
  - e) Upon completion of the stop, the officer seizing a license plate shall attach the Department (white) copy of the NOS to the plate. The officer shall submit the license plate to the Troop with both the Department and law enforcement copies attached. This process shall be completed no later than the conclusion of the shift during which it was seized.
  - f) The NOS Temporary Vehicle Use Authorization sticker allows an operator with a valid driver's license to operate the motor vehicle on public streets and highways for 10 business days.
- ii) An officer encountering a vehicle displaying an expired Temporary Vehicle Use sticker (which has been affixed to the vehicle for more than 10 business days) which is being operated on a public street or highway should take immediate enforcement action. The motor vehicle shall be impounded and the officer should issue a Uniform Traffic Summons / Complaint Affidavit ([DPSSP 3101](#)) to the operator for a violation of [LRS 32:51](#), Vehicle License Required, or other applicable statute.



- iii) Commissioned officers shall honor any legitimate vehicle owner's request for a specific wrecker or storage service company, in accordance with [P.O. 1113 Storage of Vehicles](#). If no request is made, wreckers are to be dispatched from each Troop's rotational list.
  - iv) It shall be the responsibility of Motor Vehicle field offices throughout the state to provide for the release of impounded vehicles. Officers of this Department are not authorized to release vehicles impounded because the vehicle was in operation on public streets or highways with an expired temporary use authorization sticker (in lieu of an official license plate) after the ten legal days to operate the vehicle.
  - v) To ensure uniformity and expedite the delivery of seized license plates to the Office of Motor Vehicles, each Troop Commander shall:
    - a) Establish and maintain a repository for seized license plates within the Troop, by parish.
    - b) Coordinate with OMV to identify the specific Motor Vehicle facility where seized license plates will be delivered, for each parish.
    - c) Ensure a daily transmittal listing all plates seized and the Motor Vehicle facility to which they are delivered is prepared.
    - d) Ensure seized plates are deposited with the specified Motor Vehicle Office(s) each morning, excluding Saturdays, Sundays, and holidays.
    - e) Establish and maintain a file for the daily transmittal and the law enforcement copy of each NOS to be retained for one year.
28. COMMUNICATING WITH PEOPLE WHO ARE DEAF OR HARD OF HEARING
- i) LSP has specific legal obligations under the Americans with Disabilities Act to communicate effectively with people who are deaf or hard of hearing. Whether the person is a victim, witness, or suspect, law enforcement officers are required to provide the same services that any other person would receive.
  - ii) Employees shall review and have a working knowledge of the publication [Communicating with People Who Are Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officers](#). This document reviews how officers should communicate effectively with individuals who are deaf or hard of hearing.
  - iii) All officers shall complete online training for communicating with the deaf and hard of hearing provided by the Louisiana Commission on Law Enforcement (LCLE) Peace Officer Standards and Training Council (POST).
    - a) When available, communication cards provided by the LCLE shall be kept in all patrol units and made available at each Troop and field office.
  - iv) The need for a sign language interpreter is generally governed by the length of time, importance, and complexity of the communication.
    - a) In simple enforcement situations such as traffic stops, driver's license checks, or consensual police-public encounters, a pen and notepad may provide effective communication.
    - b) During interrogations and arrests, a sign language interpreter is generally necessary to effectively communicate with a person who uses sign language.
    - c) A sign language interpreter is not required to make an arrest of a deaf or hard of hearing subject if probable cause is established independent of interrogating them.
    - d) If probable cause to make an arrest must be established through questioning or interrogation of a deaf or hard of hearing person, a sign language interpreter shall be requested.
  - v) When a sign language interpreter is required due to the nature of the communication with a witness, suspect, or victim, officers shall contact their Regional or Troop Communications Officer to request an interpreter. The communications officer will contact an interpreter from the current vendor with which the Department has an agreement.
    - a) Operational Development will keep the vendor's contact information updated on the LSP Bulletin Board.

- b) The totality of the circumstances will dictate whether or not the interpreting services will be utilized as soon as practicable or if an appointment will be scheduled for a later date / time.
- vi) Arrest situations concerning the deaf and hard of hearing.
  - a) Recognizing that some persons need their hands free in order to communicate, unless absolutely necessary for the safety of the officers or others, the use of handcuffs should be avoided when possible. If handcuffs are required, all essential communication with the suspect should be completed prior to the application of handcuffs on the suspect.
  - b) Because some deaf and hard of hearing individuals have difficulty with equilibrium, officers should avoid administering the full battery of standardized field sobriety tests to those individuals. Horizontal Gaze Nystagmus (HGN) and Blood Alcohol (Intoxilyzer or withdrawal of blood) should be employed as alternative tests.
  - c) Some individuals have limited written language skills, particularly involving difficult matters such as legal warnings and admonitions. Therefore, officers should not assume the effectiveness of this form of communication and should gain confirmation of a person's understanding whenever possible.