



COTTAGE CITY POLICE DEPARTMENT

GENERAL ORDER

SUBJECT: **TRAFFIC ENFORCEMENT METHODS**

NEW REVISED RESCINDS

APPROVED: *GM*
GEORGIA MILTENBERGER
ACTING CHIEF OF POLICE

Effective Date 8/22/2018

I. POLICY

- A. The Cottage City Police Department will employ various techniques and practices designed to deter the tendencies of motorists to knowingly violate traffic laws. Based on the principle that the most effective deterrent to traffic law violations is visible patrol in a marked police vehicle, and in the interest of maintaining a posture of prevention as opposed to apprehension, traffic law enforcement activities will be conducted accordingly.
- B. The Department will encourage citizen comments, complaints, suggestions, and input regarding traffic problems in their communities so that police resources and personnel can be assigned and coordinated appropriately.
- C. Officers patrolling in police vehicles shall drive them in a manner that conforms to all traffic laws, and that demonstrates exemplary driving behavior. Extreme emergency conditions will be the only exception to this practice, but officers will still be expected to drive with due care.

II. PATROL TECHNIQUES

- A. Visible Traffic Patrol
 - 1. Visible traffic patrol will involve deploying officer's in-uniform, utilizing a marked police vehicle, to enforce the traffic laws within an assigned area. The only exception

will be at the express approval of the Chief of Police to use an unmarked vehicle in special circumstances.

2. When officers are not assigned to specific areas, they will patrol the entire City and will be alert for traffic violations or traffic complaints that come to their attention, and, using their best judgment, training and discretion, will take appropriate enforcement action, which could range from a verbal or written warning, to the issuance of a citation or a physical arrest if stricter measures are necessary.
 3. If deemed appropriate, officers may be assigned to patrol a certain stretch of roadway (known as Line Patrol) to deter violations and/or to enforce traffic violations.
 - An example of Line Patrol would be to concentrate patrol along a certain stretch of Bladensburg Rd. in response to citizen complaints about speeding or other unsafe driving practices in that stretch, therefore it is more specific than Area Patrol.
 4. The Department's selective enforcement program will encompass the various patrol techniques herein described.
 5. Directed patrol efforts will be coordinated by the Sergeant and will involve the deployment of an officer(s) to conduct a specific type of enforcement in an area, on a line patrol, or at a specific location depending on the nature of the hazard or violations that warrant this type of patrol. Directed Patrol will be utilized as another selective enforcement component. The Sergeant will evaluate selective enforcement activities and make adjustments as needed.
 6. The Department's use of roadside safety checks will be limited to those situations when assisting PGPD or another agency with "Sobriety Checkpoints" within the Town's boundaries, those jurisdictions Cottage City has a Mutual Aid agreement with or contract areas.
- B. Stationary Observation
1. Stationary observation, either covert or overt, will be used as a technique to make observations about traffic activities at a particular location.
 2. The Department will utilize this technique to among other things, assist traffic engineering officials and/or other officials with studies, analyses, etc., and a marked vehicle or bicycle may be used.

- Officers are encouraged, when completing reports or doing other activities that would temporarily keep them out of service, to park their police vehicles in a conspicuous location, where just the presence of said vehicle would serve to remind motorists and pedestrians of the need for voluntary compliance with traffic laws.
3. Enforcement by means of "Off-Street Observation" is permissible and oftentimes necessary in areas that generate a large number of citizen complaints/requests for enforcement.

C. Use of Unmarked or Unconventional Vehicles

1. The Cottage City police fleet consists of several marked and unmarked vehicles. The use of an unmarked vehicle for traffic enforcement/observation is acceptable with the specific approval of the Chief.
 - Prior to using an unmarked police vehicle for traffic enforcement purposes, officers will ensure that it is equipped with emergency lights and siren and that they are operational.

III. STOPPING/ APPROACHING TRAFFIC LAW VIOLATORS

- A. When an officer considers stopping a traffic violator, there are two major objectives for the stop:
1. The Immediate Objective is to take appropriate enforcement action, either by issuing the violator a verbal or written Warning Notice, a Traffic Citation, or by making a physical arrest.
 2. The Ultimate Objective is to favorably alter the violator's future driving behavior.
 3. The attainment of the two objectives depends upon, at a minimum, the following:
 - The officer's ability to evaluate the violator's position, and to understand his/her "side of the story;"
 - An understanding and respect for human relations; and
 - Officer flexibility and discretion.

B. Traffic Stop Procedures and Guidelines

1. Although enforcing traffic laws is a function police officers perform daily, all too frequently they are injured or killed in situations that initially appear to be a "routine traffic stop."

"For the purpose of this directive, and in the interest of officer safety, nothing is routine."

- Realizing that a courteous manner by an officer during the course of a traffic stop is of the utmost importance, officer safety and survival is more important and officers shall be cognizant of both during every traffic stop they make.
2. Because every traffic stop is different, the Department cannot possibly write procedures for every situation that an officer could potentially encounter; however, when an officer intends to initiate a traffic stop, the below-listed procedures are designed to maximize the safety of the officer, the violator, and other motorists.
 3. The Department is also cognizant of the fact that an occasion may arise involving adverse weather and road conditions, engineering conditions, the urgency to stop a particular violator, and traffic congestion in the area of an intended stop, which may dictate that some of the steps listed herein may need to be altered or adjusted to fit the circumstances, however, officers will make every effort to follow these procedures as much as possible:
 - In order to alert the dispatcher to their status and the immediate need for acknowledgment, officers calling out on a traffic stop, or with a suspicious situation (Signal-7), will do so by announcing their car number, activity, and location during their initial contact with the dispatcher. Identify possible activity, i.e. CDS, tampering with motor vehicle, burglary, etc.
 - When the dispatcher acknowledges, officers will then provide their exact location and, vehicle license plate, make, model and/or description of the violator's vehicle if no tag/tag number is visible, the color of the vehicle and number of occupants, if known.
 - The tag number should be written down by the officer prior to the officer exiting the police vehicle to approach the violator.

- Officers should attempt to make the traffic stop in an area familiar to them and should consider a location with ample space and appropriate lighting, and should avoid hills, curves, intersections and private driveways.
- The police vehicle's emergency (red and blue) lights shall be used as one signal to stop the violator. The police vehicle's horn or officer's hand signal is acceptable, but is not as effective. The siren can also be used, but only in combination with activated red/blue lights.
- The violator should be signaled and directed to the side of the roadway, close to the curb, or onto the road shoulder, if possible or a side street if available.
- On multi-lane roadways, to ensure officer, violator, and other motorists' safety, the officer should gradually move to the roadside/shoulder with the emergency lights on and turn signal activated to alert other traffic of the gradual lane changes and the officer's intention to stop the violator as far to the right as possible.
- If the violator stops abruptly, in an unsafe area, or in an area of disadvantage to the officer, or other undesirable location, the officer shall use the police vehicle's public address system to direct the violator to a safer or more desirable location.
- Once the violator has stopped, if practical the police vehicle shall be positioned approximately one car-length behind the violator, with the police vehicle's wheels turned away from the curb, its left front end offset by about two to three feet from the left rear end of the violator's vehicle and the right rear end of the police vehicle close to the curb.
- The officer shall exit the police vehicle as cautiously and continuously as possible, alert for any sudden or suspicious movements by the violator vehicle occupants.
- The officer shall approach the violator's vehicle from behind (unless unusual circumstances exist), looking into the back seat area and stopping at a point behind the driver's door, such that the violator is at a disadvantage and has to look back over his/her left shoulder to communicate with the officer.
- If two officers are on the scene of the stop, the officer not conversing with the violator shall be responsible for all radio communications to allow the other to concentrate on the violator. The officer not conversing with the violator shall act as an observer and provide cover for the officer conducting the traffic stop.

- At night, the procedure is basically the same, except selecting a safe location is even more important.
 - The police vehicle's emergency lights and hazard flashers shall always be used on all traffic stops, but the spotlight shall only be used to illuminate the violator's vehicle's interior, mainly positioned on the inside rear-view mirror, and will not be used to signal a violator to stop.
 - The light bar's "Take-Down" lights should be activated to assist in illumination.
 - Officers requesting computer information from the dispatcher will state the nature of the request during the officer's initial contact with the dispatcher.
 - If a check is requested on a driver's license, the officer should provide the violator's Soundex number, or last name, first name, middle name, and date-of-birth.
 - For wanted checks, the officer should provide the dispatcher with the violator's last name, first name, middle name, and date-of-birth.
 - For vehicle registration information, the officer may provide the vehicle's tag number, VIN number, title number, owner's name, or Soundex number.
 - Officers will not request criminal history information via radio and will not discuss criminal history information via radio unless in the immediate interest of officer safety.
4. If an officer witnesses a violation that occurred in traffic behind the officer, and the officer intends to stop the violator, the officer shall allow the violator to pass and as the violator passes, the officer shall remain in the police vehicle while signaling the violator to stop, either by hand signal or by activating the police vehicle's emergency lights. If the violator stops, the police vehicle can be re-positioned behind the violator's vehicle, as described above.

C. Felony or High-Risk Stops

Special procedures should be used for vehicle stops when the occupants of a vehicle are known to be armed and dangerous. When a vehicle operated by a known or suspected felon is located by an officer, he/she will notify the dispatcher immediately of the location, and give a thorough description of the vehicle and its occupants. The officer

will keep the suspect vehicle in view and request sufficient assistance in making the stop. The officer will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment. The suspect vehicle will not be stopped unless absolutely necessary, until adequate support is available and in position. The following procedures will be used in effecting the stop:

1. The officer will plan to stop the suspect vehicle in a location which presents minimal danger to other citizens.
2. When conditions are appropriate, and support units available, the officer will move into position to the rear of the suspect vehicle.
3. The officer will signal the violator to stop, using all emergency equipment to warn other traffic.
4. If the violator is known to be armed and dangerous, the officer will have his/her weapon easily accessible and ready for immediate use.
5. When the suspect vehicle begins to stop, the officer will turn off the siren and activate the public address system.
6. The officer will park the police vehicle so that it provides maximum protection and cover.
7. At night, all lights will be focused on the interior of the suspect vehicle, including the spot light.
8. The officer will exit the vehicle quickly, but remain behind the door and accessible to the public address system microphone.
9. The officer making the stop is in command and will direct each occupant, using the public address system, to get out of the vehicle individually according to specific directions and into the appropriate search position, after which the approach may be made.
10. If a public address system is not available or not working, the officer will give voice commands.
11. The officer will also give instructions to the support officers, to make the suspects aware that additional officers are present.

12. The support officers will not give additional commands as this would tend to confuse the suspects, but will make their presence known by responding to the commands given by the arresting officer.
13. Extreme caution will be exercised by officers not to get in another officer's line-of-fire.
14. When all occupants have been removed from the vehicle, the support officers should move to a position to cover the arresting officer while the suspects are searched.
15. Arrestees will be searched and handcuffed prior to being transported.

IV. OFFICER CONDUCT WITH TRAFFIC VIOLATORS

In the interest of officer safety and survival, along with portraying a positive, professional image and treating the violator with respect and fairness, officers will:

- A. Be alert for the unexpected;
- B. Be certain (without hesitation or reservation) of the observations of the violation for which the violator is being stopped;
- C. Present a professional image in dress, grooming, language, bearing and emotional stability;
- D. Be prepared by having the necessary forms and equipment immediately available;
- E. Decide on an appropriate course of enforcement action based on the violation and driving behavior;
- F. Greet the violator with an appropriate title and in a courteous manner;
- G. Inform the violator of the violation and the intended course of action;
- H. Request the driver's license and the vehicle's registration and accept only these forms;
- I. Allow the violator to discuss the violation and do not argue, berate, belittle or otherwise verbally abuse the violator;
- J. If a Citation, Warning or Safety Equipment Repair Order is issued; attempt to explain the document by providing information about:

- How the violator can request a Court date to enter a plea and/or how and where to pay the fine for the Citation;
 - If the Citation requires the violator's appearance in Court;
 - The law requiring the violator's signature on the Citation, and/or,
 - What any Repair Order issued to the violator requires.
- K. Unless the violator's license and/or registration are to be held as evidence, it will be returned to the violator after the Citation has been signed or while handing the violator the S.E.R.O.
- L. The officer will then assist the violator with safely re-entering the flow of traffic and will not follow the violator, unless it is being done in the violator's best interest.