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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

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SOP# P-210

PAGE # 1

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SUBJECT: TRAFFIC ADMINISTRATION AND ENFORCEMENT

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INDEX AS: CITATIONS: WARNINGS: TICKETS: TRAFFIC LAW:

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EFFECTIVE DATE: 09/30/05 REVISED DATE:  
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I. PURPOSE:

To establish guidelines for the administration of all traffic related activities and to establish the proper procedures for taking enforcement action applicable to traffic law violations. Also to establish guidelines for the operation and deployment of traffic enforcement personnel.

II. SCOPE:

These guidelines shall apply to all sworn Deputies authorized to enforce traffic laws and to those situations where a Deputy is enforcing traffic laws.

III. RESPONSIBILITIES:

A. Traffic administration and enforcement is a function of the Laurens County Law Enforcement Center . Although all patrol personnel have the responsibility for enforcing traffic laws, the Laurens County Law Enforcement Center shall serve as the primary traffic enforcement unit in Laurens County, Georgia.

B. The Laurens County Law Enforcement Center shall have primary responsibility for the following traffic activities:

1. Traffic law enforcement;

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 2

2. Escorts: Funerals, parades, etc.;
3. Traffic congestion control;
4. Selective enforcement.

IV. ENFORCEMENT ACTION:

The responsibility for enforcing traffic laws is shared by all uniformed personnel. Members of this Department shall take appropriate enforcement action for each violation of the law witnessed by them. Such action shall be accomplished in a business-like, firm, impartial, and courteous manner.

1. Physical arrest;
2. Issuance of a notice to appear (citation);
3. Issuance of a written warning;
4. Verbal warning.

Deputies are to use individual discretion, based upon professional judgement, as to what form of enforcement action will be taken. To facilitate uniformity in the application of traffic laws, the following guidelines should be used:

A. Physical Arrest:

Deputies will effect the arrest of any person in violation of those traffic laws pertaining to driving intoxicated or driving under the influence of intoxicants; habitual violator attempting to elude a police officer, or aggravated cases of reckless driving (when willful and wanton intent of the driver are elements of the offense);

There may be other incidents in which a violator should be physically arrested. The decision to effect a physical arrest should be based upon sound legal principles.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 3

B. Notice to Appear (Citation) :

The issuance of a traffic citation is applicable in the majority of cases for a violator.

The traffic citation may be issued to all 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 Deputy may issue a copy of charges in lieu of physical arrests in all traffic cases except those mentioned in the Physical Arrest Section of this policy.

Officers should refer to the list of traffic law violations and enforcement contained in this policy to ensure uniformity in traffic law enforcement.

Citation books will be issued on an as needed basis. Deputies shall report to their Supervisors any lost or stolen citations.

Citations may only be voided by the arresting Deputy upon approval by the Sheriff/Chief Deputy. Voided citations shall be marked void and placed back into the file.

Citation Books will be stored in the Supply Room.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 4

C. Written Warning:

A written warning is a proper alternative by Deputies in response to a minor traffic infraction committed in those areas where traffic accident experience is minimal. Written warnings are also appropriate for those violations which occur within tolerances generally allowed by the Department and enforced by the courts. These tolerances would include speeds in excess of the legal limit but less than a speed for which a citation or arrest would result. It is also applicable to running a stop sign at a speed slower than walking at intersections where traffic accident experience is slight.

D. Verbal Warning:

A verbal warning is appropriate when a violator commits an act which may be due to ignorance of a local ordinance which may be unique or a violation of which the driver may not be aware and has not caused a serious traffic hazard. Examples of violations which may warrant verbal warnings are a right turn on a red light without first coming to a complete stop or rolling through a stop sign when these violations are done with reasonable safety. Similarly, a verbal warning is appropriate for equipment failure (one headlight not working) of which the driver was unaware.

V. SPECIAL ARREST:

Officers should follow these guidelines when traffic stops are made on the following persons:

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 5

A. Juvenile Offenders:

A juvenile traffic offense, as defined by the Official code of Georgia Section 15-11-49, consists of a violation of any law or ordinance governing the operation of a moving motor vehicle upon the streets or highways of this state by anyone, under the age of seventeen (17). The summons or citation which you normally use shall invoke the jurisdiction of the Juvenile Court. The following information should be included on the back of the citation:

1. Details of the incident leading to the citation;
2. County of Residence of violator;
3. Parent's name, address, employer, home and work phone numbers;

A signed copy of a Juvenile complaint form should be attached to the citation along with any other documentation related to the violation and turned into the Juvenile Court. Court dates will be assigned by the Juvenile Court.

B. Legislators:

All legislators, State or Federal, have immunity from arrest when traveling to and from legislative sessions or committee meetings. Citations or physical arrests shall only be initiated when there is not legislative session and the offense is of a serious nature such as driving under the influence, fleeing an officer, vehicular homicide, hit and run, and driving without a valid Georgia License.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 6

- C. Foreign diplomats/ consular officials- Any person having diplomatic or consular status is immune from any arrest. At no time will officers of this department make any arrest involving these persons.

VI. TRAFFIC PATROL:

Traffic patrol enforcement procedures will include:

A. Visible traffic patrol:

1. Area- Moving or stationary observation in an area that includes a number of streets or sections of highway.
2. Line- Moving or stationary observation on a specific street or highway between two points.
3. Directed- Either area or line patrol that is specifically directed by supervisory personnel and is based on unfavorable traffic accident or enforcement data.

B. Stationary observation:

1. Convert- Traffic enforcement units will not be concealed from view of the roadway to the extent that the observer is not visible to persons using ordinary powers of observation.
2. Overt- Traffic enforcement units will be positioned in such a manner near the roadway, or intersection, that is clearly seen by persons using ordinary powers of observation.
3. Unmarked vehicles- Unmarked vehicles will not be utilized for traffic enforcement activity.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 7

VII. STOPPING AND APPROACHING THE TRAFFIC LAW VIOLATOR:

The following steps in stopping and approaching a traffic violator are intended 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 (drinking driver) , and the existing volume of traffic may dictate adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist.

- A. The pursuit of a traffic violator has ended when the Deputy has positioned himself/herself behind the violator to gain the stopping procedure.
- B. At this point, the Deputy should notify the communications center of the intended location of the traffic stop, the license number, vehicle type and description and the number of occupants of the vehicle.
- C. The Deputy should be thoroughly familiar with the area, and anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample stops on hills, curves, intersections, private drives, and business locations which have limited parking.
- D. The Deputy should signal the violator to stop. This signal should be with the blue emergency lights and if necessary, the siren.
- E. The violator should be signaled and directed to the right side of the roadway close to the curb, or onto the shoulder.
- F. On multi-lane roadways, the Deputy should insure 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.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 8

- G. Should the violator stop abruptly in the wrong lane or in another undesirable location, the Deputy should promptly direct the violator to move to a safer location. Officers should use the public address system to instruct violators to move to a safer location, if this equipment is available. If the patrol vehicle is not so equipped, and gestures are insufficient, the Deputy should quickly depart from the vehicle and give verbal instruction to the violator.
- H. If it is suspected that the driver is drinking to the extent that his/her driving ability is impaired, the violator should not be permitted to move his/her vehicle once it has stopped.
- I. Once the violator has stopped in an appropriate location, the Deputy should position the Patrol vehicle approximately one-half to one car length behind the violator's vehicle. The Patrol Vehicle should be positioned at a slight angle so the left front is off-set approximately two feet (2') to the left of the violator's vehicle and right rear is near the curb. This position provides maximum safety to the violator, the Deputy, and all other traffic.
- J. The Deputy should exit from the Patrol Vehicle and be continuously alert for any suspicious movement or actions in or on the violator's vehicle.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 9

- K. In those traffic stops, made by two man patrol vehicle, the passenger Deputy should be responsible for all radio communications, writing all notes and messages relayed from the communications center, and during the traffic stop should depart from the vehicle and act as an observer and cover for his/her fellow Deputy. At no time should the two Deputies approach the violator together.
- L. At night, the procedure is basically the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop and the use of all illuminating equipment to light up the offender vehicle to allow the Deputy to see any activity. This is a primary safety procedure.
- X. STOPPING A KNOWN OR SUSPECTED FELON:
- A. When a vehicle driven by a known or suspected felon is located by a Deputy, he/she will notify the communications center immediately. The Deputy will inform the communications center of the location, thoroughly describe the vehicle and the occupants.
- B. 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:

---

LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 10

1. The Deputy 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 Deputy will move into position to the rear of the suspect vehicle;
3. The Deputy will signal the violator to stop, utilizing all emergency equipment to warn other traffic;
4. The violator will be stopped on the extreme right side of the road;
5. If the violator is known to be armed and dangerous, the Deputy will have his/her weapons easily accessible and ready for immediate use;
6. When the suspect vehicle begins to stop, the Deputy will turn off the siren and activate the public address system;
7. The Deputy will park the Vehicle so that it provides maximum protection and cover for him/her;
8. At night, all lights will be focused on the interior of the suspect vehicle, including spot lights, to the disadvantage of the violator;
9. The Deputy will depart the vehicle quickly, but remain behind the door and accessible to the public address system microphone;
10. The Deputy in command will direct each occupant, utilizing the public address system, to remove himself/herself from the vehicle and individually according to specific directions and into the appropriate search position, after which the arrests may be made;

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 11

11. The support Deputy will cover the arresting Deputy and remain on the curb side of the vehicle until all occupants have departed the vehicle and are secured.
12. Arrestees will be handcuffed and searched prior to being transported.

XI. DEPUTY/VIOLATOR RELATIONS:

Once the officer has stopped the violator and approached to a point where communications begin, the Deputy- Violator relations are activated.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 12

- A. Be alert at all times for the unexpected, but do not be obviously apprehensive.
- B. Be absolutely certain the observations of the traffic violation were accurate- without reservations.
- C. Present a professional image in dress, grooming, language, bearing, and emotional stability.
- D. Be prepared for the contact by having the necessary equipment and forms, if they are to be used, immediately available.
- E. Decide on appropriate enforcement action based upon the violator's driving behavior, not attitude. In most cases, it is advisable to have the form of enforcement action decided prior to the initial contact with the violator.
- F. Greet the violator with an appropriate title and in a courteous manner.
- G. Ask for the violator's drivers license and insurance and accept only these forms.
- H. Inform the violator what traffic law he/she has violated and the intended enforcement action; the violator should not be kept in suspense.
- I. If the driver has no driver's license, obtain another document of identification.
- J. Do not argue, berate, belittle, or otherwise verbally abuse the violator.

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LAURENS COUNTY LAW ENFORCEMENT CENTER

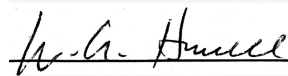
STANDARD OPERATING PROCEDURES

---

SOP # P-210

PAGE # 13

- K. Complete the forms required for the enforcement action taken or exercise a verbal warning, if this is the decision.
- L. Explain to the violator exactly what he/she is supposed to do in response to the action taken.
- M. Be alert to any emotional stress exhibited by the driver. If stress is present, the instruction may have to be repeated or the violator may need to calm down before he/she resumes driving.
- N. Return the drivers license and insurance papers with the warning or citation.
- O. If a citation has been issued, hold the drivers license, if it meets the required criteria.
- P. Assist the violator in safely reentering the traffic flow.



W. A. HARRELL  
SHERIFF

09/30/2005

EFFECTIVE DATE: