ADMINISTRATIVE ORDER	APPROVED BY: David R. Hines COLONEL DAVID R. HINES SHERIFF

SUBJECT: TRAFFIC LAW ENFORCEMENT	SERIES: 62
	NUMBER: 1
	EFFECTIVE DATE: 1/1/1996
	REVISION DATE: 3/24/2015

ACCREDITATION STANDARDS: CALEA: 1.1.4, 61.1.2, 61.1.3, 61.1.4, 61.1.5, 61.1.6, 61.1.7, 61.1.8, 61.1.9, 61.1.11, 61.1.12, 82.2.4; VLEPSC: ADM.02.04, OPR.02.02, OPR.07.01, OPR.07.02, OPR.07.03, OPR.07.10.

POLICY

Objectives of traffic law enforcement are to reduce traffic crashes and injuries, and to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through voluntary compliance with traffic regulations. The Hanover County Sheriff's Office seeks to achieve this objective through a combination of education and enforcement.

The Sheriff's Office seeks to educate the public regarding traffic regulations through programs aimed at exposing specific problems, and by publishing traffic crash and injury statistics.

Enforcement action will be taken upon detection of an illegal and potentially hazardous act, without regard for such factors as attitude, intent, or excuse. Enforcement action may consist of a warning, summons, or arrest.

Traffic enforcement is one of the many tasks performed by officers, but for violators it is frequently an emotionally traumatic experience. In many cases, this is the only contact that a person has with law enforcement. Officers should strive to make each contact educational and to leave the violators with the impression that the officer has performed a necessary task in a professional manner.

The Sheriff's Office conducts statistical and visual surveys to determine by location, time and day of week which violations are causing crashes. Based upon the information obtained, personnel are deployed to take enforcement action. In addition, when complaints are received regarding a specific traffic problem in a particular area, personnel are assigned to investigate and take appropriate enforcement action.

PURPOSE

The purpose of this administrative order is to prescribe procedures for traffic law enforcement, preventive patrol, proactive enforcement, and relationships with motorists, pedestrians, and the courts.

12. Alcohol Counter Measures Program

A. The arrest of an individual for driving under the influence differs significantly from other traffic law violations. Any person who operates a motor vehicle while under the influence of alcohol or other self-administered intoxicants or drugs poses an unpredictable hazard to law abiding motorists; therefore, each officer of the Hanover Sheriff's Officer will make an intensified effort to remove this type of driver from the highway. The Office has established a proactive alcohol enforcement program that has as its goal the reduction of crashes involving alcohol. The program components are listed below.

B. The Officer-in-Charge of the Traffic Safety Unit will publish an annual review of crash data to determine the areas with the highest concentration of alcohol related crashes, and times and days of week most appropriate for enforcement counter measures. The Captain of Patrol Operations will also provide enforcement recommendations, check point location recommendations, and suggestions as to patrol techniques to the Commander of Uniform Operations.

C. The Commander of Uniform Operations will be responsible for assignment of personnel for enforcement duty, for design of check point, for liaison with the Commonwealth Attorney, and the Courts. In addition, the Commander of Uniform Operations is responsible for:

1) Assignment of regular patrols to cover the high crash locations times/days within the county, with emphasis on the violations that have caused the crashes.

2) Assignment of targeted DUI patrols to concentrate on violation areas, times and days that relate to Alcohol infractions.

2. DUI Enforcement Procedures

A. General: Driving under the influence has been interpreted by various courts to mean the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages or other drugs. It does not imply that the operator of a motor vehicle be in a state of alcoholic or drug-induced stupor or be entirely incapable of exercising physical control of vehicle. Driving under the influence of intoxicants is an offense generally associated

with leisure-time activity. Consequently, most arrests are made during evening hours or in the early morning hours after taverns close or social gatherings end. Although the intoxicated driver may be observed any day of the week, weekends and holidays reflect an increase of offenses and arrests.

B. Laws: Each officer will be familiar with state laws (18.2-266, 18.2-269) and county ordinances that relate to driving under the influence.

C. Locating and Stopping

1) As soon as an officer suspects a driver of being under the influence, observations should be noted for future reference. The following is not inclusive:

a) Sitting through a green light.

b) Weaving.

c) Very slow speed.

d) Excessive speed.

e) Disregard for stop signs or signals.

2) When you have observed a driver whose actions are similar to the above or are not consistent with sound driving practices, an immediate stop should be made.

3) Be alert and use extreme caution when stopping a suspected intoxicated driver. Keep in mind that alcohol or drugs affect judgment and often result in erratic behavior.

4) Follow established procedures for stopping traffic violators.

D. Officer-Driver Contact

1) Officers will be polite and business-like, remaining aware that the driver's judgment, self-restraint, and self-confidence are the first faculties to be distorted by alcohol, creating the setting for lack of cooperation, belligerency, and even physical contact. Do not allow yourself to be drawn into an argument.

2) Get the violator out of the vehicle and to a safe location, carefully observing all actions and statements.

3) Obtain the person's operator's license or other identification, if you have not previously done so.

4) Suspected drivers will be offered the following standardized field sobriety tests:

a) Walk and Turn, One leg stand, and other tests as necessary.

b) Alco-sensor/alcolyser tests-indicates amount/degree of alcohol present in the blood. Driver must be advised he has the option of taking this test, if available, and that the results cannot be used against him in court.

5) The test results and driving behavior should be collectively weighed in the decision to make an arrest; however, the suspect driver may refuse these tests. If so, the officer may arrest on the basis of observations of driving behavior. The suspect driver, whose dexterity performance is unacceptable yet chemical test reveals no alcohol consumption, should be carefully observed for signs indicating drug usage or abuse. Officers may also arrest in this case on the basis of observations of driving behavior and dexterity alone.

E. Handcuffing DUI Suspects: See AO 71-1, "Prisoner Transportation."

F. Transporting DUI Suspects: See AO 71-1, "Prisoner Transportation."

G. Arrested Suspect's Vehicle: See AO 66-2, "Towing or Impounding Vehicles."

H. Processing DUI

1) Provisions and procedures outlined in the Code of Virginia Section 18.2-266 through 18.2-273 should be applied without regard to age to any suspected intoxicated driver.

2) Every driver arrested for driving under the influence will be advised of the law requiring a blood or breath test to be taken and the penalty for refusal. (Implied Consent Law)

a) Breath Test

If the violator submits to the breath test for intoxication, it will be administered by a qualified breathalyzer operator. Normally, the test will be conducted at PRJ or at the Ashland Police Department.

b) Blood Test

i) Every officer will carry as part of his/her issued equipment, a blood collection kit that has a current

expiration date provided by the Virginia Department of Forensic Science.

ii) The officer will transport the suspected D.U.I. to PRJ or the Memorial Regional Medical Center or an appropriate medical center. Emergency room or hospital personnel will advise the officer where to go and what to do. The suspect is not to leave the office's sight during this time. The use of cleansers that contain alcohol should be avoided when preparing a DUI suspect for a blood sample collection. The officer must observe the blood draw process and record the steps taken on the DUI checklist. The officer will provide the physician, registered nurse, or technician with the provided blood collection kit so that samples may be taken. The officer shall follow the instructions provided with the vials outlining how they are to be packaged. The medical staff member drawing the blood must initial or sign the label attached to each blood vial. The suspect is not to handle the blood, sample vials, or boxes under any conditions.

(a) Note the conditions under which the blood is drawn (sterile).

(b) Note the name of the person drawing the blood and their occupation. They must be a doctor, registered nurse, graduate laboratory technician, or a nurse authorized by a Circuit Court Order.

(c) Get the state card number and date of expiration showing the person is one of the above.

(d) If you assisted in drawing the blood, be prepared to testify to the following. If you only observed the blood being drawn, be prepared to say you observed the following:

[1] Person drawing blood washed hands.

[2] Cellophane vial wrappers were sealed before opening.

[3] Syringe package was sealed before opening.

[4] Needle package was sealed before opening.

[5] Soap or Povidone-Iodine U.S. prep pad was sealed before opening.

[6] Gauze package was sealed before opening.

[7] Note area from which blood was drawn (left arm, etc.).

[8] Area was washed with soap and water or Povidone-Iodine U.S. prep pad.

[9] 10cc of blood was placed in each vial.

[10] Each vial was sealed and initialed by the officer.

[11] You verified the information on each vial.

[12] You place each vial back in the white cardboard box initial the seals. Initial the box, and seal flap with the tape provided.

c) Once the above is completed, transport the suspect to the magistrate's office where the necessary warrants will be obtained. Per code, it is the responsibility of the suspect or his/her counsel to contact the Division of Forensic Science in reference to the second blood vial.

d) When the officer is finished processing the prisoner, the cardboard box containing the vials will be placed into an evidence locker with a Request for Laboratory Examination prior to the end of the shift.

3) If the violator further refuses to take a test, the officer will execute the refusal form.

4) Departmental forms will be completed accounting for the incident and indicating the results of any tests that have been administered. The following are examples:

a) The use of the DUI Checklist Form is valuable in processing the suspected violator/drinking driver. This form shall be utilized and completed, to the extent the cooperation of the

suspect allows, on every person arrested for Driving under the Influence. Officers should retain copies of these forms for use in court and subsequently to assist ASAP evaluation.