



## 2017 VIRGINIA LAW ENFORCEMENT CHALLENGE APPLICATION

Applications are due to [VLEC@vachiefs.org](mailto:VLEC@vachiefs.org) by **Friday, May 5, 2017, by 11:59 PM**

**Click here for a copy of the LEC How-To Guide: <http://bit.ly/22aMcCW>**

Agency (as it would appear on an award): Herndon Police Department  
 Agency Category: Municipal  
 Total Number of Sworn Personnel: 55 Total Number of Uniformed Officers on the Street: 38  
 Submitter(s) (main point of contact for application): Sergeant R.A. Galpin  
 Department: Police  
 Address: 397 Herndon Parkway City: Herndon State: Va. Zip: 20170  
 Submitter Phone: 571-353-0558 Submitter Email: bobby.galpin@herndon-va.gov  
 Department Head: Chief Maggie DeBoard Email: maggie.deboard@herndon-va.gov

### APPLICATION ATTACHMENTS PACKET

#### CHECKLIST

*Each attachment should be no longer or larger than 10 pages and 10 MB.*

- NLEC Application (required)
- Speed Awareness Narrative (required)
- Speed Awareness Policies (required)
- Impaired Driving Narrative (required)
- Impaired Driving Policies (required)
- Occupant Protection Narrative (required)
- Occupant Protection Policies (required)
- State/Local Issue Narrative (required)
- State Local Issue Policies (required)
- Special Award Application(s) (1 attachment including narratives and policies for each award) (optional)

### SPECIAL AWARD CONSIDERATIONS

- Impaired Driving\*
- Occupant Protection\*
- Speed Awareness\*
- Bike/Pedestrian Safety
- Commercial Motor Vehicle Safety
- Distracted Driving
- Motorcycle Safety
- Technology
- Traffic Incident Management
- State/Local Issue is Special Award Consideration\*\*
- yes  no
- If yes, which one? Bike/Pedestrian Safety

*\*Your agency is automatically considered for this Special Award upon submission of NLEC application  
 \*\*Cannot be Speed Awareness, Impaired Driving, or Occupant Protection; must be chosen from other Special Awards*

## SUBMISSION DISCLOSURE QUESTIONS

Please answer the following questions to the best of your ability.

1. Total roadway crashes in 2014: 685
2. Total roadway crashes in 2015: 706
3. Total roadway crashes in 2016: 753
4. Total fatal crashes in 2014: 0
5. Total fatal crashes in 2015: 1
6. Total fatal crashes in 2016: 1
7. Total injury crashes in 2014: 36
8. Total injury crashes in 2015: 70
9. Total injury crashes in 2016: 52

### IMPAIRED DRIVING

For guidance on completing your Impaired Driving attachments, please refer to page 5 of the How-To Guide:

<http://bit.ly/22aMcCW>

1. This agency has a written policy making impaired driving enforcement a priority: yes  no
2. Number of officers who received training in 2016 in impaired driving: 15
3. This agency participates in officer recognition programs for impaired driving detection and apprehension:  
yes  no
4. Number of Impaired Driving Arrests in 2014: 118
5. Number of Impaired Driving Arrests in 2015: 129
6. Number of Impaired Driving Arrests in 2016: 86
7. Total number of fatal and injury crashes related to Impaired Driving in 2016: 8
8. Percentage of fatal and injury crashes related to Impaired Driving in 2016: 1%
9. This agency is allowed to conduct Impaired Driving Checkpoints: yes  no
10. Number of Special Enforcement Efforts in 2016 for Impaired Driving (saturation patrols, checkpoints, etc.): 93
11. Output Statistics: How many DUI citations were issued in target areas?: 10
12. Output Statistics: How many DUI citations were issued during the target times?: 10
13. Output Statistics: How many contacts were made? (total): 784
14. Output Statistics: How many contacts in target areas?: 784

## OCCUPANT PROTECTION

For guidance on completing your Occupant Protection attachments, please refer to page 6 of the How-To Guide:

<http://bit.ly/22aMcCW>

1. This agency has a written policy making safety belt and child passenger safety enforcement a priority: yes  no
2. This agency has a written policy requiring officer safety belt use: yes  no
3. Does your state have a Primary Seat Belt Enforcement Law?: yes  no
4. Your state's average safety belt use percentage rate in 2016: 79
5. Your jurisdiction's safety belt use percentage rate at the beginning of 2016: 93
6. Your jurisdiction's safety belt use percentage rate at the end of 2016: 93
7. Number of officers who received training in 2016 in occupant protection: 1
8. This agency participates in Saved by the Belt/Air Bag (officer and/or citizen) awards programs: yes  no
9. Number of Seat Belt Citations in 2014: 61
10. Number of Seat Belt Citations in 2015: 28
11. Number of Seat Belt Citations in 2016: 30
12. Number of Child Seat Citations in 2014: 90
13. Number of Child Seat Citations in 2015: 34
14. Number of Child Seat Citations in 2016: 12
15. Number of Special Enforcement Efforts in 2016 for Occupant Protection: 138
16. Output Statistics: How many citations were issued in target areas?: 14
17. Output Statistics: How many citations were issued during the target times?: 14
18. Output Statistics: How many contacts were made? (total): 683
19. Output Statistics: How many contacts were made in target areas?: 683

## SPEED AWARENESS

For guidance on completing your Speed Awareness Submission attachments, please refer to page 8 of the How-To

Guide: <http://bit.ly/22aMcCW>

1. This agency has a written policy making speed enforcement a priority: yes  no
2. Number of officers who received speed-related training in 2016: 5
3. This agency participates in officer recognition programs for speed detection and apprehension: yes   
no
4. Number of Speeding Citations in 2014: 1774
5. Number of Speeding Citations in 2015: 1339
6. Number of Speeding Citations in 2016: 1150
7. Total number of 2016 fatal and injury crashes related to speed: 27
8. Percentage of 2016 fatal and injury crashes related to speed: 3.6
9. Number of Special Enforcement Efforts in 2016 for Speed: 195
10. Output Statistics: How many citations were issued in target areas?: 534
11. Output Statistics: How many citations were issued during the target times?: 534
12. Output Statistics: How many contacts were made? (total): 683
13. Output Statistics: How many contacts were made in target areas?: 683

## STATE/LOCAL ISSUE

Your State/Local Issue cannot be Impaired Driving, Occupant Protection, or Speed Awareness. For guidance on completing your State/Local Issue attachments, please refer to page 9 of the How-To Guide: <http://bit.ly/22aMcCW>

1. This agency has a written policy making this issue a priority: yes  no
2. Number of officers who received training related to this issue in 2016: 38
3. This agency participates in officer recognition programs for this issue: yes  no
4. Number of citations issued involving this issue in 2014: 2
5. Number of citations issued involving this issue in 2015: 9
6. Number of citations issued involving this issue in 2016: 3
7. Total number of 2016 fatal and injury crashes related to this issue: 11
8. Percentage of 2016 fatal and injury crashes related to this issue: 1.5%
9. Number of Special Enforcement Efforts in 2016 for this issue: 66
10. Output Statistics: How many citations were issued in the target areas?: 3
11. Output Statistics: How many citations were issued during the target times?: 3
12. Output Statistics: How many contacts were made? (total): 52
13. Output Statistics: How many contacts were made in target areas?: 52
14. How many special team enforcement details were directed at the State/Local Issue (not routine patrol)?:  
66



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING

### Town of Herndon

The Town of Herndon is the third largest town in the Commonwealth of Virginia and home to more than 24,500 residents. Located in Western Fairfax County, Herndon is just 22 miles from downtown Washington D.C., and minutes from Dulles International Airport. The Town of Herndon is home to 11 parks and the W&OD biking trail that runs through the heart of the downtown area. Amidst a 21<sup>st</sup> century Northern Virginia landscape of high rise buildings, industrial complexes, and transportation hubs, Herndon maintains a small town charm that is evident in its commercial center and its neighborhoods.

The Herndon Police Department has 55 sworn officers, with 38 of those officers tasked with patrol and traffic enforcement duties. The growing business base coupled with the proximity to growth in surrounding jurisdictions continues to congest roadways in Herndon, especially during peak commuting periods. With this large volume of traffic, the Herndon Police Department conducts numerous traffic safety programs to address impaired driving, speeding and other violations, and occupant protection compliance, in an effort to reduce accidents.

### Problem Identification

The detection and arrest of the impaired driver has always been a high priority for the Herndon Police. There were 86 arrests made by the department for driving while intoxicated during 2016, representing a 33% decrease from the 129 arrests made in 2015. There were 33 crashes in 2016 where alcohol was a contributing factor. This number represented a 42% increase from the 19 that occurred in 2015. Alcohol and drug impaired driving remains a valid concern in our jurisdiction and enforcement efforts to deter drinking and driving must continue.

The department's annual traffic analysis includes a review of crash data and traffic enforcement activities in order to identify temporal factors such as location, time-of-day, day-of-week, and month-of-year when crashes are most prevalent, and findings are verified in our DMV grant data based on incidents. In 2016, we applied these factors to establish specific locations and timeframes for DUI saturation patrols throughout the year. Of the 86 DUI arrests in 2016, 10 DUI arrests, notwithstanding other violations and arrest, resulted from these patrols. The saturation patrols conducted have been successful and based on the results, numerous saturation patrols are planned for 2017.

Proactive DUI saturation patrol efforts and safety programs such as *Checkpoint Strike Force and Drunk and Drugged Driving Prevention Month*, contributed to the Department's prevention efforts and problem identification. Participation in national prevention programs, checkpoints and *six-pack patrols* (enhanced enforcement efforts) were conducted in conjunction with festive times of the year, i.e. New Year's Day, St. Patrick's Day, Halloween, Thanksgiving, and Christmas, further validating the need for continued vigilance in impaired driving enforcement efforts. The department also supplements these campaigns with separate initiatives to educate community members, as well as local restaurant and bar employees about the dangers of drunk driving, and collaborates operations with the Virginia Alcohol and Beverage Control Board to target businesses that may be selling to underage consumers.



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING

### Policies – See Policy Attachment

#### Planning

The Department's annual Traffic Analysis includes a review of crash data and traffic enforcement activities from 2015, and established goals for 2016 to decrease crashes where alcohol was a factor. Strategies for attaining these goals included enhancing DUI enforcement through the use of saturation patrols, making holiday enforcement a priority, and stressing the importance of DUI enforcement to patrol officers who have the opportunity to make the majority of impaired driving arrests. These goals served as the foundation for the 2016 operational plan. The plan for the year was to conduct selective enforcement to decrease impaired accidents and increase DUI arrests, organize proactive enforcement through targeted patrols, and to educate and promote DUI enforcement to agency members as well as to community stakeholders.

All of these strategies coincide with Virginia's Strategic Traffic Plan in strengthening DUI/DUID enforcement programs, conducting education and training on impaired drivers, developing and implementing programs to reduce underage drinking and driving, and developing and implementing programs to reduce recidivism.

Our annual Traffic Analysis and DMV grant data identified the fact that alcohol/drug related crashes occurred on weekends between 6pm to 3am. The data also identified primary locations for impaired associated crashes. In 2016, DUI saturation patrols were established according to those timeframes and locations. Also, as a routine operation, a selective enforcement guide was distributed monthly to target enforcement efforts for specific violations according to locations, days and timeframes. Selective traffic enforcement forms were completed for each assignment on a daily basis and submitted to the Traffic Section supervisor for compilation.

The Herndon Police Department also created traffic safety strategies in conjunction with selective traffic enforcement efforts and with the Town's Traffic Engineering and Improvement Committee (TEIC). The TEIC is a partnership of traffic engineers, public works staff and police personnel formed to address citizen complaints, road engineering deficiencies, and other traffic safety issues. The primary focus of traffic concerns between the TEIC partnership and the police department was to improve the free flow and safe passage of traffic within the Town.

The department planned and implemented proactive enforcement strategies by conducting DUI saturation patrols around New Year's eve, St. Patrick's Day, Halloween, Thanksgiving and Christmas, and during the *Checkpoint Strike Force* and *Drunk and Drugged Driving* prevention campaigns. These planned activities augmented the routine patrols selected for targeted enforcement. In addition, the department initiated an operation to identify establishments selling alcohol to underage buyers.

The department stressed the problem in Herndon of alcohol/drug impaired driving and the importance of enforcement efforts to decrease crashes where alcohol was a factor. Activities that were considered to help enforcement efforts included tracking bars associated with the impaired driver, conducting selective enforcement during certain timeframes and at specific locations, and training Breathalyzer operators.



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING

### Training

#### TRAINING ATTENDED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT IN 2016

Type of Training	Activity	Participants
Motor Carrier Safety	Refresher Training	1 Officers
Intoxilyzer Operator	Certification	3 Officers
Police Motorcycle Operations	Re-cert	4 Officers

#### PRIOR TRAINING USED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT

Training is an important part of the department's ongoing mission to promote and increase safety on the roadways. Maintaining specialized certifications in crash investigations, utilizing speed and alcohol detection devices, and other safety related training keeps the department prepared and proactive. The following table shows the current certifications utilized by department personnel throughout the year in its enforcement efforts.

Current Certifications Utilized	Participants
Motor Carrier Safety	2 Officers
Breath Alcohol Operators	7 Officers
DWI Detection and Field Sobriety Testing	38 Officers
Motorcycle Operations	6 Officers
Advanced Crash Investigations, Level 1	12 Officers
Advanced Crash Investigations, Level 2	6 Officers
Advanced Crash Investigations, Level 3	6 Officers
Advanced Motorcycle Crash Investigations	4 Officers
Drug Recognition Experts	4 Officers

Training at the Herndon Police Department is an ongoing requirement. Every member of the department attends required training through academy level in-service training, roll call training, or departmental mandatory training. Roll call training is utilized to provide specific information on special enforcement initiatives to include alcohol enforcement initiatives. This training also focuses on the education of traffic laws concerning motorists, bicyclists and pedestrians. Every officer with traffic safety enforcement duties receives this training. Additionally, during 2016, members of the department received specialized training in motor carrier safety, crash investigation and reconstruction, and breath alcohol operator recertification.



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING

These classes included Breathalyzer operator courses through the Virginia Department of Forensic Science, motor carrier safety, traffic grant writing seminars, the *Law Enforcement Challenge* preparation seminar, and police motorcycle operations to augment traffic enforcement efforts. As with many other

area jurisdictions who have experienced a decrease in the training budget, the department has had to make the most of our training dollars. Despite budget cuts, the Herndon Police Department has attained its training objectives while keeping traffic safety a primary focus of the training process.

In 2016, members of the Traffic Section continued to use training they received from the Department of Motor Vehicles - Virginia Highway Safety Office. The various courses on Crash Investigation and Reconstruction along with annual in-service training on Motor Carrier Safety helped officers investigate causes of crashes and conduct motor carrier safety inspections in an effort to make our roadways safe.

Five officers attended in-house training courses throughout the year in mapping intersections as part of the Crash Reconstruction Team. One member of the department attended the DMV Grant Seminar. The DMV grant writing seminar provided us with important information that helped us earn over \$51,350 in DMV traffic safety grants. This funding has allowed us to increase enforcement efforts, purchase equipment, and provide training for officers.

### Public Information and Education

#### Special Programs and Community Policing

In 2016, the Department held a Citizen and Youth Police Academy which included educational information on drinking and driving. Students received hands-on instruction about the dangers of impaired driving with the use of a DUI simulator and "Drunk Vision Goggles". Graduates of the academy experienced the impairment through fun scenarios and were encouraged to relate their experiences with others. These same training tools are also used with local youth who attend the Fairfax County "Road Dawg" program, an educational prevention program that works with at-risk kids. The Herndon Police Department is a member of the Fairfax County Oversight Committee on Drinking and Driving, which is made up of safety advocates, local police departments and citizen groups. This committee discusses best practices for enforcement and education programs in the respective jurisdiction.



September 2016  
Youth Police Academy



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING

### Press Releases and Events

Prior to all traffic safety and educational initiatives, the Public Information Officer (PIO) of the Herndon Police Department issues a press release outlining the Department's intentions during the scheduled programs. The press releases to local news media provide information on scheduled checkpoints and results for DUI arrests. The press releases are listed on the department's webpage and also communicated through our Twitter account.

On December 16, 2016 the Herndon Police Department attended the 19<sup>th</sup> Annual Washington Regional Alcohol Program Awards Ceremony to honor officers in the *Fight against Drunk Drivers*. The Washington Regional Alcohol Program (WRAP) is an award-winning public-private partnership working to prevent drunk driving and underage drinking in the Washington-metropolitan area. Through public education, innovative health education programs and advocacy, WRAP is credited with keeping the metro-Washington area's alcohol-related traffic deaths consistently lower than the national average. WRAP, however, may best be known to area residents via the organization's popular free cab ride service for would-be drunk drivers, *Sober Ride*. In attendance were representatives of law enforcement agencies from Washington D.C., Maryland and Virginia. The featured speakers in attendance were Virginia's Honorable Gerry Connolly of the U.S. House of Representatives and Melissa Mollet, traffic reporter for NBC 4. During the event, officers were honored for their outstanding commitment in the fight against drunk driving.



19<sup>th</sup> Annual Washington Regional Alcohol Program Awards Ceremony for Fight Against Drunk Drivers



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING

### Enforcement Activity

Alcohol/drug impaired driving remains a significant problem in Herndon. Special enforcement efforts were coordinated in 2016 to facilitate the identification of offenders. The plan was to make arrests and thereby decrease DUI accidents. The Department implemented the plan through grant-funded enforcement and specialized campaigns.

#### Regular Duty Enforcement

Officers in Patrol and the Traffic Section conduct enforcement operations as part of their daily responsibilities to combat alcohol/drug related driving. Each year MADD awards Herndon Police Department officers for their outstanding enforcement efforts against drunk driving and underage drinking. In 2016, two officers received awards for their combined enforcement efforts which accounted for 46% percent of the department’s DUI arrests. In 2016, the department had 86 DUI arrests, and 76 of these arrests were performed during regular duty operations.

#### Grant Funded Enforcement

The DMV grant funded 94 saturation patrols that were conducted to deter and apprehend intoxicated drivers. Over 784 drivers were stopped during saturation patrols and 10 DUI arrests were made, and 479 other traffic related arrest and citations were issued. **Through our saturation patrols, 616 hours of grant-funded overtime was used.** All of the grant-funded hours for saturation patrols were performed during targeted days and times.

#### Specialized Campaigns

The Herndon Police Department participated in the following concentrated enforcement campaigns or initiatives in 2016:

- Checkpoint Strike Force*
- Drive Sober or Get Pulled Over*
- Drunk and Drugged Driving Prevention Month*
- Holiday Six-Pack Patrol*
- Smart Safe and Sober*
- Sobriety Checkpoints*
- Underage Drinking Enforcement Initiative – Joint Operation*

2016 DUI STATISTICS	
DUI Arrests	86
DUI Arrests in Target Areas	10
DUI Arrests During Target Times	10



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING

### Outcomes

The Herndon Police Department has made a concerted effort to combat alcohol/drug impaired driving through the use of selective and routine enforcement measures whereby regular duty patrol officers make detection and apprehension of drunk drivers a priority. In addition, special proactive enforcement efforts included saturation patrols, and other safety campaigns. The Department also reached out to the community and provided preventative education aimed at the offender, businesses, and the community at large. The goal of these efforts was to make a positive impact on the community by reducing alcohol related accidents to ensure safer roadways.

Analysis from selective enforcement patrols and statistical data was conducted to more accurately identify factors that could help focus enforcement efforts for selective and routine enforcement. This data was used to plan operations, channel and review efforts, and to monitor the results. Temporal data was utilized to specifically plan proactive enforcement activities throughout the year.

DUI saturation patrols were established according to timeframes and specific days. **Saturation patrols produced 10 DUI arrests, and 479 other traffic related violations and arrests.**

Participation in saturation patrols and safety campaigns facilitated **education for community members** by demonstrating the department's intended purpose behind its planned enforcement activities, highlighting the seriousness of alcohol/drug impaired driving. **Impaired drivers arrested for DUI received an experiential education** when convicted of this offense by losing driving privileges and having to complete an alcohol education program.

For 2017, the Herndon Police Department will make the detection and apprehension of impaired drivers a high priority. The 2017 goals will include prevention strategies to include addressing underage drivers as a primary goal. Once again the Department will work to decrease accidents due to alcohol/drug impairment. In 2017 more focus must be placed on decreasing alcohol related crashes. In 2016 alcohol related accidents represented 4.4% of the total 753 crashes in the Town of Herndon, which was an increase from 2.7 % in 2015. This goal will only be attained through continued participation in traffic safety programs and active enforcement and educational efforts.

### Awards and Recognition

The department and several members received several awards and recognition for impaired driving enforcement efforts in 2016. The awards are highlighted below:

#### MADD Awards

Mothers Against Drunk Driving (MADD) recognized Herndon Police Officers Calo and Findley for their exceptional efforts toward combating drunk driving and excellence in community service and public safety on May 6, 2016.



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING



MADD Awards  
May 06, 2016

### WRAP Awards

On December 16, 2016 the Herndon Police Department attended the 19<sup>th</sup> Annual Washington Regional Alcohol Program Awards Ceremony. Officer Calo was one of few in Northern Virginia recognized for his outstanding efforts against Drunk Driving.

### Law Enforcement Challenge Award

At the Virginia Association of Chiefs of Police Conference on September 20, 2016, the Herndon Police Department received the first place award in the 2015 Law Enforcement Challenge for Municipal Police Departments with 55-75 members.



Law Enforcement Challenge Award  
September 20, 2016



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING - POLICY

HERNDON POLICE DEPARTMENT GENERAL ORDER §61.1.1 MANDATES OUR CRASH ANALYSIS AND SELECTIVE ENFORCEMENT CRITERIA. HERNDON POLICE DEPARTMENT GENERAL ORDERS SECTIONS §61.1.5, §61.1.10, §61.1.11, §44.2.2, AND §41-16 REQUIRES ALL DEPARTMENTAL PERSONNEL TO MAKE A CONCERTED EFFORT TO DETECT AND ARREST THE IMPAIRED DRIVER, TO INCLUDE JUVENILES. SECTION §41.3.8 ENSURES THAT OFFICERS USE IN-CAR DIGITAL RECORDINGS TO CAPTURE IMPAIRED DRIVING INCIDENTS TO BE USED FOR COURT PROCEEDINGS.

### §61.1.1 Selective Traffic Enforcement.

Selective traffic enforcement is an activity of the Field Operations Division. Selective traffic enforcement functions include the following:

- A. An annual analysis by the Traffic Section supervisor of traffic collisions. Analysis of traffic collisions will include at a minimum the following factors:
  1. Month, day and hour;
  2. Location, weather and road conditions;
  3. Driver action, to include violations;
  4. Types of vehicles involved.

This information will be gathered from collision investigation reports submitted to the Records Section. The crime analyst will compile the data for the analysis and provide it to the Traffic Section supervisor for analysis on a monthly basis;

- B. An annual analysis by the Traffic Section supervisor of traffic enforcement activities. The traffic complaints received during each month will be reviewed along with the summonses issued to determine if adequate enforcement is being applied to the identified high violation rate locations. The crime analyst shall assist by providing the necessary data for the analysis;
- C. The scheduling of selective enforcement in areas where analysis of traffic collisions and violations indicates that special attention is needed. The Traffic Section supervisor shall issue a monthly schedule of selective enforcement locations based on the preceding analysis. The schedule shall be approved by the Field Operations Division commander prior to implementation. Patterns of similar causes or sudden increases in the severity or number of collisions or violations at a specific location are valid criteria for extra enforcement.
- D. Selective Enforcement Assignments.
  1. The Traffic Section supervisor shall provide a monthly selective enforcement activities schedule. Selective enforcement sites shall be worked by a traffic enforcement unit when available. If a traffic enforcement unit is not able to monitor a selective enforcement site, squad supervisors shall assign a patrol officer to the assignment.
  2. Selective enforcement activities will be based on an analysis of traffic collision data, citizen complaints and officer knowledge. Enforcement efforts shall be directed toward driving behavior that contributes to collisions. These selective enforcement sites shall not be limited to the enforcement of speeding violations. These sites will be utilized for the enforcement of violations in proportion to the frequency with which they occur in collisions and for responding to traffic-related needs identified in the community.
- E. On an annual basis, the Traffic Section supervisor will evaluate the selective enforcement program. This review shall be included in the annual analysis of traffic collisions and of traffic enforcement activities and should ascertain whether the enforcement efforts have met their objectives. A comparison of current accomplishments to past accomplishments shall be



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## IMPAIRED DRIVING - POLICY

included. Upon completion, the report shall be submitted to the Chief of Police through the chain of command.

F. Traffic Enforcement Unit.

All uniformed patrol officers are responsible for the safe flow of traffic throughout the Town; however, officers of the Traffic Enforcement Unit are tasked with this responsibility as their primary objective.

Officers of the Traffic Enforcement Unit are supervised by the Traffic Section supervisor. Specific duties of the Traffic Enforcement Unit will include but are not limited to:

1. Operations of speed measuring devices;
2. Parking control and enforcement;
3. Traffic law enforcement (to include truck safety and weight enforcement);
4. Traffic and speed studies and analysis;
5. Analysis of collision reports and records.

### §61.1.5 Enforcement Policy.

- A. The Herndon Police Department will strive to provide uniform enforcement action for traffic violations throughout the Town. Sound judgment by all officers in considering the circumstances and conditions at the time of the violation will ensure appropriate action and gain the public confidence in traffic enforcement.
- B. The ultimate goal of traffic law enforcement is to achieve voluntary compliance with all traffic laws. To achieve this, the Herndon Police Department will:
  1. Actively enforce the law as it pertains to driving while intoxicated. Officers will normally arrest any driver found to be in violation of this law. Arrests will be based on an individual's driving behavior, results of field sobriety tests, and results of blood alcohol tests;
  2. Actively enforce the law as it pertains to speeding violations with discretion utilizing warnings and issuing summonses. Generally officers should issue a summons for violations of 10 mph or more over the posted speed limit. Lesser infractions should be issued a warning. Consideration should be given to the weather conditions, traffic volume, pedestrian traffic, and location in conjunction with the correlation of speeding and traffic collisions;
  3. Actively enforce the law as it pertains to hazardous traffic violations, including seat belt violations and child restraint violations;
  4. Actively enforce the law as it pertains to equipment violations. These shall be enforced when a vehicle is found to be in violation of several equipment requirements, a summons should usually be issued for the most serious violation. This action should be taken even when each violation independently is worthy of only a warning. Single equipment violations shall be enforced based on the seriousness of the offense and officer discretion;

### §61.1.10 DWI Enforcement.

- A. Motorists impaired by alcohol or drugs pose a serious threat to the safety of the motoring public. A comprehensive, coordinated, and continuing effort by all members of the Herndon Police Department involving education, enforcement, adjudication, and public support is



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## IMPAIRED DRIVING - POLICY

essential in combating the drunk-driving problem. All officers shall make an intense effort to detect and arrest the drunk driver.

1. Officers shall be alert for signs of alcohol or drug impairment in all contacts with motorists. After initial examination at the scene of a traffic contact and upon the determination that probable cause to arrest exists, officers shall effect a physical arrest of the subject.
  2. Chemical tests will be performed in accordance with the Code of Virginia. §18.2-266-269, and Town Code 42-3, Department policy, and procedures established by the Fairfax County General District Court.
  3. Officers must realize chemical tests are supplemental tools and a refusal to submit to a chemical test will not constitute cause to issue a summons for a lesser violation.
  4. All supervisors will ensure that officers under their command are familiar with all aspects of DWI detection, field sobriety testing, and DWI prosecution.
- B. Education is an important element in combating the drunk-driving problem. The Crime Prevention Officer has the primary responsibility for DWI and driver safety awareness programs for schools and other civic organizations.

### §61.1.11 DWI Arrests.

- A. The detection and arrest of drunk drivers differs from that of other traffic law violators. There are specific legal limits of drug or alcohol intoxication, and the law is specific with regards to the implied consent statute, and for guidelines regarding chemical tests. These laws in the Code of Virginia, §18.2-266-269, outline the officer's scope of authority and establish procedures for detection, arrest, and processing of an intoxicated driver.
- B. Detection is the first step in DWI enforcement. This is when an officer establishes probable cause to arrest. Detection includes:
  1. Recognizing and identifying specific driving behaviors that signify the driver may be impaired by alcohol or drugs;
  2. Recognizing and identifying specific behavior occurring during traffic stops that provide evidence or suspicion that the driver may be intoxicated;
  3. Documenting all observations, which lead the officer to believe that the driver may be intoxicated;
  4. The use of caution when pursuing an intoxicated driver and always being alert for unpredictable reactions;
  5. Avoiding prolonged pursuit and apprehending as soon as possible in a safe location;
  6. Notifying the Communications Section of the vehicle description, location stopped and whether assistance is needed;
  7. Approaching the vehicle with caution and obtaining appropriate documentation;
  8. Interviewing the driver and passengers;
  9. Having the driver exit the vehicle and move to a safe location where field sobriety tests may be conducted;
  10. Administering appropriate field sobriety tests to assess impairment of the driver;
  11. Not allowing the driver to move the vehicle once the driver is judged impaired;
  12. Formulating appropriate arrest decisions based on the evidence accumulated. Test results and driving behavior should be collectively weighed in the decision to arrest. The



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## IMPAIRED DRIVING - POLICY

driver may refuse the field sobriety tests. Officers may arrest solely on the basis of driving behavior and personal contact with the driver.

### C. Arrest and Processing.

If the officer has satisfied the elements of a DWI violation, a physical arrest shall be made.

1. The subject shall be handcuffed and searched.
2. The subject's vehicle may be released to a responsible party with the owner's approval or towed in accordance with General Order §61.4.3.
3. Inform the subject of their rights and responsibilities pursuant to §18.2-268.2.
4. Inform the subject of the evidential breath test and/or blood test and explain the procedures involved. To conduct the breath test to determine blood alcohol content, the subject will be transported to the police facility or jail where a state certified breathalyzer operator will perform the test. If the subject is physically unable to submit to a breath test, or a breath test is not available, a blood test shall be administered to determine the drug or both drug and alcohol blood content, and the subject will be transported to the police facility, jail, or hospital where a court-approved blood technician, a licensed physician, or a licensed nurse may withdraw blood for testing.
5. If a breath test is performed and the results are below the level of consumption by law, the officer may request a blood test if the officer has reasonable suspicion that the subject may test for a positive known specific narcotic drug. If the results show a blood alcohol content of 0.08 percent or more by weight by volume, the officer shall proceed according to the Code of Virginia, §46.2-391.2, for the administrative suspension of the subject's license.
6. If a blood test is administered, the blood sample withdrawn shall be placed in approved vials, sealed and appropriate forms completed by the person taking the sample. The arresting officer shall take possession of the sealed vials and forms and place in an approved container to be mailed to the Department of Forensic Science for analysis.
7. If the subject refuses to submit to a chemical test, the officer shall advise the subject of requirements of implied consent pursuant to §18.2-268.2. If the subject further refuses to submit to a chemical test, the arresting officer shall then have probable cause for the magistrate to issue a warrant for unreasonable refusal. The officer shall also proceed according to the Code of Virginia, §46.2-391.2, for the administrative suspension of the subject's license.

### §44.2.2 Taking Juveniles into Custody/Juvenile Arrests.

#### A. Juvenile Arrests.

1. Juveniles may be taken into immediate police custody when one or more of the following conditions are present:
  - a. There is probable cause to believe that the juvenile has committed an offense, which would be a felony if committed by an adult;
  - b. In the presence of the officer, the juvenile commits an act which would be a misdemeanor if committed by an adult, and the officer believes that it is necessary for the protection of the public interest to take the juvenile into custody;
  - c. When based on probable cause on a reasonable complaint of a person who observed the offense, the juvenile commits a misdemeanor offense involving (i)



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING - POLICY

- shoplifting in violation of §18.2-103, (ii) assault and battery or (iii) carrying a weapon on school property in violation of §18.2-308.1;
- d. On the authority of a detention order or warrant known to be on file in this or a foreign jurisdiction;
  - e. Probable cause exists that the juvenile has run away from home;
  - f. The officer determines the juvenile is truant;
  - g. Probable cause exists that the juvenile is without adult supervision at night and the lack of supervision causes a clear and substantial danger to the welfare of the juvenile;
  - h. Probable cause exists that the juvenile has escaped or run away from jail, detention home or any facility appointed by the court to care for and supervise the juvenile;
  - i. The juvenile agrees, voluntarily, without threat or coercion, to accompany the officer to the police station for the purpose of returning the juvenile to the home or providing for proper care and supervision.
  - j. When a child is believed to be in need of inpatient treatment for mental illness as provided in §16.1-340.
2. Without any of the preceding conditions, officers shall not unnecessarily detain juveniles. All reasonable efforts to release juveniles to a parent or a person acting as a parent, who is available, able, and willing to take custody of the juvenile, shall be exhausted before an attempt to detain is made. The following guidelines are provided to govern the release of juveniles after being taken into custody:
- a. When the juvenile has been detained under the authority of a detention order or warrant, the juvenile shall be taken to an intake counselor where the legal process is executed. If an intake counselor is unavailable the juvenile shall be taken to the nearest magistrate. As soon as possible the officer shall notify a parent or adult responsible for the juvenile of the detainment;
  - b. When the juvenile has been detained based on an offense committed in the officer's presence or on probable cause, the juvenile shall be released to a parent or adult responsible for the juvenile as soon as practical. If the officer feels the juvenile should not be released, the officer shall immediately transport the juvenile to an intake counselor or to the nearest magistrate if a counselor is not available. The counselor or magistrate will then establish the release directions;
  - c. When the juvenile has been detained based on probable cause that the juvenile has escaped from a jail, detention home, or appointed court facility, the officer may return the juvenile to the facility if practical, or take the juvenile to an intake counselor, or to the nearest magistrate if a counselor is not available;
  - d. When the juvenile has been detained based on probable cause that the juvenile is a runaway, or to protect the child's welfare, the officer shall contact an intake counselor. The counselor will determine whether a petition or detention order will be issued. If neither are issued, the officer shall release the juvenile to a parent or an adult acting as a parent. If an adult cannot be contacted, the juvenile must still be released;
  - e. When the juvenile is taken into custody for a truancy violation, the juvenile shall be released to the appropriate school personnel.



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- B. Officers will follow these procedures when taking a juvenile into custody:
  - 1. Ensure that the constitutional rights of the juvenile are protected;
  - 2. Release the juvenile, interrogate the juvenile in accordance with General Order §44.2.3, or transport the juvenile, without delay, to the holding or detention facility unless the juvenile is in need of emergency medical treatment;
  - 3. Notify the juvenile's parent or guardian as soon as practical.
- C. Fingerprinting and Photographing Juveniles.
  - 1. The Code of Virginia, §16.1-299, requires that fingerprints and photographs be taken of any juvenile who is taken into custody and charged with a delinquent act an arrest for which, if committed by an adult, is required to be reported to the CCRE pursuant to subsection A of §19.2-390.
  - 2. Fingerprints and photographs may also be taken when an officer obtains a Juvenile Court Order, which requires the juvenile to submit to such processes.
  - 3. Juvenile fingerprints and photographs shall be separately and securely maintained. Access to these records will be restricted to official use, and may be viewed by the public only on the authority of a court order.
  - 4. Destruction of fingerprints and photographs shall occur when:
    - a. If no petition is filed against a juvenile whose fingerprints or photographs have been taken in connection with an investigation, the fingerprints and photographs shall be destroyed within sixty days after the fingerprints were taken;
    - b. If a juvenile is found not guilty of a charge where fingerprints or photographs were obtained, or in any case resulting in a disposition which fingerprints are not required to be forwarded to CCRE, the court is responsible for ordering the fingerprints and photographs be destroyed within six months of the date of disposition of the case;
    - c. The arresting officer shall notify the identification technician in the event that the fingerprints and photographs are required to be destroyed. The identification technician shall ensure that the destruction is carried out according to law.
- D. Juvenile Case Reporting Procedures.
  - 1. Juveniles voluntarily in custody shall be documented by an Incident Report.
  - 2. Juveniles released from custody after a verbal warning shall be documented by an Incident Report and completion of a Virginia Uniform Summons noting the offense committed and the word "warning" below offense.
  - 3. Juveniles released from custody with the officer intending to secure a petition will be documented by an Incident Report and a Virginia Uniform Summons. A supplemental report shall be completed as soon as the officer appears before an intake counselor.
  - 4. Juveniles taken into custody for runaway or truancy will be documented with an Incident Report and a Virginia Uniform Summons.
  - 5. The summons is utilized as an internal Department form for recording that a juvenile was taken into custody for violating the law. In completing the summons on all non-traffic juvenile arrests, all copies go to the Records Section. A copy of the report shall be forwarded to the Youth Services officer. Juveniles taken into custody for their own protection shall not be documented with a summons. These cases will be documented with the Incident Report.
  - 6. In all cases when a juvenile is interviewed or in any of the preceding situations, all attempts to contact the parents shall be made.



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7. Officers wishing to proceed under Virginia Code Section §16.1-260, shall, when making an arrest of a juvenile for any alcohol related offense, when a parent/legal guardian is available to take custody of the juvenile, issue a summons to the juvenile for the violation. In addition, the officer shall print the name of the parent/legal guardian below the signature block on the summons, and have the parent/legal guardian sign next to the violator's signature. The violator may then be released to the custody of the parent/legal guardian.
    - a. Officers may not proceed under this section if a parent/legal guardian is not available to take custody of the violator, or is available but refuses to sign the summons. In such cases, the officer shall proceed as noted in §44.2.2, section D., paragraph 3. When proceeding under Virginia Code Section §16.1-260, for cases of misdemeanor DWI or refusal to submit to blood or breath testing, court dates shall be set for the officer's juvenile traffic date. For all cases of felony DWI, a petition shall be sought. For all other alcohol related cases under this section, court dates shall be set for any Thursday morning at 1000 hours, in the Fairfax County Juvenile and Domestic Relations Court.
- E. Juvenile Petitions and Warrants.
1. A petition shall be sought in all cases in which a juvenile is taken into custody for an act which if committed by an adult would be a felony. If Juvenile Court is closed and no intake counselor is available, but the arresting officer feels the juvenile should be detained, a warrant shall be sought from a magistrate. When a warrant is issued it will be returnable to the Juvenile Court.
  2. A petition may be sought or a warning issued in all other cases where a juvenile is taken into custody. The arresting officer will make this decision. However, the use of a warning is prohibited if:
    - a. The complainant is committed to proceeding with a prosecution;
    - b. The juvenile is known to have been arrested or warned the preceding year for an act which if committed by an adult would be a crime.
  3. Juveniles physically arrested for traffic violations shall be issued a summons for the violation and released to their parent.
  4. Juvenile status offenses include truancy, beyond parental control, and runaway. Limits on the authority of police officers to take custody of status offenders are governed by the Code of Virginia, §16.1-246. Reports of runaways shall be investigated in accordance with General Order, §41.2.6.

### **Section 306 – Operation of Police Vehicles (Pursuits Outside the Boundaries of Town, but within the Commonwealth of Virginia)**

When an officer perceives the likelihood that a pursuit will necessitate movement into another jurisdiction within the state, the officer shall advise Communications.

1. Upon receiving such a notification, the Communications Technician shall immediately alert the affected jurisdiction and provide all known information. If the affected jurisdiction, based on their department's policy, refuses to participate in the pursuit, this fact should be immediately relayed to the pursuing officer and supervisor monitoring the pursuit.



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## IMPAIRED DRIVING - POLICY

2. It is the policy of the Herndon Police Department that a vehicle pursuit shall be permitted anywhere within the state and in compliance with this policy and Virginia state law if the pursuing officer(s) has established reasonable suspicion that the person being pursued has committed, has attempted to commit, or is committing any of the following:
  - a. A felony involving violence or the threatened use of violence. Crimes under this definition are murder, manslaughter (to include hit and run fatality), mob-related felonies, malicious wounding, felony kidnapping or abduction, robbery, carjacking, felony criminal sexual offenses, escape with force, and any felonies involving the discharge of a firearm;
  - b. The following misdemeanor violations: parental abductions, assault, exposure, peeping, and sexual battery; or
  - c. Any offense involving the use, threatened use, display, or possession of a firearm or explosive device.
  - d. **Serious traffic offenses which pose a continuing threat to public safety, such as Driving While Intoxicated (DWI).**

### **§41.3.8 Digital Video Recording.**

It is the policy of the Herndon Police Department to use digital video recording devices, whether mobile or personal, for the purposes of recording audio and video accounts of events as they occur. Events to be recorded shall include, but are not limited to, traffic stops, vehicle searches, use of force, and traffic related arrests. Traffic related arrests can include driving under the influence, reckless driving, and narcotics related arrests. Officers may use digital video recording devices to record any police related incidents in the area of the device, and audio of incidents up to 1,000 feet from the device depending on terrain and physical obstructions.

#### **A. Use and Inspection**

All sworn personnel responsible for the use, inspection, and operation of the digital video recording devices shall be allowed to do so only after receiving Department approved training.

1. Care must be exercised at all times when using the equipment. Any damage or malfunction of the device must be reported immediately to the Squad Supervisor who will in-turn notify the digital video recording coordinator.
2. Officers will activate and inspect the device to ensure the microphone and camera is functioning properly.
3. The Squad Supervisor will be responsible for conducting random checks of the digital video recording equipment to ensure proper operation. These checks will be accomplished in accordance with Department training.

#### **B. Data Security, Access and Operation – Mobile Device**

1. At the beginning of each shift, the mobile digital video recording device will be inspected by the officer assigned to the device to ensure the unit is in good operating condition and working in accordance with manufacturer's specifications.
2. Officers assigned to a vehicle that has a digital video recording device will log on at the beginning of their tour of duty by turning on the microphone and identifying themselves by name, EIN and area of assignment.



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## IMPAIRED DRIVING - POLICY

3. The mobile device automatically adds date, time, and GPS (global positioning system) location data to each recording, which will be available during playback.
  4. The mobile device continuously records data; however, images are only saved for 60 seconds prior to a trigger to record. The mobile device triggers recording upon the following events: activation of emergency equipment, activation of vehicle collision sensors, vehicle speed in excess of threshold settings, or upon manual activation. The recording continues until the officer presses the stop button. Officers will not tamper, alter, or attempt to erase any recordings.
  5. Officers shall record all traffic stops, field sobriety tests, pursuits, prisoner transports, and where practicable, collision scenes. Officers shall also strive to record other circumstances and events, which include, but are not limited to, armed encounters, acts of physical violence, unusual contacts and the general recording of evidence in criminal and traffic offenses.
  6. At the completion of each recording, the officer will classify the type of incident when turning off the mobile device. The classifications are:
    - a. Non-Arrest Issues: summonses, field contacts, etc.
    - b. Arrest Issues: any physical contact
    - c. Pursuits: any pursuit
  7. Once a recording is started, it will continue until the incident is complete. An incident is considered complete when a reasonable and prudent person would consider the recording to have concluded at a logical point
  8. The digital video recording device may be manually stopped by an officer at a collision scene or while directing traffic with their emergency equipment activated and the scene has been stabilized or when logical.
  9. When multiple vehicles are on a scene, all cameras should be in operation to provide the best coverage. If the backup vehicle is equipped with a device, the camera should be positioned to record the incident.
  10. Use in D.U.I. Arrest.
    - a. Officers will attempt to record and narrate the driving behavior of a suspected intoxicated driver prior to activating their emergency equipment by manually starting the camera.
    - b. Officers should leave enough distance between the subject vehicle and their vehicle to ensure the entire subject vehicle is recorded. Officers will make all reasonable efforts to conduct field sobriety tests in view of a digital video recording device if it is safe for the officer and violator to do so.
- C. Data Security, Access and Operation – Personal Device
1. Officers assigned a personal digital video recording device will activate the device at their discretion for purposes described in this policy. Once activated, the device should remain on until the incident has reached its conclusion or the officer leaves the scene. The intention to stop the device will be recorded by the officer either verbally or documented in the report.
  2. Officers should strive to record circumstances or events which may be of evidentiary or factual value which include, but are not limited to, armed encounters, acts of physical violence, unusual contacts and the general recording of evidence in criminal and traffic offenses.



# HERNDON POLICE DEPARTMENT

## IMPAIRED DRIVING - POLICY

3. If utilizing the personal digital video recording device in D.U.I. arrests, officers will attempt to record and narrate the driving behavior of a suspected intoxicated driver prior to activating their emergency equipment by manually starting the camera.
  4. Personal digital video recorders shall not be used for personal use or to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities, or activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms.
- D. Storage and Retention Schedule
1. Recordings that contain information on incidents such as an arrest, physical or verbal altercations, pursuits, assaults or any other incident that the officer feels will be helpful to the investigation, will be treated as evidence. The digital video recording coordinator will create folders and assign names to maintain recordings as evidence. Names assigned should reflect case numbers or IA numbers when appropriate.
  2. All recordings made by digital recording devices are the property of the Herndon Police Department. Copies of recordings will not be released, except in compliance with a court order and the approval of the Chief of Police. Copies for court use will be released in accordance with evidence guidelines.
  3. Recordings and folders tagged for evidence will be maintained or destroyed in accordance with records retention schedules or current evidentiary requirements.
- E. Use of Recordings for Training.
1. Recordings that contain material useful for training can be used for that purpose with the authorization of the Chief of Police.
  2. Supervisors should conduct periodic reviews of recordings of subordinate officers for evaluation of that officer's performance. Supervisors may review the recordings through the in-house computer system whenever necessary. A folder will be created for any recordings requested by Internal Affairs. This folder will be named with the internal affairs number and marked private.
  3. A record of training in the use of the digital video recording devices will be kept by the Personnel and Training Section Supervisor.
- F. Request for Recordings Retained as Evidence.
1. The copy of a recording will only be released to attorneys upon the presentation of an original valid subpoena issued by the court that has jurisdiction. The Personnel and Training Section Supervisor, in accordance with Department policy, will handle the request and release of the copies of recordings after approval by the Chief of Police.
  2. Copies of recordings will be provided to the Fairfax County Commonwealth Attorney and Town Attorney upon request. Delivery of the copy will be handled in the same manner as requests for copies of police reports are handled.
- G. Quarterly Review of Incidents
1. The Support Services Division Commander will review random recordings on a quarterly basis for proper usage and submit a memorandum to the Chief of Police with his findings.



# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION

### Problem Identification

Occupant protection is an integral part of the department's traffic safety prevention and enforcement program. The department maintains data on occupant protection violations to include seat belt negligence and child safety seat violations and at the end of the "Click it or Ticket" campaigns in May and November, the department conducts seat belt surveys. In conjunction with all traffic stops and especially accident investigations, seat belt usage is reviewed along with all other violations. The statistics on seat belt and child safety seat violations, field surveys, along with injuries in accidents where occupant protection was a factor, are used to measure the occupant protection usage rate.

Field surveys offer a random statistical sampling of seat belt/child safety seat usage and appear to be a good indicator of overall usage. In 2016, officers saw an increase in the percentage of persons using their seat belts during and after the enforcement portion of the campaigns. Field surveys are important indicators and conducting them each year gleans valuable information for the department.

Seat belt and child safety seat summonses written in conjunction with other traffic infractions offer some insight into identifying the usage level outside of the field surveys. The department has found that seat belt and child safety seat violations comprise around 2% of all traffic tickets written.

Additionally, the department examines the relationship of safety equipment used in accidents where injuries were sustained in order to enhance identification of the occupant usage rate. Injuries in accidents where the following is a factor were considered for the usage rate: No Restraint Injuries, Child Restraint Injuries, and Booster Seat Injuries. This information further helps the department to get specific information each year to address occupant protection initiatives.

Temporal and other indicators are utilized primarily towards addressing the predominant offenses such as impaired driving or speeding violations, but can be given consideration in the universal approach to traffic safety and occupant protection.

### Policies – See Policy Attachment

#### Planning

The Department's 2015 Traffic Analysis included a review of crash data and traffic enforcement activities for 2015, and outlined impaired driving and speeding enforcement. In addition, goals were established in the report for 2016 in hopes of decreasing crashes and injuries where alcohol or speed was a factor. Also, efforts to promote education were listed and plans were noted for enhancing enforcement through selective and routine enforcement. In addition, plans were established to continue participation in national campaigns which feature awareness of the need for diligence in seat belt usage. **This established our operational plan: to conduct targeted enforcement of occupant protection violations; enforce impaired driving and speeding violations; participate in enforcement campaigns to educate the public on the need for occupant protection; and monitor injuries associated with seat belt and child safety seat negligence.** These strategies align with Virginia's Strategic Traffic Plan.



# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION

Our annual Traffic Analysis and DMV grant data determined prominent locations and timeframes for impaired driving and speeding offenses, including those associated with accidents. Targeted enforcement of impaired driving and speeding violations additionally presented the opportunity to detect occupant protection violations. Planning for targeted enforcement of impaired driving, speeding, and occupant protection violations was based on temporal factors such as timeframe, seasons, seasonal events, and day of week, in order to better develop selective and routine enforcement strategies. Top crash locations were added to the selective enforcement schedule and officers monitored sites to reduce impaired driving and speeding. Occupant protection violations were also monitored. A selective enforcement schedule was distributed on a monthly basis to target enforcement efforts for specific violations. Selective traffic enforcement forms were completed for each assignment on a daily basis and submitted to the Traffic Section supervisor for compilation.

The department offers child safety seat installations and inspections throughout the year. These serve as an additional outreach to citizens on the importance of proper restraints.

The Herndon Police Department participates in the *"Click it or Ticket"* program during the national enforcement mobilizations in May and November. This national mobilization provides an annual educational campaign to specifically encourage the use of seat belts and the protection it affords in a crash. In conjunction with the end of each campaign, the department completes seat belt field surveys to validate actual usage. The campaigns are planned at different times to include night time seat belt enforcement.

In addition to the department's goals of decreasing overall crashes and crashes with injuries, the Department continues to address citizen traffic concerns and identify areas for selective enforcement, works to identify engineering remedies, and conducts and participates in specialized campaigns. Through its annual review of accident data the department monitors injuries to determine if seat belts are being used or if child safety seat violations occur. The department compiles information in its annual traffic analysis to continue to monitor injuries associated from failure to use occupant protection in addition to other traffic safety issues.

Efforts to curb accidents and reduce injuries through routine, selective, and specialized enforcement initiatives, to include educational awareness and traffic engineering strategies, supports the Virginia Strategic Traffic Plan to reduce deaths and severe injuries and increase safety belt usage.





# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION

### Training

#### TRAINING ATTENDED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT IN 2016

Type of Training	Activity	Participants
Child Safety Seat Inspector	Recertification	2 Officers
Motor Carrier Safety	Refresher Training	1 Officers
Police Motorcycle Operations	Refresher Training	4 Officers

#### PRIOR TRAINING USED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT

Training is an important part of the department’s ongoing mission to promote and increase safety on the roadways. Maintaining specialized certifications in crash investigations, utilizing speed detection devices, and other safety related training keeps the department prepared and proactive. The following table shows the current certifications held by department personnel and utilized throughout the year during enforcement efforts.

Current Certifications Utilized	Participants
Motor Carrier Safety	2 Officers
Child Safety Seat Inspectors	6 Officers
Motorcycle Operations	6 Officers
Advanced Crash Investigations, Level 1	12 Officers
Advanced Crash Investigations, Level 2	6 Officers
Advanced Crash Investigations, Level 3	6 Officers
Advanced Motorcycle Crash Investigations	4 Officers
RADAR and LIDAR	36 Officers

Every member of the Department attends academy level in-service retraining, roll call training, or departmental mandatory training. Roll call training is utilized to provide specific information on special enforcement initiatives and issues related to occupant protection, child safety seats, and pedestrian and bicycle safety. This training focuses on traffic laws concerning motorists, bicyclists and pedestrians alike. Every officer with traffic safety enforcement duties receives this training. Additionally, during 2016, members of the Herndon Police Department received specialized training in the area of motor carrier safety, child safety seat inspection and installation, and crash investigation and reconstruction. Currently, the department has six certified child restraint inspectors. As part of the accreditation process, we document our officers’ seat belt use.

Several officers have attended numerous academy level classes in traffic safety topics. These classes included occupant protection, motor carrier safety, traffic grant writing seminars, the law enforcement challenge preparation seminar, and police motorcycle operations to augment traffic enforcement



# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION

efforts. As with many other area jurisdictions who have experienced a decrease in training budgets, we have had to make the most of our training dollars. Despite budget cuts, the Herndon Police Department has kept traffic safety a primary focus of our training program.

In 2016, members of the Herndon Police Department Traffic Section continued to use training they received from the Department of Motor Vehicles - Virginia Highway Safety Office. The various courses on Crash Investigation and Reconstruction along with annual in-service training on Motor Carrier Safety helped officers investigate causes of crashes and conduct motor carrier safety inspections to make our roadways safe. Officers also received information on *Click it or Ticket* and *Smooth Operator* mobilizations and the importance of these campaigns through the National Highway and Traffic Safety Administration.

Five officers attended in-house training courses throughout the year in mapping intersections as part of the Crash Reconstruction Team. One member of the Herndon Police Department attended the Law Enforcement Challenge Preparation Class and one attended the DMV Grant Seminar. The information gained in the Law Enforcement Challenge Preparation Class assisted us in receiving a first place award for our category in 2015. The grant writing seminar provided us with valuable information that helped us receive \$53,350 in DMV traffic safety grants that allowed us to increase enforcement efforts, purchase equipment, and offer more training.

### **Public Information and Education**

#### **Traffic Engineering**

Significant contributions to traffic safety are fostered through the Department's active participation in the Town of Herndon's Traffic Engineering and Improvement Committee (TEIC). This committee is comprised of traffic engineers and Public Works staff, along with the Herndon Police Traffic Section officers. The committee meets bi-monthly to address citizen complaints, issues pertaining to potential or actual roadway engineering deficiencies, as well as future engineering, pedestrian safety, and congestion concerns. The police department plays a major role in the activities and resolutions of this committee.

The TEIC committee was instrumental in traffic and safety improvements made in the Town of Herndon in 2016. Traffic safety issues came to the attention of TEIC and the members explored solutions to these issues. The solutions were implemented and evaluated for their impact. The committee sought *best practices* solutions for traffic improvements to include adding signage, adding traffic signals, changing lane markings, or redesigning intersections. The use of speed buffering devices were reviewed along with speed studies at particular locations where officer or citizen concerns have been raised.

#### **Special Programs & Community Policing**

In 2016, the Department held a Citizen and Youth Police Academy to remind adults and juveniles about traffic safety, and discussed topics to include seat belt use, speed enforcement and DUI detection. Students of the Youth Academy received hands-on instruction with RADAR and LIDAR units, and were



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## OCCUPANT PROTECTION

instructed on the importance of seat belt use, among other topics. Graduates of these academies learn about the importance of safety on the roadway and are encouraged to share their insight with others.

Members of the Traffic Section along with the Crime Prevention Officer of the Herndon Police Department speak to community and civic groups about traffic safety. Topics covered include bike safety, pedestrian safety, wearing a helmet, wearing seatbelts, and speed awareness. These presentations have been beneficial and the officers have been invited back several times. Flyers, brochures, and pamphlets with information on traffic safety are always available through kiosks at the Neighborhood Resource Center, the Community Center, the Herndon Branch of the Public Library, and the Herndon Police Department.

### **Press Releases and Events**

At the onset of all traffic safety and educational initiatives, the Public Information Officer (PIO) of the Herndon Police Department issues a press release outlining the Department's intentions during the scheduled programs. These press releases to area news outlets include information on *Click It or Ticket* mobilizations and child safety seat checks. These press releases are listed on our department's webpage as well as our Twitter account.



November 28<sup>th</sup> 2016  
Herndon Youth Police  
Academy



# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION

### Enforcement Activity

Occupant protection is a fundamental component to reducing injuries in accidents. Special enforcement efforts in 2016 to increase awareness and prevent injuries as a result of seat belt and child safety seat usage have been a focus through routine enforcement, grant-funded enforcement, and specialized campaigns.

#### Regular Duty Enforcement

Officers in Patrol and the Traffic Section conduct enforcement operations as part of their daily responsibilities to detect seat belt and child safety seat violations as well as specialized enforcement aimed at impaired driving and speeding to reduce accidents and injuries. In 2016, the department issued a total of 30 summonses for seat belt violations and 12 summonses for child safety seat violations.

#### Grant Funded Enforcement

Our DMV grant targeting speeding violations is also used to enforce seat belt violations since Virginia does not have a primary seat belt law. **The department used 228 grant funded hours for speed and occupant protection violations.** During these targeted hours, 477 speeding summons and 10 seat belt/child restraint violations were issued.

#### Specialized Campaigns

The Herndon Police Department participated in the *"Click it or Ticket"* program during the National Enforcement Mobilization, May 23 through June 5, 2016 and the mini-mobilization from November 21 through December 4. The department also conducted seat belt surveys following each campaign.





# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION

### Outcomes

The Herndon Police Department has made a concerted effort to enforce occupant protection violations, promote seatbelt usage and reduce injuries associated with utilizing restraints. These strategies are conducive to Virginia's Strategic Traffic Plan.

In addition to routine enforcement, the department conducted targeted impaired driving and speeding enforcement and monitored occupant protection violations. To schedule selective enforcement the Department researched accident and violation data and considered temporal factors such as timeframe, seasons, seasonal events and days of the week. The department identified the top crash locations and implemented selective enforcement to target specific violations to reduce impaired driving and speeding, along with occupant protection violations. The department distributed a monthly selective enforcement plan to target enforcement efforts for specific violations. Selective traffic enforcement forms were completed for each assignment on a daily basis and submitted to the Traffic Section supervisor for compilation. **The department wrote 42 seat belt and child safety seat violations in 2016 in comparison to 64 violations in 2015.**

The Herndon Police Department participated in the "Click it or Ticket" program during the national enforcement mobilizations in May and November and conducted seat belt surveys to gauge actual usage. The campaigns were performed at different times to include night time seat belt enforcement. **The statistics from the field surveys compiled by the Herndon Police Department during the Click It or Ticket program indicated that seat belt usage increased from 86% to 93% in May 2016. The statistics for seat belt enforcement demonstrated a 8% increase in 2016.**

The department was very encouraged by the high number of motorists wearing seat belts in the Town. The increased enforcement as well as public education efforts demonstrated a direct impact on increased usage. The number of summonses issued also validates the Department's efforts in the area of occupant protection and a correlation could be made between the general increase in enforcement and the general compliance with seat belt laws.

The department examines the relationship of injuries sustained in accidents to occupant restraint safety equipment used. Injuries in accidents are almost always less serious and fewer in number when seat belts and properly installed child restraint seats and booster seats are used.

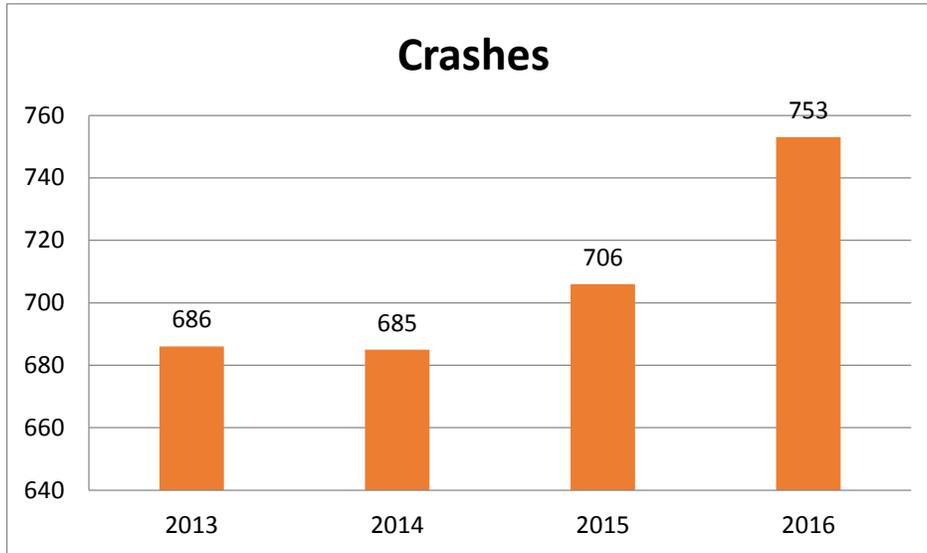
The overall effectiveness of the 2016 traffic safety programs for the Herndon Police Department was impressive, but continued diligence is needed. It is commendable to document a 93% seat belt usage rate based on field surveys, which is well above the state average usage rate. The continued diligence in child restraint enforcement and child safety seat inspections demonstrates our commitment. It is also very gratifying to see the reduction of injuries where seat belt usage was a factor.



# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION

The department's statistics on occupant protection are promising and provide a template to direct our efforts in 2016. These efforts will include a continued focus on outreach and awareness on occupant protection to the community, and enforcement coupled with prevention efforts should reduce injuries in accidents.



### Awards

#### Law Enforcement Challenge Award

At the Virginia Association of Chiefs of Police Conference on September 20, 2016, the Herndon Police Department received the first place award in the 2015 Law Enforcement Challenge for Municipal Police Departments with 55-75 members.



Law Enforcement Challenge Award  
September 20, 2016



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## OCCUPANT PROTECTION



# HERNDON POLICE DEPARTMENT

## OCCUPANT PROTECTION - POLICY

HERNDON POLICE DEPARTMENT GENERAL ORDERS §41.3.3, §45.2.6, §70.1.3, §70.2.1, AND §1.2.5 SPECIFICALLY REQUIRE ALL PERSONNEL AND PASSENGERS TO WEAR SAFETY BELTS WHILE OPERATING A POLICE VEHICLE. HERNDON POLICE DEPARTMENT GENERAL ORDER §61.1.1 MANDATES OUR CRASH ANALYSIS AND SELECTIVE ENFORCEMENT INITIATIVES. HERNDON POLICE DEPARTMENT GENERAL ORDER §61.1.5 REQUIRES ALL PERSONNEL TO ACTIVELY ENFORCE SEAT BELT AND CHILD RESTRAINT VIOLATIONS. COMPLIANCE IS ENSURED BY §41.3.8 THROUGH THE USE OF IN-CAR DIGITAL RECORDERS THAT ARE ACTIVATED BY OFFICERS DURING TRAFFIC STOPS AND ARRESTS. A QUARTERLY REVIEW OF THE IN-CAR DIGITAL RECORDING PROCESS IS CONDUCTED BY THE SUPPORT SERVICES DIVISION COMMANDER.

### §41.3.3 Use of Seat Belts.

- A. Use of seat belts by Department personnel will be in accordance with the Code of Virginia, §46.2-1094.
- B. All passengers or prisoners being transported in Department vehicles will use seat belts in accordance with State law.
- C. The use of seat belts may be optional when transporting persons in custody or traveling in circumstances which render the wearing of such safety belt system impractical.

### §61.1.1 Selective Traffic Enforcement.

Selective traffic enforcement is an activity of the Field Operations Division. Selective traffic enforcement functions include the following:

- A. An annual analysis by the Traffic Section supervisor of traffic collisions. Analysis of traffic collisions will include at a minimum the following factors:
  1. Month, day and hour;
  2. Location, weather and road conditions;
  3. Driver action, to include violations;
  4. Types of vehicles involved.

This information will be gathered from collision investigation reports submitted to the Records Section. The crime analyst will compile the data for the analysis and provide it to the Traffic Section supervisor for analysis on a monthly basis;

- B. An annual analysis by the Traffic Section supervisor of traffic enforcement activities. The traffic complaints received during each month will be reviewed along with the summonses issued to determine if adequate enforcement is being applied to the identified high violation rate locations. The crime analyst shall assist by providing the necessary data for the analysis;
- C. The scheduling of selective enforcement in areas where analysis of traffic collisions and violations indicates that special attention is needed. The Traffic Section supervisor shall issue a monthly schedule of selective enforcement locations based on the preceding analysis. The schedule shall be approved by the Field Operations Division commander prior to implementation. Patterns of similar causes or sudden increases in the severity or number of collisions or violations at a specific location are valid criteria for extra enforcement.
- D. Selective Enforcement Assignments.
  1. The Traffic Section supervisor shall provide a monthly selective enforcement activities schedule. Selective enforcement sites shall be worked by a traffic enforcement unit



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when available. If a traffic enforcement unit is not able to monitor a selective enforcement site, squad supervisors shall assign a patrol officer to the assignment.

2. Selective enforcement activities will be based on an analysis of traffic collision data, citizen complaints and officer knowledge. Enforcement efforts shall be directed toward driving behavior that contributes to collisions. These selective enforcement sites shall not be limited to the enforcement of speeding violations. These sites will be utilized for the enforcement of violations in proportion to the frequency with which they occur in collisions and for responding to traffic-related needs identified in the community.
- E. On an annual basis, the Traffic Section supervisor will evaluate the selective enforcement program. This review shall be included in the annual analysis of traffic collisions and of traffic enforcement activities and should ascertain whether the enforcement efforts have met their objectives. A comparison of current accomplishments to past accomplishments shall be included. Upon completion, the report shall be submitted to the Chief of Police through the chain of command.
- F. Traffic Enforcement Unit.  
All uniformed patrol officers are responsible for the safe flow of traffic throughout the Town; however, officers of the Traffic Enforcement Unit are tasked with this responsibility as their primary objective.

Officers of the Traffic Enforcement Unit are supervised by the Traffic Section supervisor. Specific duties of the Traffic Enforcement Unit will include but are not limited to:

1. Operations of speed measuring devices;
2. Parking control and enforcement;
3. Traffic law enforcement (to include truck safety and weight enforcement);
4. Traffic and speed studies and analysis;
5. Analysis of collision reports and records.

### §61.1.5 Enforcement Policy.

- A. The Herndon Police Department will strive to provide uniform enforcement action for traffic violations throughout the Town. Sound judgment by all officers in considering the circumstances and conditions at the time of the violation will ensure appropriate action and gain the public confidence in traffic enforcement.
- B. The ultimate goal of traffic law enforcement is to achieve voluntary compliance with all traffic laws. To achieve this, the Herndon Police Department will:
  1. Actively enforce the law as it pertains to driving while intoxicated. Officers will normally arrest any driver found to be in violation of this law. Arrests will be based on an individual's driving behavior, results of field sobriety tests, and results of blood alcohol tests;
  2. Actively enforce the law as it pertains to speeding violations with discretion utilizing warnings and issuing summonses. Generally officers should issue a summons for violations of 10 mph or more over the posted speed limit. Lesser infractions should be issued a warning. Consideration should be given to the weather conditions, traffic volume, pedestrian traffic, and location in conjunction with the correlation of speeding and traffic collisions;



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3. Actively enforce the law as it pertains to hazardous traffic violations, including seat belt violations and child restraint violations;
4. Actively enforce the law as it pertains to equipment violations. These shall be enforced when a vehicle is found to be in violation of several equipment requirements, a summons should usually be issued for the most serious violation. This action should be taken even when each violation independently is worthy of only a warning. Single equipment violations shall be enforced based on the seriousness of the offense and officer discretion;

### **§45.2.6 Ride-Along Program.**

The Department offers a citizen ride-along program that allows specific citizens an opportunity to accompany patrol officers during their tour of duty. By participating in this program citizens are exposed to a realistic view of a Herndon Police Department patrol officer's job. To provide a uniform, safe, and responsible ride-along program, the following procedures have been established:

- A. Eligibility - Ride-along applicants must be at least 18 years of age and meet at least one of the following requirements:
  1. A resident of the Town or Fairfax County;
  2. A student enrolled in a Law Enforcement Program at a college or university;
  3. A Herndon Police Department applicant, an Explorer applicant, or Explorer in good standing. Explorer related ride-alongs are exempt from age requirements;
  4. A member of a service organization located in or providing service to the Town;
  5. A visiting guest of the Herndon Police Department;
  6. A member of a federal, state, or local law enforcement agency; or
  7. A civilian member of the Department.
- B. Herndon Police Citizens Support Team - Members of the Herndon Police Citizens Support Team are covered under a blanket waiver, and may participate in the ride-along program in accordance with General Order §16.4.1.
- C. Procedures - No person shall participate in the Ride-Along Program without completing the following procedure and receiving approval:
  1. Application.
    - a. An Application for Ride-Along Program, HP 950, shall be completed along with a Ride-Along Program Waiver, HP 951 (Adult) or HP 951J (Juvenile). Both forms shall be submitted at least 10 days prior to the requested ride-along. The time period may be waived at the discretion of the Field Operations Division commander.
    - b. The Ride-Along applicant must submit both the HP 950 along with the HP 951 or HP 951J, whichever is applicable, to a police supervisor. The supervisor receiving the completed forms shall obtain a case number and complete an incident report. The report will be classified as "Service; Ride-Along." The incident report, HP 950, HP 951 or HP951J, a DMV record check, and a criminal history record check shall be forwarded to the Field Operations Division commander.
    - c. Applicants will be interviewed by the Field Operations Division commander or a designated watch commander. The Field Operations Division commander will review the application and related information. Any person convicted of



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- any felony or any misdemeanor involving theft or violence will be denied participation in the program.
- d. Final approval or denial of the application will be at the discretion of the Field Operations Division commander. This responsibility may not be delegated.
  - e. Exceptions to the criteria specified in this directive may be granted by the Chief of Police or division commanders.
2. Conduct/Responsibilities.
- a. Supervisors are to ensure that any individual participating in a ride-along is advised of and in compliance with the instructions on the HP 950. This shall be accomplished prior to participation in the program.
  - b. The officer assigned the ride-along participant is responsible for their safety and conduct. The officer shall explain what action the participant is expected to take in the event of an emergency; at the officer's discretion the participant may be required to exit the police vehicle prior to responding on selected emergencies. When possible, civilian participants should not be allowed to remain in a police vehicle during pursuits. **The participant shall wear a seat belt in accordance with state law.**

### §70.1.3 Prisoner Transportation.

- A. Officers shall transport prisoners in police vehicles with a safety barrier when available. **The prisoner will be seat-belted in the rear seat opposite of the driver of the vehicle.** Officers shall take the most direct route to their destination. Prisoners shall not be transported in the front seat of a police vehicle.
- B. If a prisoner must be transported in a vehicle without a safety barrier, two officers shall accompany the prisoner. **The prisoner shall be seat-belted in the rear seat with an officer sitting beside the prisoner and the officer's firearm away from the prisoner.**
- C. If a prisoner must be transported on a commercial carrier, a minimum of two officers will be used as escorts. Escorting officers should be equipped with adequate restraining devices to be used if the prisoner becomes unruly. All prisoners should be considered dangerous and shall be escorted at all times during the transport. Escort officers shall notify representatives of the carrier of their presence and their transport. The officers will carry their badge and identification card for this purpose. Officers shall conduct themselves in accordance with Department regulations.
- D. No juvenile prisoner shall be transported with adults suspected of or charged with criminal acts. No juveniles under the age of 15 will be transported in a police patrol wagon.

### §70.2.1 Restraints During Transport.

- A. Officers shall handcuff prisoners as soon as the prisoner is taken into physical custody. The prisoner's hands shall be handcuffed behind their back, with both of their thumbs in the "up" position. Handcuffs shall always be double-locked when put in use. Officers may decline the use of handcuffs due to extremes in age (young or elderly), injuries, disabilities, or other appropriate articulable circumstances.
- B. **Arrested persons being transported in a police vehicle shall be secured with a seat belt.**



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- C. The use of restraint devices to shackle the prisoner's legs may be utilized when the prisoner is an escape risk, or may damage the police vehicle, or may assault the officer.
- D. At no time shall a prisoner being transported be handcuffed or restrained to any part of the vehicle.
- E. At no time should a prisoner be restrained and placed on his or her stomach in the police cruiser. Such practices have been shown to cause "positional asphyxia", which is death from lack of oxygen.

### §1.2.5 Arrest Procedures.

- A. Adult felony arrests can be effected in any of the following instances:
  - 1. If the offense is observed by the arresting officer;
  - 2. If probable cause exists;
  - 3. With a valid warrant;
  - 4. Upon knowledge of the existence of a warrant.
- B. Adult misdemeanor arrests can be effected in any of the following instances:
  - 1. If the offense is observed by the arresting officer;
  - 2. With a valid warrant;
  - 3. Upon knowledge of the existence of a warrant;
  - 4. In certain limited circumstances a warrantless arrest shall be executed under the guidelines in the Code of Virginia, §19.2-81.
- C. Search of Prisoners.
  - 1. Officers shall search persons in their custody for weapons or other objects, which could be used to inflict, harm or effect an escape
  - 2. A systematic search of the person shall be conducted as soon as possible after the arrest, and unless conditions dictate otherwise, prior to transporting the person in a police vehicle.
  - 3. Officers that accept temporary custody of a prisoner shall conduct a search of that person assuming that the subject has not been searched previously.
  - 4. All valuables and potential weapons shall be removed from the prisoner and delivered to the deputies at the detention facility. The officer should assist or observe the deputies search the prisoner prior to detention.
  - 5. Upon discovery of contraband or weapons, the arresting officer shall take the appropriate action relevant to seizing evidence and securing warrants.
- D. Transporting Prisoners.
  - 1. Persons placed under arrest shall be taken to the nearest magistrate without undue delay.
  - 2. All persons shall be searched for weapons, evidence, and/or contraband prior to being transported.
  - 3. The use of handcuffs or similar restraining devices will be in accordance with General Order §70.2.1. **Seat belts shall be worn by the prisoners unless physical or medical conditions prohibit the use.**
- E. Arrest Processing.
  - 1. An incident report shall be completed for every arrest. This report shall contain the details which led to the arrest, surrounding the arrest, and the processing of the subject.



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### §41.3.8 Digital Video Recording.

It is the policy of the Herndon Police Department to use digital video recording devices, whether mobile or personal, for the purposes of recording audio and video accounts of events as they occur. Events to be recorded shall include, but are not limited to, traffic stops, vehicle searches, use of force, and traffic related arrests. Traffic related arrests can include driving under the influence, reckless driving, and narcotics related arrests. Officers may use digital video recording devices to record any police related incidents in the area of the device, and audio of incidents up to 1,000 feet from the device depending on terrain and physical obstructions.

#### A. Use and Inspection

1. All sworn personnel responsible for the use, inspection, and operation of the digital video recording devices shall be allowed to do so only after receiving Department approved training.
2. Care must be exercised at all times when using the equipment. Any damage or malfunction of the device must be reported immediately to the Squad Supervisor who will in-turn notify the digital video recording coordinator.
3. Officers will activate and inspect the device to ensure the microphone and camera is functioning properly.
4. The Squad Supervisor will be responsible for conducting random checks of the digital video recording equipment to ensure proper operation. These checks will be accomplished in accordance with Department training.

#### B. Data Security, Access and Operation – Mobile Device

1. At the beginning of each shift, the mobile digital video recording device will be inspected by the officer assigned to the device to ensure the unit is in good operating condition and working in accordance with manufacturer's specifications.
2. Officers assigned to a vehicle that has a digital video recording device will log on at the beginning of their tour of duty by turning on the microphone and identifying themselves by name, EIN and area of assignment.
3. The mobile device automatically adds date, time, and GPS (global positioning system) location data to each recording, which will be available during playback.
4. The mobile device continuously records data; however, images are only saved for 60 seconds prior to a trigger to record. The mobile device triggers recording upon the following events: activation of emergency equipment, activation of vehicle collision sensors, vehicle speed in excess of threshold settings, or upon manual activation. The recording continues until the officer presses the stop button. Officers will not tamper, alter, or attempt to erase any recordings.
5. Officers shall record all traffic stops, field sobriety tests, pursuits, prisoner transports, and where practicable, collision scenes. Officers shall also strive to record other circumstances and events, which include, but are not limited to, armed encounters, acts of physical violence, unusual contacts and the general recording of evidence in criminal and traffic offenses.
6. At the completion of each recording, the officer will classify the type of incident when turning off the mobile device. The classifications are:
  - a. Non-Arrest Issues: summonses, field contacts, etc.
  - b. Arrest Issues: any physical contact
  - c. Pursuits: any pursuit



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7. Once a recording is started, it will continue until the incident is complete. An incident is considered complete when a reasonable and prudent person would consider the recording to have concluded at a logical point
  8. The digital video recording device may be manually stopped by an officer at a collision scene or while directing traffic with their emergency equipment activated and the scene has been stabilized or when logical.
  9. When multiple vehicles are on a scene, all cameras should be in operation to provide the best coverage. If the backup vehicle is equipped with a device, the camera should be positioned to record the incident.
  10. Use in D.U.I. Arrest.
    - a. Officers will attempt to record and narrate the driving behavior of a suspected intoxicated driver prior to activating their emergency equipment by manually starting the camera.
    - b. Officers should leave enough distance between the subject vehicle and their vehicle to ensure the entire subject vehicle is recorded. Officers will make all reasonable efforts to conduct field sobriety tests in view of a digital video recording device if it is safe for the officer and violator to do so.
- C. Data Security, Access and Operation – Personal Device
1. Officers assigned a personal digital video recording device will activate the device at their discretion for purposes described in this policy. Once activated, the device should remain on until the incident has reached its conclusion or the officer leaves the scene. The intention to stop the device will be recorded by the officer either verbally or documented in the report.
  2. Officers should strive to record circumstances or events which may be of evidentiary or factual value which include, but are not limited to, armed encounters, acts of physical violence, unusual contacts and the general recording of evidence in criminal and traffic offenses.
  3. If utilizing the personal digital video recording device in D.U.I. arrests, officers will attempt to record and narrate the driving behavior of a suspected intoxicated driver prior to activating their emergency equipment by manually starting the camera.
  4. Personal digital video recorders shall not be used for personal use or to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities, or activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms.
- D. Storage and Retention Schedule
1. Recordings that contain information on incidents such as an arrest, physical or verbal altercations, pursuits, assaults or any other incident that the officer feels will be helpful to the investigation, will be treated as evidence. The digital video recording coordinator will create folders and assign names to maintain recordings as evidence. Names assigned should reflect case numbers or IA numbers when appropriate.
  2. All recordings made by digital recording devices are the property of the Herndon Police Department. Copies of recordings will not be released, except in compliance with a court order and the approval of the Chief of Police. Copies for court use will be released in accordance with evidence guidelines.
  3. Recordings and folders tagged for evidence will be maintained or destroyed in accordance with records retention schedules or current evidentiary requirements.



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- E. Use of Recordings for Training.
  - 1. Recordings that contain material useful for training can be used for that purpose with the authorization of the Chief of Police.
  - 2. Supervisors should conduct periodic reviews of recordings of subordinate officers for evaluation of that officer's performance. Supervisors may review the recordings through the in-house computer system whenever necessary. A folder will be created for any recordings requested by Internal Affairs. This folder will be named with the internal affairs number and marked private.
  - 3. A record of training in the use of the digital video recording devices will be kept by the Personnel and Training Section Supervisor.
- F. Request for Recordings Retained as Evidence.
  - 1. The copy of a recording will only be released to attorneys upon the presentation of an original valid subpoena issued by the court that has jurisdiction. The Personnel and Training Section Supervisor, in accordance with Department policy, will handle the request and release of the copies of recordings after approval by the Chief of Police.
  - 2. Copies of recordings will be provided to the Fairfax County Commonwealth Attorney and Town Attorney upon request. Delivery of the copy will be handled in the same manner as requests for copies of police reports are handled.
- G. Quarterly Review of Incidents
  - 1. The Support Services Division Commander will review random recordings on a quarterly basis for proper usage and submit a memorandum to the Chief of Police with his findings.



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## SPEEDING

### Problem Identification

The Town of Herndon, located in western Fairfax County approximately 22 miles from Washington, DC, is the third largest town in Virginia based on population. The Town's four square miles are part of the business and technology hub in Northern Virginia's high-tech corridor, and home to several government facilities as well. The business base accounts for a large commuter influx during the day which significantly impacts traffic volume. Herndon has several major thoroughfares around its border; the toll road provides direct access to Washington, DC in one direction and Dulles International Airport in the other, and the Fairfax County Parkway, a primary state road, provides access to major roadways and interchanges including Interstates 66 and 95. It is estimated that 28,000 cars go through Herndon on a given day, some of which flows from the estimated 90,000 daily volume from the nearby ingress and egress to Fairfax County Parkway and the toll road. **The commercial and commuter traffic infused with a healthy residential infrastructure (over 7,000 housing units) continues to populate congested roadways throughout Herndon.**

**Out of 753 accidents in the Town of Herndon in 2016, it is estimated that 118, or 16% of those crashes, resulted from failure to maintain proper control of the vehicle.** This is a difficult number to pin down because speed may not have been the primary factor of the crash but certainly could have been a contributing factor. In 2016, the Herndon Police issued 4,534 total summonses; 1,150 summonses were issued for speeding. It is clear that speeding is a factor in Herndon, with 25% of issued summonses written for speed violations in 2016.

The Town of Herndon's Traffic Engineering and Improvement Committee (TEIC) is comprised of traffic engineers, Public Works staff, and members of the police department, which meets bi-monthly to address citizen complaints, issues pertaining to potential or actual roadway engineering deficiencies, pedestrian safety, concerns associated with congestion and future planning issues. The police department plays a major role in the activities of this innovative committee. The Town conducts speed and traffic engineering studies to assist TEIC in determining whether roadway improvements or speed limits need to be changed.

A review of crash data and traffic enforcement activities outlined in the annual Traffic Analysis revealed temporal factors such as location, time-of-day, day-of-week, and month-of-year when crashes were most prevalent. The data showed that for 2016 most crashes occurred in January and July; Wednesday and Friday were the days that had the most accidents; and most accidents occur between 4:00 and 6:00 pm. These factors assist us in establishing locations and time frames to conduct selective speed enforcement.

Selective enforcement targets were also established for speed violations based on citizen complaints, high crash locations and speeding incident reports. Selective traffic enforcement forms were completed for each assignment on a daily basis and submitted to the Traffic Section supervisor for compilation.



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### Policies – See Policy Attachment

#### Planning

Our annual Traffic Analysis, which reviewed crash data and traffic enforcement activities in 2015, in regards to speeding, included goals for 2016 to decrease crashes and injuries where speed was a factor, promote education and enhanced speed enforcement through selective and routine enforcement, and continue the residential speeding prevention program (Traffic Safety Watch Program). **This served as our operational plan to conduct targeted enforcement and address locations as a factor to decrease speed related accidents, conduct selective enforcement campaigns to educate the public on the dangers of speeding, and prevent residential speeding through neighborhoods through the Traffic Safety Watch Program.**

These strategies align with Virginia's Strategic Traffic Plan, with an emphasis on speed, to implement engineering countermeasures with particular attention to high-crash locations, implement a speed campaign incorporating media, enforcement, education and evaluation, and identifying and implementing effective speed management measures.

Fairfax County is one of the top counties in Virginia with the highest number of speed-related deaths and injuries. Because the Town of Herndon is situated within Fairfax County on its western side, the department must do its part to prevent speed related accidents, conduct targeted speed enforcement and analyze crash locations where speed was found to be a contributing factor. The planning to conduct targeted enforcement utilized temporal factors such as timeframe, seasons, seasonal events, and days of the week to develop selective and routine enforcement strategies and activities. The department also identified the top crash locations and those locations were added to our selective enforcement program to designate specific locations and times where officers enforce specific violations to reduce speeding and accidents.

Also, the Herndon Police Department worked with the Town's Traffic Engineering and Improvement Committee (TEIC), a partnership of traffic engineers, public works staff and police personnel formed to address citizen complaints, road engineering deficiencies, and other traffic safety issues, to study and address speed related issues in 2016. These issues included speed studies, excessive speeding and aggressive driving complaints, and roadway/signage recommendations. Fourteen speed studies were conducted at problem locations throughout the Town in 2016. These studies helped direct the efforts of the police and the public works staff to improve traffic safety within the Town on an ongoing basis.

The department planned and implemented proactive speed enforcement campaigns during the warmer months (May – August) and around seasonal events such as Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas. These planned enforcement activities augmented the routine speed enforcement and intensified efforts to educate the public on the dangers of speeding. Additionally, as a routine, a selective enforcement guide was distributed monthly to target speed enforcement efforts for specific violations according to locations, days and timeframes. Selective traffic enforcement forms were completed for each assignment on a daily basis and submitted to the Traffic Section supervisor for compilation.



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Education on the risks of speeding is another option used to raise neighborhood and motorist awareness about traffic safety and associated concerns, which may significantly reduce or eliminate the identified problem.

### Educational options include:

- **Social Media posts to include Twitter and Facebook-** Used for safety tips, traffic alerts and upcoming campaigns
- **Speed Trailers and Electronic speed signs-** used to educate and raise awareness by displaying the speed of the motorist, thereby promoting a change in driver behavior.
- **Citizen / Youth police academy-** These are programs offered to the public who are educated on police functions to include aggressive driving, reckless driving and speeding. The students receive hands on training with speed measuring devices and tactics on how to combat speeding violations.

Enforcement is another tool/option to address traffic safety concerns. While education of the motorist through heightened awareness may be all that is needed for most neighborhoods, some areas may require the police to monitor traffic safety concerns and enforce violations as appropriate.





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### Training

#### TRAINING ATTENDED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT IN 2016

Type of Training	Activity	Participants
Motor Carrier Safety	Refresher Training	1 Officers
Police Motorcycle Operations	Refresher Training	4 Officers
Advanced Crash Investigation	Refresher Training	6 Officers
Radar and Lidar	Recertification	4 Officers

#### PRIOR TRAINING USED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT

Training is an important part of the department’s ongoing mission to promote and increase safety on the roadways. Maintaining specialized certifications in crash investigations, utilizing speed detection devices, and other safety related training keeps the department prepared and proactive. The following table shows the current certifications utilized by department personnel throughout the year in its enforcement efforts.

Current Certifications Utilized	Participants
Motor Carrier Safety	2 Officers
Motorcycle Operations	6 Officers
Advanced Crash Investigations, Level 1	12 Officers
Advanced Crash Investigations, Level 2	6 Officers
Advanced Crash Investigations, Level 3	6 Officers
Advanced Motorcycle Crash Investigations	4 Officers
RADAR and LIDAR	37 Officers

Training in the Herndon Police Department is an ongoing requirement. Every member of the department attends either academy level in-service retraining, roll call training, or departmental mandatory training. Roll call training is utilized to provide specific information on special enforcement initiatives and issues related to speed enforcement and pedestrian and bicycle safety. This training instructs students on traffic laws concerning motorists, bicyclists and pedestrians alike. Every officer with traffic safety enforcement duties receives this training. Additionally, during 2016, members of the



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Herndon Police Department received specialized training in the area of motor carrier safety, motorcycle use in speed enforcement, and crash investigation and reconstruction.

Several sworn police officers of the Herndon Police Department have attended numerous academy level classes in traffic safety. These classes included motor carrier safety, traffic grant writing seminars, the law enforcement challenge preparation seminar, and police motorcycle operations to augment their traffic enforcement efforts. As with many other area jurisdictions who have experienced a decrease in the training budget, we have had to make the most of our training dollars. The Herndon Police Department has kept traffic safety a primary focus of our training program despite budget reductions.

In 2016, members of the Herndon Police Department Traffic Section continued to use training they received from the Department of Motor Vehicles - Virginia Highway Safety Office. These various courses on Crash Investigation and Reconstruction along with annual in-service training on Motor Carrier Safety helped officers investigate causes of crashes and conduct motor carrier safety inspections to make our roadways safe. Officers also received information on enforcement mobilization campaigns and their importance.

Five officers attended various in-house training sessions throughout the year in mapping intersections as part of the Crash Reconstruction Team. One member of the Herndon Police Department attended the Law Enforcement Challenge Preparation Class and the DMV Grant Seminar. The information gained in the Law Enforcement Challenge Preparation Class assisted in the Department receiving first place for our category in 2015. The grant writing seminar provided us with valuable information that helped us obtain \$51,350 in DMV traffic safety grants that allowed us to increase enforcement efforts, purchase equipment including a new LIDAR unit and send officers to training.

## Public Information and Education

### Press Releases and Events

At the onset of all traffic safety and educational initiatives, the Public Information Officer (PIO) of the Herndon Police Department issued a press release outlining the Department's intentions during the scheduled programs. These press releases are listed on our Department webpage as well as our Twitter account.

### Traffic Engineering

Significant contributions to traffic safety are fostered through the Department's active participation in the Town of Herndon's Traffic Engineering and Improvement Committee (TEIC). This committee is comprised of traffic engineers and Public Works staff, along with the Herndon Police Traffic Section Officers. The committee meets bi-monthly to address citizen complaints, study issues pertaining to potential or actual roadway engineering deficiencies, as well as future planning for engineering,



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pedestrian safety, and congestion concerns. The police department plays a major role in the activities of this committee and works together to find holistic solutions. Citizen complaints contribute greatly to the safety improvement planning and implementation involved in the committee.

The TEIC committee was instrumental in traffic and safety improvements made in the Town of Herndon in 2016. Traffic safety issues came to the attention of TEIC and the members explored solutions to these issues. The solutions were implemented and evaluated for their impact. The committee sought *best practices* resolutions for traffic improvements to include adding signage, adding traffic signals, changing lane markings, or redesigning intersections. The use of speed buffering devices were reviewed along with speed studies at particular locations where officer or citizen concerns had been raised. The TEIC committee was also the driving force behind the Traffic Watch Safety Program (TSWP) to address citizen concerns for traffic calming in residential neighborhoods. Several mobile speed signs were purchased and placed on residential streets where citizen complaints had been received.

### **Community Involvement**

The Department demonstrates community involvement through its Community Action Teams (CAT). CATs are comprised of officers assigned to districts in the Town to address citizens' concerns. CAT members' duties include attending community meetings, responding to citizen complaints, and working to resolve problems. CATs work to address citizen concerns regarding traffic complaints in their assigned districts, and as a result, RADAR and LIDAR enforcement is often the means to focus enforcement in specific areas. The department's Speed Monitoring Awareness Radar Trailer (SMART) has been designated for use by the CATs so that officers may immediately address concerns as they arise. Officers also have access to RADAR and LIDAR units and may conduct enforcement immediately as appropriate.

By working through the local public and private schools, the department strives to reach out to a large number of children in the community to encourage traffic safety. Special lectures are conducted at local elementary and middle schools by the crime prevention officer with the assistance of school resource officers. During these lectures, officers encourage the use of seat belts in motor vehicles, wearing helmets while riding bicycles, and pedestrian responsibility.

The Department uses a SMART trailer to educate the public on the need for motorists to be aware of their speed when operating a motor vehicle. This unit is a portable RADAR trailer that is deployed curbside in problem areas. The lighted display on the trailer indicates the approaching vehicle's speed, alerting drivers to maintain and become familiar with their actual speed. The SMART trailer unit is highly effective and has been successful in reducing speeding in residential neighborhoods.

### **Special Programs**

In 2016, the Department held both a Citizen and Youth Police Academy and provided information during each academy to inform adults and youth about speed enforcement and DUI detection. Students received hands-on instruction with RADAR and LIDAR units, and actually operated the devices along the highway.



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Members of the department routinely speak to community and civic groups about traffic safety. Topics covered include bike safety, pedestrian safety, wearing a helmet and speed awareness. These presentations have been warmly received and the officers have been invited to return. Flyers, brochures, and pamphlets with information on traffic safety have been placed at kiosks at the Neighborhood Resource Center, the Herndon Community Center, the Herndon Public Library, and the Herndon Police Department.



Youth Academy – June 28 2016

### **Enforcement Activity**

Speeding remains an ongoing concern for the Herndon community, and special enforcement efforts were focused in 2016 to decrease crashes and injuries where speed is a factor. The Department conducted enhanced speed enforcement through routine and grant-funded enforcement and also sought to promote education and awareness. The Town of Herndon Police Department is committed to speed awareness and enforcement and utilizes the following equipment to facilitate its goals:

- Police motorcycles
- Unmarked police vehicles
- Advanced speed measuring devices
- Traffic counting devices
- SMART RADAR trailer
- Mobile Speed radar signs on residential streets



# HERNDON POLICE DEPARTMENT

## SPEEDING

The Herndon Police Department issued 4,534 total summonses in 2016. Of these summonses, 1,150 summonses were for speeding violations. During 2016, along with the two enforcement waves and in conjunction with “Click it or Ticket,” 138 saturation patrols were utilized and financed by funds obtained from a DMV grant to bolster normal traffic enforcement. From these saturation patrols, officers issued a total of 698 summonses, 482 for speeding. In addition to DMV funded patrols, numerous special selective enforcement patrols were conducted by traffic and patrol officers in high crash and traffic areas, and residential areas based on citizen complaints of speeding.

### **Regular Duty Enforcement**

Officers in Patrol and the Traffic Section conducted speed enforcement operations as part of their daily responsibilities. The Herndon Police Department issued 1,150 summonses for speeding in 2016. In addition, the department conducts numerous selective traffic enforcement assignments in problem areas for violations including speeding.

### **Grant Funded Enforcement**

The department used 228 grant funded hours for speed and occupant protection violations enforcement. The grant awarded for speed enforcement is also utilized for seat belt enforcement. **At a minimum, 75% of the speed grant is worked during target times.**

### **Specialized Campaigns**

The Herndon Police Department participated in the “Click it or Ticket” program during Memorial Day Weekend through the beginning of June 2016 and during a mini-mobilization in mid-November. Also, the traffic and patrol section work selective traffic enforcement in specific neighborhoods when speeding complaints have been reported.

## **Outcomes**

The Herndon Police Department has made a concerted effort to combat speeding and to reduce crashes associated with speeding, conduct selective enforcement, and promote educational awareness of the dangers of speeding. These strategies are conducive to Virginia’s Strategic Traffic Plan as it applies to speeding.

Routine enforcement, targeted and selective enforcement, participation in national prevention programs, and enhanced speed enforcement in conjunction with high travel times of the year, i.e., Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas was conducted throughout the year. Results from speed enforcement, warnings, selective enforcement patrols, and statistical data was studied to determine if our efforts were making a difference in combating speeding and reducing speed related accidents.



# HERNDON POLICE DEPARTMENT

## SPEEDING

Significant contributions to traffic safety were fostered through the Department's active participation in the Town of Herndon's Traffic Engineering and Improvement Committee (TEIC). **In 2016, the TEIC committee studied and addressed numerous speed related issues.** These issues included speed studies, excessive speeding and aggressive driving complaints, and roadway/signage recommendations. With the help of TEIC, speed trailers were deployed throughout the year to help reduce speeds in several neighborhoods. Five electronic speed signs were also erected at locations where speed is a concern. The electronic speed signs have helped reduce speed and traffic complaints significantly.

Selective enforcement activity was conducted on a monthly basis to target specific traffic safety concerns, to include speeding. Through crash data, citizen complaints, officer knowledge and experience, and temporal factors such as location, time-of-day, day-of-week, and month-of-year when crashes and other violations were most prevalent, target locations and times were designated for proactive enforcement throughout the year. Selective speed enforcement allows the department to more accurately identify factors to better focus enforcement efforts, effectively monitor efforts, and redirect resources as appropriate. The department also participated in two enforcement waves, 138 saturation patrols, and in conjunction with "*Click it or Ticket*," targeted speeding and other violations to bolster normal traffic enforcement. **During these saturation patrols, officers issued a total of 698 summonses; 482 were issued for speeding.**

Educational awareness on the dangers of speeding continue to be an important focus to reduce speed related crashes and injuries. During specialized enforcement campaigns, information on the relation of speed contributing to accidents and injuries was communicated to violators. In 2016, the Department held a Youth Police Academy and used it as an opportunity to inform youth about speed enforcement and DUI detection. Students received hands-on instruction with RADAR and LIDAR units, and actually operated the devices along the highway.

The department utilized its established Traffic Safety Watch Program to identify speeding concerns in residential areas, conduct enforcement, and educate citizens with regard to speed awareness. Throughout the year, members of the department spoke to community and civic groups about traffic safety, to include speeding, aggressive driving and other violations. Flyers, brochures, and pamphlets with information on traffic safety are available through kiosks at the Neighborhood Resource Center, the Herndon Community Center, the Herndon Public Library, and the Herndon Police Department.

The Herndon Police Department will continue to conduct routine, selective, and specialized campaigns to target and enforce speed violations in 2017. The Herndon Police Department will continue to make general traffic law enforcement, especially speeding, distracted driving and DUI's a high priority in order to influence a downward trend in the number of crashes. The overall effectiveness of the 2016 traffic safety programs for the Herndon Police Department was impressive, but continued diligence is needed. We are very pleased with our public information and education programs and the hard work of our citizens and officers coming together to make the Town safer. Planning for traffic enforcement efforts in 2017 will include extra diligence in these areas. Through enforcement, engineering, and education, this goal is attainable.



# HERNDON POLICE DEPARTMENT

## SPEEDING

### Law Enforcement Challenge Award

At the Virginia Association of Chiefs of Police Conference on September 20, 2016, the Herndon Police Department received the first place award in the 2015 Law Enforcement Challenge for Municipal Police Departments with 55-75 members.



Law Enforcement Challenge  
September 20, 2016



# HERNDON POLICE DEPARTMENT

## SPEEDING - POLICY

HERNDON POLICE DEPARTMENT GENERAL ORDER §61.1.1 MANDATES OUR CRASH ANALYSIS AND SELECTIVE ENFORCEMENT INITIATIVES. HERNDON POLICE DEPARTMENT GENERAL ORDERS §61.1.5 AND §61.1.9 REQUIRES ALL DEPARTMENTAL PERSONNEL WITH PATROL RESPONSIBILITIES TO ENFORCE SPEED LAWS THROUGH THE USE OF RADAR AND OTHER SPEED MEASURING DEVICES.

### §61.1.1 Selective Traffic Enforcement.

Selective traffic enforcement is an activity of the Field Operations Division. Selective traffic enforcement functions include the following:

A. An annual analysis by the Traffic Section supervisor of traffic collisions. Analysis of traffic collisions will include at a minimum the following factors:

1. Month, day and hour;
2. Location, weather and road conditions;
3. Driver action, to include violations;
4. Types of vehicles involved.

This information will be gathered from collision investigation reports submitted to the Records Section. The crime analyst will compile the data for the analysis and provide it to the Traffic Section supervisor for analysis on a monthly basis;

B. An annual analysis by the Traffic Section supervisor of traffic enforcement activities. The traffic complaints received during each month will be reviewed along with the summonses issued to determine if adequate enforcement is being applied to the identified high violation rate locations. The crime analyst shall assist by providing the necessary data for the analysis;

C. The scheduling of selective enforcement in areas where analysis of traffic collisions and violations indicates that special attention is needed. The Traffic Section supervisor shall issue a monthly schedule of selective enforcement locations based on the preceding analysis. The schedule shall be approved by the Field Operations Division commander prior to implementation. Patterns of similar causes or sudden increases in the severity or number of collisions or violations at a specific location are valid criteria for extra enforcement.

D. Selective Enforcement Assignments.

1. The Traffic Section supervisor shall provide a monthly selective enforcement activities schedule. Selective enforcement sites shall be worked by a traffic enforcement unit when available. If a traffic enforcement unit is not able to monitor a selective enforcement site, squad supervisors shall assign a patrol officer to the assignment.
2. Selective enforcement activities will be based on an analysis of traffic collision data, citizen complaints and officer knowledge. Enforcement efforts shall be directed toward driving behavior that contributes to collisions. These selective enforcement sites shall not be limited to the enforcement of speeding violations. These sites will be utilized for the enforcement of violations in proportion to the frequency with which they occur in collisions and for responding to traffic-related needs identified in the community.

E. On an annual basis, the Traffic Section supervisor will evaluate the selective enforcement program. This review shall be included in the annual analysis of traffic collisions and of traffic enforcement activities and should ascertain whether the enforcement efforts have met their objectives. A comparison of current accomplishments to past accomplishments shall be included. Upon completion, the report shall be submitted to the Chief of Police through the chain of command.



# HERNDON POLICE DEPARTMENT

## SPEEDING - POLICY

### F. Traffic Enforcement Unit.

All uniformed patrol officers are responsible for the safe flow of traffic throughout the Town; however, officers of the Traffic Enforcement Unit are tasked with this responsibility as their primary objective.

Officers of the Traffic Enforcement Unit are supervised by the Traffic Section supervisor. Specific duties of the Traffic Enforcement Unit will include but are not limited to:

1. Operations of speed measuring devices;
2. Parking control and enforcement;
3. Traffic law enforcement (to include truck safety and weight enforcement);
4. Traffic and speed studies and analysis;
5. Analysis of collision reports and records.

### §61.1.5 Enforcement Policy.

- A. The Herndon Police Department will strive to provide uniform enforcement action for traffic violations throughout the Town. Sound judgment by all officers in considering the circumstances and conditions at the time of the violation will ensure appropriate action and gain the public confidence in traffic enforcement.
- B. The ultimate goal of traffic law enforcement is to achieve voluntary compliance with all traffic laws. To achieve this, the Herndon Police Department will:
  1. Actively enforce the law as it pertains to driving while intoxicated. Officers will normally arrest any driver found to be in violation of this law. Arrests will be based on an individual's driving behavior, results of field sobriety tests, and results of blood alcohol tests;
  2. Actively enforce the law as it pertains to speeding violations with discretion utilizing warnings and issuing summonses. Generally officers should issue a summons for violations of 10 mph or more over the posted speed limit. Lesser infractions should be issued a warning. Consideration should be given to the weather conditions, traffic volume, pedestrian traffic, and location in conjunction with the correlation of speeding and traffic collisions;
  3. Actively enforce the law as it pertains to hazardous traffic violations, including seat belt violations and child restraint violations;
  4. Actively enforce the law as it pertains to equipment violations. These shall be enforced when a vehicle is found to be in violation of several equipment requirements, a summons should usually be issued for the most serious violation. This action should be taken even when each violation independently is worthy of only a warning. Single equipment violations shall be enforced based on the seriousness of the offense and officer discretion;

### §61.1.9 Speed Measuring Devices/Use of Radar.

- A. The Herndon Police Department will utilize radar equipment to:



# HERNDON POLICE DEPARTMENT

## SPEEDING - POLICY

1. Reduce traffic collisions at specific locations where the cause of the collisions may be attributed to excessive speed;
  2. Reduce speeding at specific locations that have been identified through citizen complaints;
  3. Reduce speeding at specific locations when identified by officers having knowledge of violations that may cause a hazard.
- B. Radar equipment use shall comply with the Code of Virginia, §2.2-1112, and §46.2-882.
1. The following procedures shall apply: 1. Squad supervisors may authorize the use of radar in conjunction with the preceding policy. Supervisors shall periodically monitor the operation of radar for the purpose of ensuring compliance with Department standards;
  2. Working radar at the foot of a grade shall not be a standard practice. If complaints are received from citizens or if accidents have occurred which can be attributed to excessive speed, an on-site inspection shall be conducted by a supervisor prior to the use of radar;
  3. Radar units shall only be operated by officers that have successfully completed an approved 40-hour radar operator's course. Officers who have not completed an approved course may make radar arrests under the direction of a certified operator;
  4. Supervisors shall ensure the use of radar is accomplished without affecting the availability of personnel for minimum patrol needs and services rendered to the community. Under normal circumstances, there will be no more than two units at the radar set;
  5. No motorist shall be cited when utilizing radar for violations under 10 mph beyond the posted speed limit. Tolerance levels under the minimum may only be set by the Chief of Police based upon circumstances of a specific location.
- C. Radar Equipment.
1. All radar equipment used for enforcement purposes shall meet or exceed DOT/NHTSA standards for traffic radar.
  2. The calibration of any speed measuring devices shall be in accordance with Virginia State Code §46.2-882. All radar sets will be taken to the Traffic Section supervisor when in need of service or repair.
  3. Any calibration certifications shall be forwarded to the Traffic Section supervisor who will maintain a current and accurate file for court purposes.



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

### Problem Identification

The Herndon Police Department identified several local traffic safety issues that contribute to crashes. *Distracted driving behaviors as well as pedestrians and bicyclists crossing roadways present notable safety concerns for the Town of Herndon.* Distracted driving is largely due to cell phones and other activities that divert the driver's attention and are a growing concern everywhere. Pedestrians and bicyclists alike are a common sight in the town given the popular biking trail that runs through its center. We recognized that these issues particularly contribute to traffic safety and proper enforcement and education must remain a priority in order to make a positive impact on the behavior of drivers and decisions of bicyclists and pedestrians.

Distracted driving and violations of "Failure to maintain proper control" were the predominant violations accounting for 16% (118) of all crashes. "Failure to yield the right of way" was the second-most occurring violation and accounted for 13% (95) of all crashes. These two violation types represent 29% of the total driver actions which led to crashes in 2016. The reasons for distracted driving are growing but typically involve GPS and cellular devices, but ultimately inattention to the roadway is a prime contributor to accidents.

Pedestrian and bicycle crashes are of concern as they relate to overall accidents within the Town. There were 10 crashes involving a pedestrian and 10 crashes involving a bicyclist in 2016; this is a 25% decrease from 12 pedestrian and 15 bicycle related accidents in 2015. A small section of the Washington and Old Dominion (W&OD) Trail crosses straight through downtown Herndon at several intersections for approximately two miles. The trail is heavily travelled by pedestrians and bicyclists and its crossing points at major roadways in Town are challenging in terms of pedestrian and bicycle safety.

Crash data and traffic enforcement activities were evaluated during the year to assist with planning for addressing distracted driving violations and improving pedestrian and bicycle safety. Temporal factors, including accident and violation data by location, time-of-day, day-of-week, and month-of-year were compiled to assist with planning and enforcement strategy.

### Policies – See Policy Attachment

### Planning

The 2015 Traffic Analysis included a review of crash data and traffic enforcement activities for 2015. Based on this information goals were established for 2016 to address traffic concerns, enforce violations, and facilitate pedestrian and bicycle safety. **These goals assisted us in preparing an operational plan to conduct selective enforcement to increase enforcement, decrease crashes, foster education on distracted driving, and promote pedestrian and bicycle safety.**



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

These strategies coincide with Virginia's Strategic Traffic Plan with regard to intersection emphasis, since many of the distracted driving, pedestrian and bicycle crashes occur at intersections. The Department's strategy to do its part to reduce the frequency and severity of crashes at intersections, improve user awareness and compliance with intersection and interchange traffic control devices, educate roadway users, and develop an effective response program to improve traffic operation is supported by Virginia's Traffic Plan.

Our annual Traffic Analysis indicated that most crashes, to include distracted driving and pedestrian and bicycle crashes, occur during lunch and evening rush hours in contrast to alcohol/drug related crashes which are prevalent on weekends between 6pm to 3am. The temporal factors identified in the analysis enabled proper planning to focus on distracted driver and pedestrian and bicycle safety campaigns to improve safety and awareness of pedestrian and bicycle laws. The department's objective was to have an impact on reducing the number of crashes as well as injuries associated with distracted driving and pedestrian and bicycle violations, and plan more directed and concentrated enforcement during peak hours of crash activity.

A selective enforcement guide was distributed monthly to target enforcement efforts for specific violations according to locations, days and timeframes. Selective traffic enforcement forms were completed for each assignment on a daily basis and submitted to the Traffic Section supervisor for compilation. These planned activities augmented the routine patrols selected for targeted enforcement. The plan was monitored by our continued analysis of crash and enforcement data and statistics from our education programs that coincide with national initiatives.

The Herndon Police Department also created traffic safety strategies in conjunction with selective traffic enforcement efforts with the Town's Traffic Engineering and Improvement Committee (TEIC). The TEIC is a partnership of traffic engineers, public works staff and police personnel formed to address citizen complaints, road engineering deficiencies, and other traffic safety issues. The primary focus of traffic concerns between the TEIC partnership and the police department is to improve the free flow and safe passage of traffic within the Town. These meetings consistently address complaints and issues related to pedestrian and bicycle safety.

Participation in national campaigns that addressed both distracted driving and pedestrian and bicycle awareness facilitated an educational focus for community members and provided an opportunity for officers to reinforce safety. A direct effort by the department to meet with local civic groups and community members to discuss the dangers of distracted driving and pedestrian and bicycle awareness was well received by the community.



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

### Training

#### TRAINING ATTENDED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT IN 2016

Type of Training	Activity	Participants
Distracted Driving (including texting while driving)	Training	55 Officers
Pedestrian and Bicycle Laws (including failing to yield)	Training	55 Officers
Motor Carrier Safety	Refresher Training	1 Officers
Police Motorcycle Operations	Refresher Training	4 Officers

#### PRIOR TRAINING USED BY MEMBERS OF THE HERNDON POLICE DEPARTMENT

Training is an important part of the department’s ongoing mission to promote and encourage safety on the roadways. Maintaining specialized certifications in crash investigations, utilizing speed detection devices, and other related training keeps the department prepared and proactive. The following table shows the current certifications utilized by department personnel throughout the year in its enforcement efforts.

Current Certifications Utilized	Participants
Motor Carrier Safety	2 Officers
Motorcycle Operations	6 Officers
Advanced Crash Investigations, Level 1	12 Officers
Advanced Crash Investigations, Level 2	6 Officers
Advanced Crash Investigations, Level 3	6 Officers
Advanced Motorcycle Crash Investigations	6 Officers
Drug Recognition Experts	4 Officers

Every member of the department attends academy level in-service training, roll call training, and departmental mandatory training. Roll call training is utilized to provide specific information on special enforcement initiatives such as distracted driving and pedestrian and bicycle safety awareness. Additional training is provided on new traffic laws or other specific enforcement information. Every officer with traffic safety enforcement duties received this training. Additionally, during 2016, members of the department received specialized training in motor carrier safety and crash investigation and reconstruction.

Several officers of the department have attended numerous academy level classes in traffic safety. These classes included motor carrier safety, traffic grant writing seminars, the law enforcement challenge preparation seminar, and police motorcycle operations to augment traffic enforcement efforts. The department places a top priority on training and continues to keep traffic safety a primary focus of its training program.



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

In 2016, members of the Traffic Section continued to use training they received from the Department of Motor Vehicles - Virginia Highway Safety Office. The various courses on Crash Investigation and Reconstruction along with annual in-service training on Motor Carrier Safety helped officers investigate causes of crashes and conduct motor carrier safety inspections.

Five officers attended various in-house training courses throughout the year in mapping intersections as part of the Crash Reconstruction Team. One member of the department attended the Law Enforcement Challenge Preparation Class and one attended the DMV Grant Seminar. The information gained in the Law Enforcement Challenge Preparation Class was valuable and resulted in a first place award for our category in 2015. The DMV grant writing seminar provided us with lucrative information that helped us earn \$51,350 in DMV traffic safety grants. This funding has allowed the Herndon Police Department to increase enforcement efforts, purchase equipment, and provide training for officers.

### Public Information and Education

The Town of Herndon Town Council is consistently very supportive of the efforts of the police department. In 2016, the Herndon Town Council passed Council Proclamations to include Official Recognition of Distracted Driving Awareness Month in April 2016 and Virginia Bicyclist and Pedestrian Awareness month in August of 2016. These meetings and presentations are broadcast on our local Herndon Community Television.



Town Proclamation for Distracted Driving Awareness Month – April 12, 2016



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE



Town Proclamation for Pedestrian and Bicycle Awareness Month – August 09, 2016

### **Traffic Engineering**

Significant contributions to traffic safety are fostered through the department's active participation in the Town of Herndon's Traffic Engineering and Improvement Committee (TEIC). This committee is comprised of traffic engineers and Public Works staff, along with officers from with the Herndon Police Traffic Section. The committee meets bi-monthly to address citizen complaints, issues pertaining to potential or actual roadway engineering deficiencies, as well as future engineering, pedestrian safety, and congestion concerns. The police department plays a major role in the activities of this innovative committee. Citizen complaints contribute greatly to the safety improvement planning and implementation involved in the committee.

The TEIC committee was instrumental in traffic and safety improvements made in the Town of Herndon in 2016. Traffic safety issues came to the attention of TEIC and the members explored solutions prior to implementation and were evaluated for their impact. The committee sought *best practices* resolutions for traffic improvements to include adding signage, adding traffic signals, changing lane markings, or redesigning intersections. The ongoing study to address roadway safety along with pedestrian and bicycle safety is imperative to reducing associated crashes.

### **Pedestrian and Bicycle Advisory Committee**

The Pedestrian and Bicycle Advisory Committee (PBAC) was formed with the mission of promoting safe walking and bicycling as viable means of transportation and physical activity, and providing advice to the appropriate bodies (Town Council, Planning Commission and/or the Town's Transportation Engineering Committee – TEIC) on matters related to bicycle and pedestrian issues. Some of the issues concerning



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

PBAC included safety programs for walking and bicycling, reviewing pedestrian and bicycle issues to include matters affecting pedestrian and bicycle transportation, and studying changes on applicable regulations, laws and best practices concerning pedestrian and bicycle issues.

The PBAC was instrumental in organizing a Herndon pit stop for “Bike to Work Day” on May 20, 2016. Herndon Officers were at the pit stop handing out brochures, pamphlets, and flyers on safety information to bicyclists. PBAC also spearheaded bike valet parking at the annual Herndon Festival where bike riders could store their bikes while enjoying the weekend festival event in May of 2016.



### **Special Programs & Community Policing**

In 2016, the Department held a Youth Police Academy. The Youth Academy provided an educational platform to inform the students about a variety of traffic safety issues to include speed enforcement, DUI detection, pedestrian and bicycle safety, and distracted driving. Distracted driving was an important topic for students as they learned the danger of texting and driving. Graduates of these academies relate their experiences to the community and convey important information by emphasizing traffic safety. Members of the Traffic Section and the Crime Prevention Officer of the Herndon Police Department spoke to community and civic groups about traffic safety. Topics covered included bike safety, pedestrian safety, wearing a helmet and speed awareness. These presentations have been warmly received and the officers have been invited back several times. Flyers, brochures, and pamphlets with information on traffic safety are always available through kiosks at the Neighborhood Resource Center, the Community Center, the Herndon Branch of the Public Library, and the Herndon Police Department.



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE



Youth Police Academy  
June 28th 2016

### Enforcement Activity

The department participated in distracted driving and pedestrian and bicycle safety awareness campaigns to discourage associated crashes and injuries. Selective enforcement was conducted with regard to these issues throughout the year. Altogether, the combination of these enforcement efforts resulted in:

- 410 total summonses for Failure to Pay Full-time and Attention
- 64 summonses for Reckless Driving
- 66 summonses for Failure to maintain proper control
- 30 summonses for Failure to yield right of way
- 534 summonses issued at Selective Traffic Locations
- 1,150 summonses for Speeding Violations



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

These summonses were written through Patrol and special enforcement details (at selective enforcement locations). These enforcement details were very specific in time and location based on crash data which were emphasized during midday and evening rush hours. Officers were very diligent in targeting the behaviors that led to crashes during these enforcement details. It is important to note that Virginia's texting law is difficult to enforce without an admission so only a few summonses were written last year for that or similar violations. Officers were directed to enforce the driving behavior associated with the phone use or distraction. These included improper/erratic lane change, stopping on a highway, failing to maintain proper control and failing to pay full-time and attention.

The enforcement details were successful in alerting potential drivers that the police department was proactively targeting dangerous driving behaviors to include distracted and inattentive drivers. While overall crashes were slightly increased from 2015 (706) to 2016 (753) these details undoubtedly prevented crashes.

### Outcomes

The Herndon Police Department has made a concerted effort to combat distracted driving by conducting targeted enforcement to increase pedestrian and bicycle safety awareness and reduce crashes associated with these issues. Routine enforcement, targeted and selective enforcement, participation in national prevention programs, and enhanced enforcement in conjunction with high traffic times were conducted throughout the year. **In 2016, there were 10 crashes involving a pedestrian compared to 12 in 2015. The number of crashes where a bicycle was involved decreased from 15 in 2015 to 10 in 2016. Crashes with injuries decreased from 70 in 2015 to 52 in 2016. Traffic related problems that involve pedestrian and bicycle safety are brought to the attention of the Traffic Engineering Improvement Committee. With additional safety improvements completed in 2016 I believe this has contributed to a decrease in total accidents.**

Significant contributions to traffic safety were fostered through the Department's active participation in the Town of Herndon's Traffic Engineering and Improvement Committee (TEIC). **In 2016, the TEIC committee studied and addressed numerous crash related issues.** These issues included nine speed studies, intersection redesigns, aggressive driving complaints, and roadway/signage recommendations.

Selective enforcement activity was conducted on a monthly basis to target specific traffic safety concerns, to include pedestrian and bicycle crossings and high crash locations. Through crash data, citizen complaints, officer knowledge and experience, and temporal factors such as location, time-of-day, day-of-week, and month-of-year when crashes and other violations were most prevalent, target locations and times were designated for proactive enforcement. Through selective enforcement the department accurately identifies contributing factors to better focus enforcement efforts, effectively monitor efforts, and redirect resources as appropriate.

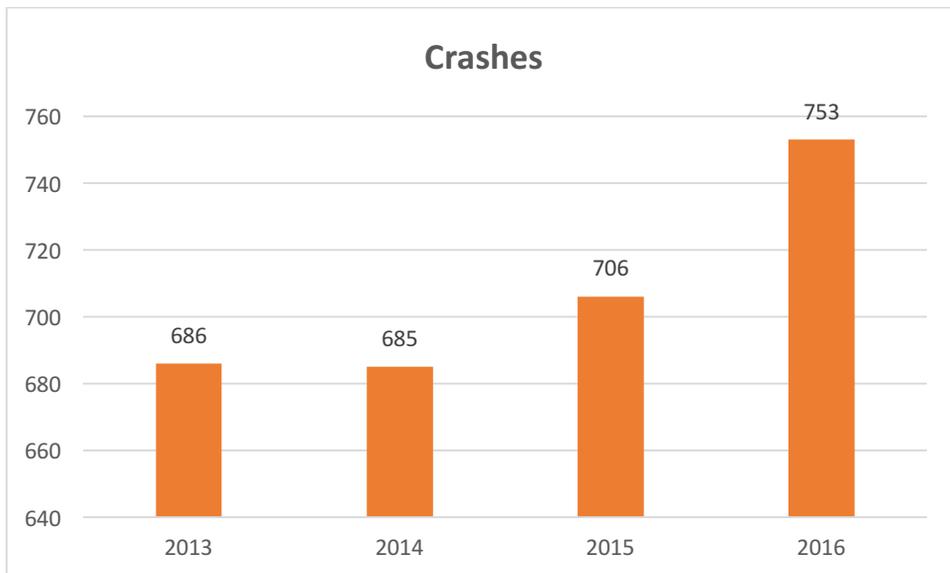
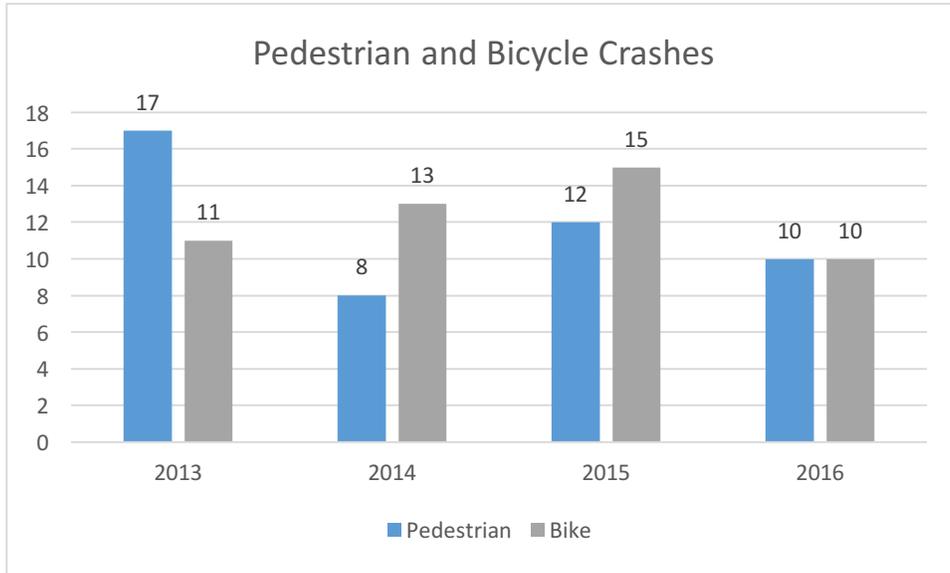
Providing training to citizens on the dangers of distracted driving and pedestrian and bicycle awareness continues to be an important strategy toward reducing crashes. Throughout the year, members of the department spoke to community and civic groups about traffic safety, distracted driving, aggressive driving, pedestrian and bicycle awareness, and other violations. Flyers, brochures, and pamphlets with information on traffic safety are always available through kiosks at the Neighborhood Resource Center, the Herndon Community Center, the Herndon Public Library, and the Herndon Police Department.



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

The Herndon Police Department will continue to conduct routine, selective, and specialized campaigns to target and enforce distracted driving and pedestrian and bicycle safety awareness in 2016. However, the 2016 results remind us that more effort must be placed on reducing accidents related to distracted driving, and accidents associated with pedestrians and bicycles.





# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE

### Law Enforcement Challenge Award

At the Virginia Association of Chiefs of Police Conference on September 20, 2016, the Herndon Police Department received the first place award in the 2015 Law Enforcement Challenge for Municipal Police Departments with 55-75 members.



Law Enforcement Challenge Award  
September 20, 2016



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE - POLICY

HERNDON POLICE DEPARTMENT GENERAL ORDER §61.1.1 MANDATES OUR CRASH ANALYSIS AND SELECTIVE ENFORCEMENT CRITERIA. HERNDON POLICE DEPARTMENT GENERAL ORDER §61.1.5 REQUIRES ALL DEPARTMENTAL PERSONNEL WITH PATROL RESPONSIBILITIES TO ACTIVELY ENFORCE HAZARDOUS TRAFFIC VIOLATIONS.

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# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE - POLICY

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Officers of the Traffic Enforcement Unit are supervised by the Traffic Section supervisor. Specific duties of the Traffic Enforcement Unit will include but are not limited to:

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2. Parking control and enforcement;
3. Traffic law enforcement (to include truck safety and weight enforcement);
4. Traffic and speed studies and analysis;
5. Analysis of collision reports and records.

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- B. The ultimate goal of traffic law enforcement is to achieve voluntary compliance with all traffic laws. To achieve this, the Herndon Police Department will:
  1. Actively enforce the law as it pertains to driving while intoxicated. Officers will normally arrest any driver found to be in violation of this law. Arrests will be based on an individual's driving behavior, results of field sobriety tests, and results of blood alcohol tests;
  2. Actively enforce the law as it pertains to speeding violations with discretion utilizing warnings and issuing summonses. Generally officers should issue a summons for violations of 10 mph or more over the posted speed limit. Lesser infractions should be issued a warning. Consideration should be given to the weather conditions, traffic volume, pedestrian traffic, and location in conjunction with the correlation of speeding and traffic collisions;
  3. Actively enforce the law as it pertains to hazardous traffic violations, including seat belt violations and child restraint violations;
  4. Actively enforce the law as it pertains to equipment violations. These shall be enforced when a vehicle is found to be in violation of several equipment requirements, a summons should usually be issued for the most serious violation. This action should be taken even when each violation independently is worthy of only a warning. Single equipment violations shall be enforced based on the seriousness of the offense and officer discretion;
  5. Enforce violations by public/commercial carriers. All enforcement policies and procedures in this section are applicable to the public/commercial carrier;
  6. Enforce non-hazardous violations in some cases by issuing a warning. Enforce flagrant or subsequent violations by issuing a summons;
  7. Enforce multiple violations in one of the following applicable manners:



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE - POLICY

- a. When an officer is confronted with an individual that has committed two or more separate serious violations, the officer would issue a summons for each offense. The exceptions to this would be when the two violations are similar to the extent that one law exists for the purpose of compliance with the other law or is a lesser-included offense of the other law.
  - b. Normally, one summons will be issued in the case of related, multiple, non-hazardous violations stemming from the same incident.
  - c. When multiple violations are observed and they can be classified separately as hazardous or non-hazardous, they should be dealt with independently. For example, a driver stopped for speeding and found to be driving without a license shall be issued separate summonses.
8. The Chief of Police shall set grace periods where warnings will be issued in lieu of a summons when a new traffic law becomes effective. After the initial grace period, enforcement will be carried out in the preceding uniform manner.
- C. This enforcement policy does not supersede sound officer judgment. It is impossible to predict every conceivable situation involving traffic offenses. In unusual circumstances, officers must decide the proper enforcement action based on a combination of training, experience and common sense.
- D. Violators without Driving Privileges.
  1. No person without a valid operator's license, except those exempted in the Code of Virginia, §46.2-303 through §46.2-308, is allowed by law to drive a motor vehicle on any highway. Officers sometimes may stop violators that are not able to produce a valid driver's license. When this occurs officers shall transmit the violator's name, date of birth and social security number to the Communications Section to check the status of the violator's driving privileges. If the violator has a valid license, then the officer's actions should be dictated by the initial violation or contact.
  2. If the violator does not have a driver's license through DMV, the officer should determine if the violator has been issued a license through another state. If it can be determined that no license has been issued, the officer should cite for "No Operator's License", unless circumstances warrant a physical arrest in accordance with General Orders §1.2.4, and §74.3.1, and the Code of Virginia, §19.2-74.
  3. If the violator is driving while on a suspended or revoked license in Virginia, the officer should cite for "Driving while Suspended or Revoked". If the violator is driving while suspended or revoked in another state and has no status in Virginia, the officer should cite for "No Operator's License". If circumstances warrant, a physical arrest may be executed for either of the preceding incidents, in accordance with General Orders §1.2.5, and §74.3.1, and the Code of Virginia, §19.2.74.
  4. If it is determined that the violator is suspended, revoked, or has no operator's license they shall not be allowed to drive from the location of the stop, and other arrangements should be made. Unless the driver is incarcerated, the violator's vehicle need not be towed if it is legally parked or on private property.
  5. If there is doubt about the correct status of a license, a suspension or a revocation, and verification cannot be gained within a short period of time, officers should release the violator. A summons from a magistrate may be obtained when confirmation is received at a later time.



# HERNDON POLICE DEPARTMENT

## LOCAL ISSUE - POLICY

### E. Pedestrian and Bicycle Traffic Enforcement.

Officers will take appropriate enforcement action when and where pedestrian and bicycle traffic law violations are observed. Enforcement actions should be commensurate with pedestrian and bicycle collision occurrences as determined through analysis of collision reports.

#### 1. Pedestrian Enforcement.

Enforcement of traffic laws pertaining to pedestrians necessitates broad discretion from officers. To provide guidance in this discretion the following procedures are established:

- a. Prior to any increase in the enforcement effort directed toward pedestrian traffic, sufficient publicity and community awareness campaigns will be conducted by the Traffic Section supervisor;
- b. Officers will concentrate their efforts on pedestrian violations in those areas where collisions involving pedestrians have been frequent or severe;
- c. In the enforcement of pedestrian traffic laws, the spirit of the law shall supersede the letter of the law and application should be made accordingly.

#### 2. Bicycle Enforcement.

Enforcement of traffic laws pertaining to bicyclists has become increasingly more important due to the use of the bicycle as a major means of transportation and exercise. Officers must enforce these laws to ensure the safe operation of bicycles. To provide guidance in the enforcement of these laws the following procedures are established:

- a. In areas where traffic congestion and the frequency of traffic collisions involving bicycles is predominant, laws pertaining to the proper operation of bicycles will be strictly enforced;
- b. On roads with a substantial flow of vehicular traffic and where hazardous moving violations are observed involving bicycles, the applicable laws should be enforced;
- c. In areas where traffic flow is minimal, visibility is unobstructed, and traffic collisions are few, officers should exercise discretion when enforcing laws pertaining to bicycle operation;
- d. Officers should be less tolerant with adult offenders who should be aware of the hazards inherent in the unsafe operation of bicycles. Officers should be more lenient in the enforcement of the law and more instructive with youthful offenders, who may not be fully aware of the consequences associated with the unsafe operation of bicycles;
- e. A member of the community resource team will be responsible for conducting bicycle safety and pedestrian safety courses throughout the community.