



2017 VIRGINIA LAW ENFORCEMENT CHALLENGE APPLICATION

Applications are due to 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): **James City County Police Department**
 Agency Category: **Municipal Police**
 Total Number of Sworn Personnel: **97** Total Number of Uniformed Officers on the Street: **60**
 Submitter(s) (main point of contact for application): **MPO Zach Bowman**
 Department: **James City County Police Department – Traffic Unit**
 Address: **4600 Opportunity Way** City: **Williamsburg** State: **Virginia** Zip: **23188**
 Submitter Phone: **(757) 603-5913** Submitter Email: **Zach.Bowman@jamescitycountyva.gov**
 Department Head: **Chief Bradley Rinehimer** Email: **Bradley.Rinehimer@jamescitycountyva.gov**

APPLICATION ATTACHMENTS PACKET

CHECKLIST

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

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

SPECIAL AWARD CONSIDERATIONS

Impaired Driving*	Yes
Occupant Protection*	Yes
Speed Awareness*	Yes
Bike/Pedestrian Safety	_____
Commercial Motor Vehicle Safety	_____
Distracted Driving	_____
Motorcycle Safety	_____
Technology	_____
Traffic Incident Management	_____
State/Local Issue is Special Award Consideration**	No
<i>If yes, which one?</i>	_____

**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: **815**
2. Total roadway crashes in 2015: **871**
3. Total roadway crashes in 2016: **922**
4. Total fatal crashes in 2014: **5**
5. Total fatal crashes in 2015: **8**
6. Total fatal crashes in 2016: **1**
7. Total injury crashes in 2014: **265**
8. Total injury crashes in 2015: **303**
9. Total injury crashes in 2016: **331**

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: **64**
3. This agency participates in officer recognition programs for impaired driving detection and apprehension:
yes no
4. Number of Impaired Driving Arrests in 2014: **219**
5. Number of Impaired Driving Arrests in 2015: **199**
6. Number of Impaired Driving Arrests in 2016: **177**
7. Total number of fatal and injury crashes related to Impaired Driving in 2016: **30**
8. Percentage of fatal and injury crashes related to Impaired Driving in 2016: **9%**
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.): **135**
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): **2,321**
14. Output Statistics: How many contacts in target areas?: **2,321**

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: **89%**
6. Your jurisdiction's safety belt use percentage rate at the end of 2016: **80%**
7. Number of officers who received training in 2016 in occupant protection: **13**
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: **150**
10. Number of Seat Belt Citations in 2015: **108**
11. Number of Seat Belt Citations in 2016: **109**
12. Number of Child Seat Citations in 2014: **36**
13. Number of Child Seat Citations in 2015: **27**
14. Number of Child Seat Citations in 2016: **22**
15. Number of Special Enforcement Efforts in 2016 for Occupant Protection: **40**
16. Output Statistics: How many citations were issued in target areas?: **85**
17. Output Statistics: How many citations were issued during the target times?: **85**
18. Output Statistics: How many contacts were made? (total): **109**
19. Output Statistics: How many contacts were made in target areas?: **109**

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: **34**
3. This agency participates in officer recognition programs for speed detection and apprehension: yes no
4. Number of Speeding Citations in 2014: **1,740**
5. Number of Speeding Citations in 2015: **2,153**
6. Number of Speeding Citations in 2016: **1,868**
7. Total number of 2016 fatal and injury crashes related to speed: **5**
8. Percentage of 2016 fatal and injury crashes related to speed: **1%**
9. Number of Special Enforcement Efforts in 2016 for Speed: **161**
10. Output Statistics: How many citations were issued in target areas?: **573**
11. Output Statistics: How many citations were issued during the target times?: **573**
12. Output Statistics: How many contacts were made? (total): **687**
13. Output Statistics: How many contacts were made in target areas?: **687**

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: **4**
3. This agency participates in officer recognition programs for this issue: yes no
4. Number of citations issued involving this issue in 2014: **11**
5. Number of citations issued involving this issue in 2015: **29**
6. Number of citations issued involving this issue in 2016: **76**
7. Total number of 2016 fatal and injury crashes related to this issue: **0**
8. Percentage of 2016 fatal and injury crashes related to this issue: **0%**
9. Number of Special Enforcement Efforts in 2016 for this issue: **38**
10. Output Statistics: How many citations were issued in the target areas?: **82**
11. Output Statistics: How many citations were issued during the target times?: **82**
12. Output Statistics: How many contacts were made? (total): **111**
13. Output Statistics: How many contacts were made in target areas?: **111**
14. How many special team enforcement details were directed at the State/Local Issue (not routine patrol)?:**38**



Impaired Driving

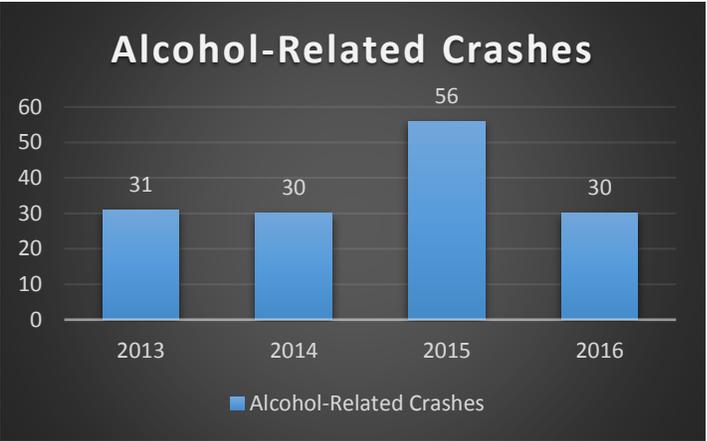
Problem Identification

Impaired driving is an unfortunate, but all too present problem on Virginia roadways. FBI statistics say 1.4% of Virginia drivers **reported** to have driven after drinking too much, but that percentage still adds up to a staggering number. According to Virginia Department of Motor Vehicles' published Virginia Traffic Crash Facts (2013 – 2015), in 2015 of the 753 persons killed on Virginia roadways, **241 (32%) were killed in alcohol-related crashes**. Almost 5,000 injuries were also suffered in Virginia crashes due to alcohol.

The James City County Police Department is active in the detection and apprehension of impaired drivers. Our goal is to work to decrease the number of alcohol-related crashes and deaths. After seeing a decrease in alcohol-related crashes from 2013 (31) to 2014 (30), James City County had an increase in these crashes in 2015 (56). This same trend was seen in alcohol-related crash fatalities; four in 2013, two in 2014 and five in 2015. Those five deaths due to alcohol-related crashes made up **62.5% of all crash fatalities in 2015**, almost **twice** the Virginia average. Even though not all of these deaths occurred because of impaired drivers, the increase in deaths caused a concern.

The James City County Police Department wanted to decrease the number of alcohol-related fatalities and crashes.

In 2016, there were 0 alcohol related fatalities in James City County.



In 2016, there were 30 alcohol related crashes in James City County, a substantial decrease from 2015!

Our goal is to continue to work toward this goal of zero deaths, and strive to lower the number of alcohol-related crashes. The department knows that without working toward the problem of alcohol-related crashes, fatalities will begin to climb.



Impaired Driving

Policy

The James City County Police Department has outlined in department policy, PPO 414 section XII, the importance of detection and apprehension of impaired drivers by identifying that thousands of people are killed and injured every year by drunk driving.

Policy and procedures PPO 414 section XII dictates the department's stance on impaired driving; *"It shall be a priority of the James City County Police Department to enforce the laws of impaired driving to help reduce alcohol related crashes, prevent injuries and save lives, making our highways safer"*.



<p>XII. DUI Enforcement</p> <p>A. General</p> <p>1. Drunk driving kills and injures thousands of people every year. Driving under the influence of intoxicants is an offense generally associated with leisure-time activity. Consequently, most arrests are made during the evening hours or in the early morning hours after taverns close or social gatherings end. Although the intoxicated driver may be observed any day of the week, weekends and holidays reflect an increase of offenses and arrests. It shall be a priority of the James City County Police Department to enforce the laws of impaired driving to help reduce alcohol related crashes, prevent injuries and save lives, making our highways safer.</p> <p>2. Driving under the influence has been interpreted by various courts to mean that the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages or other drugs. It does not imply that the operator of a motor vehicle be in a state of alcohol or drug-induced stupor or be entirely incapable of exercising physical control of his vehicle.</p> <p>B. Laws</p> <p>Each officer will be familiar with State code sections 18.2-266 through 18.2-273 that relate to driving under the influence, as well as state code sections 46.2-391.2 which deals with required administrative suspension of operator's license for DUI charges where the blood/alcohol is 0.0% or higher or charged with refusal.</p> <p>C. Locating and Stopping</p> <p>1. As soon as an officer suspects a driver of being under the influence, observations should be noted for future reference.</p> <p>2. In most cases, the officer will observe deviations from normal driving behavior. The following deviations are some of the indicators that a driver might be suffering from some form of impairment.</p> <ol style="list-style-type: none"> Sitting through a green light Wearing Very slow speed Excessive speed Disregard for stop signs or signals <p>3. When you have observed a driver whose actions are similar to the above or are not consistent with sound driving practices, an immediate stop should be made.</p> <p>4. Be alert and use extreme caution when stopping a suspected intoxicated driver. Keep in mind that alcohol or drugs affect judgment and may result in erratic behavior on the part of the violator.</p> <p>5. Follow established procedures in effecting the traffic stop.</p>	<p>PPO 414 Section XII outlines detailed information and direction about impaired driving to include:</p> <p>Laws; what laws officers must be familiar with for proper impaired driving enforcement.</p> <p>Locating and Stopping; lists impaired driving indicators and cautions when stopping impaired drivers.</p> <p>Officer/Driver Contact; professional contact, identification, preliminary field sobriety testing, arrest decision and implied consent testing.</p> <p>Handcuffing</p> <p>Transporting</p> <p>Arrested Suspect's Vehicle</p> <p>Processing DUI; implied consent testing, incident reporting and evidence handling.</p>
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Within the policy, officers are provided with a step-by-step guide for what to do when coming in contact with an impaired driver. Providing officers with detailed information helps to make the process from contact to prosecution smooth and successful. PPO 414 section XII makes officers aware that impaired driving may be due factors other than alcohol, to include drugs or even medical issues.

The James City County Police Department utilizes both in-car and body worn cameras. James City County Police Department PPO 705 section V-D includes information about Audio Visual Incident Capture Systems (AVICS), and instructs officers how to include this valuable evidence for the Commonwealth Attorney's office to aid in prosecution.

<p>1. Officers should not activate the AVICS device or shall use caution when entering a public locker room, changing room, restroom, dormitory or other place(s) where an individual - unrelated to the investigation - would have a reasonable expectation of privacy.</p> <p>2. Use of the AVICS body worn device in a hospital setting shall be limited to investigative use only. Officers will not record a patient's medical information and procedures with hospital personnel unless it directly relates to the investigation and hospital staff is made aware prior to the recording taking place. Officers will remain cognizant of HIPAA laws and guidelines.</p> <p>3. Officers shall not intentionally record confidential informants or undercover officers unless the recording is conducted specifically for the purpose of documenting a sting, drug purchase/sale or other undercover operation in furtherance of a criminal investigation.</p> <p>4. Officers will not make unconsented recordings of conversations with other department members except when necessary in the course of a criminal investigation and/or for departmental administrative investigations.</p> <p>5. If more than one officer who is at an incident is equipped with an AVICS body worn device, all officers who are equipped with one shall record the incident.</p> <p>V. Retention and storage of recordings:</p> <p>A. Recordings containing recorded incidents that the officer believes to be of evidentiary value (i.e., criminal, civil litigation and/or departmental administrative investigations) shall be treated as official records.</p> <p>B. Officers shall download all recordings from a body worn device at the conclusion of their tour of duty, or prior to the commencement of their next tour of duty. All recordings shall only be downloaded using computers or other downloading methods approved by the James City County Police Department.</p> <p>C. Officers shall make a hard copy of all evidentiary recordings and place it in master case file. This action shall be documented in the case report narrative and on the AVICS case file entry log. A duplicate copy will be generated and forwarded to the Commonwealth Attorney's Office to determine if it has any evidentiary value.</p> <p>D. All DCU assets captured by the AVICS recorder will be copied to a DVD and turned into records with the DCU packet. A duplicate DVD will be generated and forwarded to the Commonwealth Attorney's Office to determine if it has any evidentiary value. The recording should be advanced to the point where the DCU incident begins. Recordings should be marked with the defendant's name, case number, officer's name and date of recording written on it. The recording should be turned in with the DCU case file packet for forwarding to the Commonwealth Attorney's Office.</p>	<p>705-4</p>
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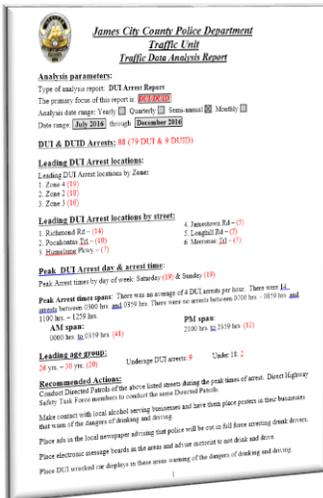


Impaired Driving

Planning

The James City County Police Department works toward its impaired driving enforcement goals through the combined efforts of the Traffic Unit, Patrol Division, Highway Safety Task Force and Crime Analyst.

The Traffic Unit is charged with coordinating and conducting traffic enforcement in the county based on campaigns, supplied data, complaints and ongoing trends.



To identify impaired driving issues in the county, the Traffic Unit looks to the Crime Analyst for data. The department's Crime Analyst provides the Traffic Unit with statistical information about traffic crashes, impaired driving incidents, arrests, and emerging patterns. The crash, incident and arrest data that is generated by the analyst is used by the department and the Traffic Unit to coordinate enforcement through extra patrols and checkpoints, as well as deterrence through campaigns and education. The Highway Safety Task Force is utilized to conduct area and issue specific patrols for enforcement. The task force also participates in checkpoints that are run by the traffic unit.

The Patrol Division is the most visible aspect of the police department and the most active in the deterrence, detection and apprehension of impaired drivers. Patrol officers utilize the information and guidance provided by the Traffic Unit in order to increase patrols in problem areas and during times when there is increased activity of impaired drivers.

Data provided by the Crime Analyst identifies which days, which areas and what times during these days that impaired driving incidents (arrests and crashes) occur. It was found that the majority of alcohol-related crashes and impaired driving arrests occurred during the night time on weekends on the major thoroughfares.

Officers of the Patrol Division that work during these identified times are encouraged to carry out increased traffic enforcement in the identified areas due to the increased instances of impaired drivers.

The Traffic Unit and the Highway Safety Task Force schedule their checkpoints and patrols with this information as well. Holidays throughout the year tend to produce greater numbers of impaired drivers, therefore campaigns and enforcement are scheduled with this in mind.





Impaired Driving

Training

In 2016, officers of the James City County Police Department continued to improve and share their knowledge, skills and abilities by attending and instructing various training classes related to the topic of impaired driving. These charts show the impaired driving related training courses that were attended and instructed in 2016 by James City County Police Officers.



Advanced DUI Prosecution with the Commonwealth's Attorney's Services Council – This Council offers Advanced DUI Prosecution training to officers and prosecutors throughout the Commonwealth.

-3 officers attended this training in 2016

-2 officers served on the council and helped with instruction

Legal Updates – After consultation with the Commonwealth Attorney's Office, **ALL** officers received notices and detailed instructions of how to comply with the 2016 changes to the Implied Consent law. Officers were also issued a copy of Selected Acts which covered other relevant law changes with regard to impaired driving.

Intox EC/IR II – Every officer must receive and maintain their certification to operate the Intox EC/IR II. In 2016, the following number of officers received their initial certification or recertification:

-Certification – 6

-Recertification – 41

AlcoSensor FST- In 2016, the department continued to issue and train officers on the AlcoSensor FST. The interactive training course was conducted on-line while officers were working their regular shifts and a written test score of 100% was required before issuance to ensure proper use in DUI enforcement.

Mid-Atlantic DUI Conference – DUI focused officers were selected to attend this annual conference on impaired driving detection and prosecution.

Training Attended	Officers Attended	Total Hours
Advanced DUI Prosecution	3	48
Intox EC/IR II Certification	6	96
Intox EC/IR II Recertification	41	164
Academy DUI/SFST Recruits	6	144
NHTSA SFST Basic	10	240
NHTSA SFST Instructor	2	80
Legal Update	97	-
NHTSA SFST Instructor Recertification	4	32
Intox EC/IR II Instructor Recertification	2	16
Fundamentals of Crash Investigations	1	80
Advanced Crash Investigation	1	80
Motorcycle Crash Investigation	1	40



(MPO Miller instructing BLE recruits in SFST's, 2016)



Impaired Driving

Training

NHTSA SFST – To become more developed in impaired driver detection and apprehension, James City County Police Department officers are being trained to the NHTSA SFST standard. Department officers are also used as instructors to conduct these basic classes, as well as master instructors to teach officers to become basic instructors. The James City County Police Department holds open classes to allow any department to attend training.

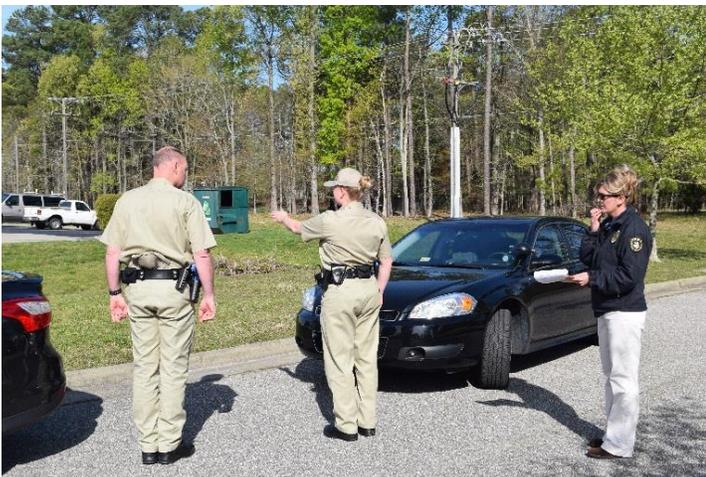
-Basic Certification – 10

-Instructor – 2 initial certifications & 4 recertifications

DUI/SFST Training for BLE Recruits – The department’s recruits attend HRCJTA for their basic law enforcement academy. While attending, they received training in DUI/DUID detection as well as NHTSA SFSTs. James City County Police Department officers are also requested by HRCJTA to be lead instructors for this section of BLE classes, as well as practical evaluators.

-Recruits Trained – 6

-Instructors – 2, along with multiple officers as evaluators



(MPO Sten instructing BLE recruits in SFST's, 2016)



(Reconstruction exercise, crash investigations school, 2016)

Traffic Crash Training – Well trained officers are vital to accurate and successful investigations of serious and fatal crashes; which often are alcohol-related. The department’s Traffic Unit and Crash Team must complete a series of crash schools to develop and maintain their skills to effectively investigate these crashes. In 2016, the Traffic Unit sent **ONE** officer to each of the following classes:

-Fundamentals of Crash Investigation - 1

-Advanced Crash Investigations - 1

-Motorcycle Crash Investigations - 1



Impaired Driving

Public Information & Education

The James City County Police Department is continuously involved with multiple projects and campaigns involving Public Information and Education about impaired driving. Using different media outlets, citizen involvement and department resources, the James City County Police Department makes great efforts to communicate to the public about the dangers and consequences of drinking and driving.

These efforts include press releases, school programs that target young drivers, and drunk driving displays on the roadways and at participating area businesses.

Media

The James City County Police Department utilizes multiple types of media to spread the word about dangers of impaired driving. The county's internet, Facebook and Twitter pages assist the department with media releases, sharing information about campaigns and activities such as "Checkpoint Strikeforce" and Every 30 Minutes. The police department also reaches out to local area newspapers and television news sources to help discourage drinking and driving.



Community Involvement

The James City County Police Department prides itself on being directly involved with the community, especially educating citizens about the dangers of impaired driving. The James City County Police Department's Citizens Police Academy has been offering members of our local community the opportunity to get an inside look at the operation and function of police procedures since 1994. The CPA is a 14 week course that covers a full overview of the department's functions. The Traffic Unit is asked to teach one of the 14 sessions and speaks to the group about the traffic related duties of the department as well as impaired driving and fatal crash investigations.



(MPO Perry giving a Traffic Unit presentation to the CPA, 2016)



Impaired Driving

Public Information and Education

The James City County Police Department Traffic Unit and the School Resource Officers work in partnership to educate students at the local high schools in the area of DUI awareness and prevention.



Warhill High School SRO, MPO Niranont, involved LifeVac for their 2016 Every 30 Minutes program (pictured), increasing student interest and participation!

Every 30 Minutes is a national program that is an interactive two-day event that will educate high school students by identifying problems associated with their driving, socializing and alcohol related activities. It is the intent of this program to help the individual student understand that their behavior has a rippling effect on those around them; family, friends, classmates, etc. The program's name was derived from the fact that every thirty minutes in the United States, at least one person is killed as a result of an alcohol related incident to include alcohol related traffic crash. The Williamsburg/JCC Public School System, other agencies and local businesses create a "mock" fatal crash involving alcohol. The program involves the local hospital, courthouse, funeral home and fire departments. Parents and friends of the participants are involved in the two-day event. It is the hope that this program will touch the lives of all who attend and possibly prevent the more senseless deaths.



"Simulated Impaired Driving Experience" or **SIDNE®** is a battery-powered vehicle that simulates the effects of impairment from alcohol or other drug on a motorist's driving skills. SIDNE operates in two modes. In *Normal Mode*, the vehicle's steering, braking, and acceleration respond appropriately. In *Impaired Mode*, the vehicle reacts with delayed steering, braking, and acceleration, simulating the effects of a vehicle being driven by an impaired driver.

(SRO's observing a SIDNE course, 2016)



Impaired Driving

Public Information and Education



Master Police Officer Dan Jackson (pictured at left in 2016) visits all three high schools to teach students about Driving Under the Influence and its consequences. During a class, Officer Jackson starts with a PowerPoint presentation about driving under the influence, which is directed towards high school students. During the second portion of the class, students are given a chance to go through the FSTs using Fatal Vision goggles. When students recognize how much their coordination and physical abilities are affected, they begin to understand how serious their driving skills diminish. Students are also given the opportunity to see how a PBT works by being given

mouthwash, then blowing into the PBT and viewing the results. Reaching out to students, beginning drivers and young adults in high schools is one way the department works with the community to form good habits and stop impaired driving before it starts.

The James City County Police Department participates in regional, state and national campaigns to fight drunk driving. Before enforcement begins, the Traffic Unit requests media releases associated with the campaign, and then spreads the word through the county and target areas using roadway displays and increased patrols. These tools aim at trying to remind citizens of the dangers of drinking and driving, with the hope of reducing crashes and injuries from alcohol-related crashes.



The Traffic Unit also recognizes that partnering with local establishments can be an effective technique to reach out to potential impaired drivers. The unit visits restaurants and bars to encourage the employees to promote safe and smart drinking. The establishments are provided with campaign posters to display and given information on the upcoming and current campaigns. It is the goal of the Traffic Unit to discourage impaired driving before it even happens through education and awareness. If these efforts reach even one person, that could be a potential life that is saved!



(Sgt. Johnson at a local establishment, 2016)





Impaired Driving

Enforcement

During 2016, the James City County Police Department continued its involvement in DUI detection and apprehension by making it a priority for patrol officers that work during hours of increased DUI instances, and conducting multiple special enforcement activities that targeted impaired driving. Sobriety checkpoints and saturated patrols have been held and planned throughout the year especially during the holidays and weekend periods. The Department's "Highway Safety Task Force" continues to target DUIs and other highway safety concerns such as occupant protection and speed enforcement.

Every six months, the department's crime analyst and Traffic Unit generate a list of DUI arrest and crash locations in the county. Using this list, the Traffic Unit is able to determine where and when the majority of DUI arrests and crashes are occurring. Increased visibility and enforcement through patrols and checkpoints are coordinated with the Patrol Division and Highway Safety Task Force.



(Multijurisdictional checkpoint for 2016 St. Patrick's Day campaign: James City County PD, Williamsburg PD and Virginia State Police)

The James City County Police Department's Highway Safety Task Force is made up of highly motivated, knowledgeable and productive officers that volunteer their time toward increased enforcement. Those officers play a very important role in impaired driving enforcement. They conduct saturation patrols that are focused during high priority hours, mainly 8p.m. until 3a.m., and participate in DUI sobriety checkpoints.

As a part of their additional duties, the task force conducted a total of 135 DUI saturation patrols and checkpoints during 2016. During that time, task force officers made 10 DUI arrests over a course of 2,321 contacts with vehicles. Officers also issued summonses and made arrests for a variety of other offenses during these patrols and checkpoints. DUI arrests during task force operations were also made during speed and occupant protection patrols.

The Traffic Unit coordinates checkpoints based on the collected data and locations from a predetermined list outlined in department policy. Though the exact location of the upcoming checkpoints may not be shared with the public,

the Traffic Unit/department often coordinates media releases and other public involvement that make citizens aware of increased enforcement and awareness during the same time period.

The Uniform Patrol Division makes the most impact on impaired driving enforcement. Every officer is given the knowledge, training and equipment to conduct a thorough DUI investigation, and is encouraged to conduct proactive enforcement during their shifts. Patrol's presence in higher DUI arrest/crash areas, through areas with alcohol serving establishments and anywhere on the road, helps to discourage drinking and driving in the county.

Patrol officers and task force officers use events occurring in the county to direct their efforts during the patrol times. During Hampton Roads high schools' homecoming and prom, officers make sure they are more aware of underage drinking and driving, and where special problem locations may arise specific to these activities. For example, the county regularly sees high school aged teenagers from other areas hold parties at timeshares in the county after their homecoming and prom. Officers will increase their presence during these occurrences. Officers are also aware of the increased DUI possibility during different holidays.

The officers of the James City County Police Department made 177 DUI/DUID arrests in 2016.

The James City County Police Department also takes impaired driving enforcement onto the waterways of the county. The department's **Marine Patrol Unit** patrols the waterways, focusing on persons boating under the influence, especially on weekends, holidays and special events. The Marine Patrol participates in campaigns such as Operation Dry Water to focus enforcement efforts. The department knows that impaired boaters will continue to be a threat off of the water when they get behind the wheel of a vehicle.





Impaired Driving

Outcomes

Over the course of 2016, James City County Police Department officers dedicated numerous hours toward trying to prevent impaired driving and enforcing DUI laws. A total of **177 DUI/DUID arrests** were made, a decrease from 199 in 2015. The department attributes this decrease in arrests to the impact its officers have made throughout the years, with the thought that there are fewer intoxicated drivers on the road.



In September of 2016, **Mothers Against Drunk Driving (MADD)** recognized two James City County officers for their excellent efforts in arresting drunk drivers.



MPO Daniel Jackson: 49 DUI Arrests



SPO Jonathon Evans: 16 DUI Arrests

Alcohol-related fatalities in 2015 made a sharp and concerning increase from the previous year. This increase set a goal for the James City County Police Department. The goal of reducing alcohol-related fatalities meant a safer community for the citizens and visitors of James City County.

The efforts of the department and its officers resulted in 177 DUI Arrests, and helped lower the number of alcohol-related crashes by 53%, down to 30!

Alcohol-related fatalities dropped from 5 in 2015 to 0 in 2016!



POLICY & PROCEDURES	NO.: 414	1 OF 25 PAGES
SUBJECT: TRAFFIC LAW ENFORCEMENT	DISTRIBUTION: ALL MEMBERS	
	AMENDS / SUPERSEDES: REVISED: 3/3/11	
APPROVED: <i>Emmett H. Harmon</i>	EFFECTIVE DATE: 5/01/1988	

VLEPSC STANDARD(S): OPR.07.01, 07.02, 07.03, 07.04, 07.05, 07.06

PURPOSE: To establish procedures for traffic law enforcement, preventative patrol, proactive enforcement and relations with motorists, pedestrians and the courts in an effort to maintain safe travel within James City County.

POLICY: Safe travel within James City County is a priority for the James City County Police Department. In an effort to maintain safe travel, the Police Department has a duty to enforce traffic violations. Traffic law enforcement involves all police activities or operations which relate to observing, detecting and preventing traffic law violations including taking appropriate enforcement action. However, overzealous enforcement, without consideration of the violator's familiarity with the legal requirements or without regard for the circumstances surrounding the violation, causes disrespect for the law and poor relations between the department and the community it serves. The intent of enforcement action should be to favorably alter the violator's future driving habits and gain voluntary compliance with traffic laws and regulations in an effort to maintain safe travel on the highways of James City County. Therefore, traffic enforcement actions (arrests, citations, warnings) by James City County Police Officers will be in proportion with the times, locations and types of violations involved in traffic accidents and problems occurring in this jurisdiction. An Officer's decision on the proper enforcement action to be taken will follow the guidelines set forth in this policy and will also incorporate an Officer's training, experience and common sense.

PROCEDURE/STATEMENT:

I. Types of Enforcement Actions

- A. Warnings: An effective verbal warning, properly given, can often build a positive rapport with the driver and be more effective than any other type of enforcement action. A verbal warning may be issued to a violator whenever:
 - 1. There is a minor traffic infraction committed in those areas where traffic accident occurrences are minimal; or
 - 2. When the act may be due to ignorance of a local ordinance which may be a violation unique to this area.

- B. Citation: A Virginia Uniform Summons (VUS) should be issued to a violator who violates traffic laws, jeopardizes the safe and efficient flow of vehicular and pedestrian traffic or transports occupants unsafely within a vehicle, including:
1. Violations of traffic laws
 2. Hazardous moving violations.
 3. Violations of Occupant Protection Laws. (Seatbelts and/or Child Safety Seats)
 4. Operating unsafe or improperly equipped vehicles.
- C. **Physical Arrest:** Officers will make physical arrests of traffic law violators in compliance with Virginia Code Section 46.2-940, including the following circumstances:
1. **Violators of traffic laws pertaining to Driving Under the Influence of Alcohol or Other Intoxicants.**
 2. Whenever a felony has been committed involving a vehicle.
 3. Whenever the operator refuses to sign the promise to appear on the traffic summons.
 4. Whenever the officer has reason to believe that the person will not comply with the summons if issued.

II. Special Categories of Violators

A. Nonresidents

Officers should consider the use of verbal warnings for nonresidents, from outside the Williamsburg/James City County area, who while passing through the County, commits a minor non-hazardous violation.

B. Juveniles

Officers should consider verbal warnings for juveniles who commit minor, non-hazardous violations. Note: Warnings, if given, may include contact with the parents. Failure to wear seatbelts is considered a hazardous violation for young drivers and appropriate enforcement action should be considered.

C. Foreign Diplomats and Consular Officials (See PPO# 704 Offenses Involving Foreign Diplomats)

1. Issue a verbal warning unless there is a serious violation of the law.
2. Under Federal Statutes, Foreign Diplomats and Consular Officials are not liable to arrest or detention prior to trial unless for commission of a felony.
3. Notify the U. S. State Department or the U. S. Magistrate if such individuals are arrested or detained.

4. The current directed patrol emphasis

5. Other related information

D. Equipment Violations

With only annual inspections now required of vehicles, consider the issuance of a summons for any essential equipment defects.

E. Public Carriers/Commercial Vehicle Violations

1. Consider the congestion of the area and carrier needs for delivery access.

2. Flagrant, repeat and dangerous violations should be cited.

3. Consider if the hazardous material/commercial carrier violations are violations of VA. Code 46.2-341.

F. Multiple Violations

1. Consideration should be given to citing on the most serious charge and issuing verbal warnings on all others.

2. Cite on all charges, however, if necessary.

G. Other Non-hazardous Violations

Consider issuing a verbal warning unless violations are flagrant and/or repetitive.

H. Newly Enacted Laws and/or Regulations

1. Normally a grace period is established during which only verbal warnings are issued.

2. Thereafter, the officer should consider the above-listed guidelines which apply and use discretion.

I. Driving Under the Influence

See Section XII of this policy.

V. Traffic Law Enforcement Practices

A. Moving Enforcement or Observations

1. Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties.

2. Area patrol involves traffic enforcement within the officer's assigned area of responsibility (Zone).
3. Line Patrol involves traffic enforcement along and concentrating on a particular section of roadway (Example: Richmond Road from the intersection with Centerville Road to the Williamsburg/James City County line).
4. Directed Patrol instructions can specify enforcement efforts in an area, on a line patrol, or at a specific location, depending on the nature of the hazard/violation being concentrated on.
5. Specialized Enforcement Waves that focus on Speed, Occupant Protection, and DUI/DUID (Impaired Driving). Examples: "Checkpoint Strikeforce" and "Click-it or Ticket"

B. Stationary Enforcement or Observations

1. Covert or overt techniques may be used to make observations about the flow of traffic at a particular location.
2. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve to remind passing motorists of the need for compliance with traffic laws.
3. Covert Enforcement which requires the use of a concealed location is less well accepted by the motoring public, but may at times be the only way to tackle a particular problem.
4. Although this department seldom uses unmarked vehicles for the specific purpose of traffic enforcement, there are occasions when a citizen may be stopped by an officer driving an unmarked car.
 - a. Investigations, administration, some shift supervisors, and selected patrol officer all use unmarked vehicles and may find it necessary to make traffic stops.
 - b. Due to vehicle availability, when marked units are receiving necessary repairs, a patrol officer may use an unmarked vehicle for his regular tour of duty.
 - c. An unmarked vehicle may be assigned to an officer as part of a directed patrol program when it is decided that this is the best means for dealing with an identified traffic problem.
5. In any case, when an unmarked vehicle is used to make vehicle stops for the purpose of traffic law enforcement, the unmarked vehicle will be equipped with emergency lights and a siren. (See PPO# 413, Police Vehicles: Equipment, Use and Maintenance.)
6. Officers conducting stationary enforcement/observations will park their patrol vehicles off of the hard surface (paved / concrete) portion of the highway intended for vehicle travel. Paved crossovers are considered travel lanes. An exception to this restriction is in a residential 25 MPH neighborhood. Officers may sit on the hard surface and in the travel

lane within a residential 25 MPH neighborhood to conduct stationary RADAR, other traffic enforcement or observations. However, the officer will park as far to the right as possible.

VI. Traffic Stop Objectives

- A. There are two major objectives of a traffic stop:
 - 1. Immediate objective: to take appropriate enforcement action.
 - 2. Ultimate objective: to favorably alter the violator's future driving behavior.
- B. The attainment of these two objectives:
 - 1. Requires a thorough understanding of human relations.
 - 2. Demands flexibility on the part of the officer.
 - 3. Depends upon the officer's ability to evaluate:
 - a. the violator's mental outlook
 - b. physical condition
 - c. facts concerning the violation
- C. Uniform enforcement procedures and practices should minimize any conflict which may develop between the officer and the violator and assist in achieving the two major objectives of the traffic stop.

VII. Stopping the Traffic Law Violator (Also see PPO #425 Biased-Based Policing)

- A. The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator and other users of the highway. These procedures are to be followed when possible, and are presented from the perspective that the ideal conditions exist.
- B. Varying conditions regarding the engineering of the particular portion of roadway, the urgency to stop the violator (DUI), and the existing volume of traffic may require adjusting or altering the recommended procedure.
- C. Vehicle Stop Procedures
 - 1. The overtaking of the traffic violator has ended when the officer has positioned himself behind the violator to begin the stopping procedure.
 - 2. At this point, the officer should notify Dispatch of the intended traffic stop, the license number and location of the vehicle to be stopped, and the reason for the stop.

3. The officer should be thoroughly familiar with the area, and anticipate the appropriate location to stop the violator. Consideration should be given to:
 - a. Finding a location with ample space;
 - b. Appropriate lighting;
 - c. Avoiding stops on hills, curves, intersections, private drives, and business locations that have limited parking.
 - d. Whenever possible, the officer should see that both vehicles are off the roadway or as far to the right as possible.
4. The officer should signal the violator to stop.
 - a. This signal should be with the red and blue emergency lights and siren if needed.
 - b. These signals serve also to alert other drivers as to the intentions of the officer and will usually facilitate securing the right-of-way for stopping maneuver.
5. The violator should be signaled and directed to the right side of the roadway close to the curb, or onto the shoulder if the engineering design of the roadway permits this.
6. On multi-lane roadways, the officer should ensure the safety of the violator during lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
7. **Should the violator stop abruptly in the wrong lane or in another undesirable location, he should be promptly directed to move to a safer location.**
 - a. Officers should use the public address system to instruct violators to move to a safer location.
 - b. If the officer's verbal instructions and gestures are insufficient to bring understanding, the officer should quickly exit the patrol vehicle and give verbal instructions to the violator.
 - c. **If, through observation, the officer determines that the violator's driving ability is impaired (i.e., DUI), he should not be permitted to move his vehicle once it has stopped.**
8. Once the violator has stopped in an appropriate location, the officer should position the police vehicle approximately one-half to one car length behind the violator's vehicle.
 - a. The police vehicle should be positioned so that it will offer the officer some protection from oncoming traffic, approximately two feet outside and to the left of the violator's vehicle.

- b. Any problems with the operation of the radar units or apparent malfunction should be promptly reported to their supervisor and forwarded to the Traffic Unit for repairs.
- (6) The following elements must be established in court by the officer when radar speed charges are placed:
- a. The time, place, and location of the vehicle that was checked, the identity of the operator, the speed of the vehicle, the visual and radar speed.
 - b. Officer qualifications and training in the use of radar.
 - c. The radar unit was operated along manufacturer established guidelines.
 - d. The unit was tested for accuracy prior to and after use, utilizing an approved method.
 - e. Identify the vehicle and should have made a visual observation of its apparent speed.
 - f. Speed limit in the zone in which the officer was operating and where such signs were posted.
- D. Radar training is given to all officers during the Field Training Program and by certified in-house instructors. Officers, in court testimony, should be able to cite/display training received or certificate issued.
- E. The Traffic Unit is responsible for ensuring that:
- 1. Radar units receive proper care and upkeep;
 - 2. All required maintenance and calibration of radar units is performed;
 - 3. Records are kept; and
 - 4. Appropriate certificates are on file in the calibration book at the courthouse.

XII. DUI Enforcement

A. General

- 1. **Drunk driving kills and injures thousands of people every year. Driving under the influence of intoxicants is an offense generally associated with leisure-time activity. Consequently, most arrests are made during the evening hours or in the early morning hours after taverns**

close or social gatherings end. Although the intoxicated driver may be observed any day of the week, weekends and holidays reflect an increase of offenses and arrests. It shall be a priority of the James City County Police Department to enforce the laws of impaired driving to help reduce alcohol related crashes, prevent injuries and save lives, making our highways safer.

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

B. Laws

Each officer will be familiar with State code sections 18.2-266 through 18.2-273 that relate to driving under the influence, as well as state code section 46.2-391.2 which deals with required administrative suspension of operator's license for DUI charges where the blood/alcohol is .08% or higher or charged with refusal.

C. Locating and Stopping

1. As soon as an officer suspects a driver of being under the influence, observations should be noted for future reference.
2. In most cases, the officer will observe deviations from normal driving behavior. The following deviations are some of the indicators that a driver might be suffering from some form of impairment.
 - a. Sitting through a green light
 - b. Weaving
 - c. Very slow speed
 - d. Excessive speed
 - e. Disregard for stop signs or signals
3. When you have observed a driver whose actions are similar to the above or are not consistent with sound driving practices, an immediate stop should be made.
4. Be alert and use extreme caution when stopping a suspected intoxicated driver. Keep in mind that alcohol or drugs affect judgment and may result in erratic behavior on the part of the violator.
5. Follow established procedures in effecting the traffic stop.

D. Officer/Driver Contact

1. Officers will be polite and businesslike, remaining aware that the driver's judgment, self-restraint, and self-confidence are the first faculties to be distorted by alcohol, creating the setting for lack of cooperation, belligerency, and even physical contact. Do not allow yourself to be drawn into a verbal confrontation.
2. Get the violator out of the vehicle and to a safe location, carefully observing all actions and statements.
3. Obtain the driver's operator's license or other identification, if you have not previously done so.
4. Suspected drivers will be requested to perform the following preliminary tests:
 - a. Dexterity tests (i.e., standing on one foot, walking a straight line, digital dexterity, finger to nose, etc.)
 - b. Other tests that are capable of testing a subject's ability to reason (i.e., reciting ABCs, counting backwards, etc.)
 - c. Alco-Sensor test - Indicates amount/degree of alcohol present in the blood.
5. Arrest Decision
 - a. If the suspect driver consents to perform the preliminary tests, the test results and driving behavior should be collectively weighed in the decision to make an arrest.
 - b. If the suspect driver's dexterity performance is unacceptable, yet the chemical test reveals no alcohol consumption, the driver should be carefully observed for signs indicating drug use/abuse. Officers may arrest in this case on the basis of observations of driving behavior and dexterity alone.
 - c. If the suspect driver shows no indications of drug use/abuse and shows no evidence of alcohol consumption as revealed by the chemical test, yet driving abilities and dexterity tests are unacceptable, the officer should summon medical aid.
 - d. If the suspect driver refuses all preliminary tests, the officer may arrest solely on the basis of his observations of the suspect's driving behavior and physical condition.
6. Upon arrest, the suspect driver will be given a breath test to determine the alcohol content of his blood. If for some reason the breath test is not available, a blood test may be offered, or in cases where the driver is not physically able to perform the breath test, a blood test may be offered.
7. If the suspect driver refuses the test, or the only test which is available, a warrant will be petitioned from the magistrate charging the suspect with refusing to take the test to determine the alcoholic content of his blood in violation of 18.2-268.3.

8. The suspect driver will be brought before a magistrate after the administration of the breath or blood test or upon the suspect's refusal to take the available test. At this time, evidence will be presented to the magistrate indicating probable cause for the issuance of a warrant for driving under the influence and, if appropriate, refusal to take the breath or blood test.
9. Once obtained, the warrants should be executed on the suspect driver in the same manner as any other criminal warrant.

E. Handcuffing DUI suspects

All subjects arrested for DUI will be handcuffed in accordance with department policy.

F. Transporting DUI suspects

All subjects arrested for DUI will be transported in accordance with department policy. (See PPO# 700 Prisoner Transportation and Control)

G. Arrested Suspect's Vehicle

The arrested suspect's vehicle will be towed in accordance with department policy. (See PPO# 417 Towing Vehicles.)

H. Processing DUI

1. Provisions and procedures outlined in the Code of Virginia, Sections 18.2-266 through 18.2-273, should be applied, without regard to age, to any suspected intoxicated driver.
2. Every driver arrested for driving under the influence will be advised of the law requiring a breath test to be taken. If it is determined that they are physically unable to do so or the test is unavailable, then a blood test will be offered. Implied consent will be advised to all arrestees, however, the Refusal Form DC-233 (Implied Consent Law) is only required to be read verbatim from the form if the subject refuses to submit to the chemical analysis required.
3. If the violator submits to a chemical test for intoxication, it will be administered by a qualified Evidential Breath Test operator, physician, nurse, or lab technician, depending on which test is administered. Normally the breath test will be administered at the jail. The blood test will normally be administered at Sentara Williamsburg Regional Medical Center.
4. If a violator refuses to submit to the required test, the officer will read the Implied Consent and the Consequences of Refusal from Form DC-233. If the arrestee does not submit to a chemical test after having been read the Implied Consent Law (see Attachment 1), the officer will complete the Declaration and Acknowledgement of Refusal Form DC-233(Rev 04/07) and present it under oath before the Magistrate and the officer will obtain the additional warrant for the refusal.

5. Department forms will be completed accounting for the incident and indicating the results of any tests that have been administered. The following are examples:
 - a. The use of the "Driver Under the Influence/Overview of Case File" report form (see attachment 1) is valuable in processing the drinking driver. This form shall be utilized and completed, to the extent of cooperation the suspect allows, on every person arrested for DUI. Additional paperwork, as applicable, which is listed on the front page of the form should also be attached. Officers should make an addition copy of the completed form for use by the Commonwealth Attorney's Office and turn both copies into the report basket prior ending tour of duty.
 - b. State Form DC-233 - "Declaration or Certificate of Refusal – Breath/Blood Test" (see Paragraph 6-c) completed form will be attached to the arrest warrant and summons. The original paperwork is normally left at the regional jail for forwarding to the appropriate court and copies are made and brought back to the LEC for inclusion in the report.
 - c. State Form DC-233 - "Declaration or Certificate of Refusal – Breath/Blood Test" (see Paragraph 6-c) completed form will be attached to the arrest warrant and summons. This paperwork is normally left at the regional jail for forwarding to the appropriate court.
6. After forms are completed and suspect is incarcerated or released:
 - a. When a blood sample is taken to determine the alcohol content of the suspect's blood, the arresting officer shall take possession of the blood vial kit as soon as the vials are sealed inside. The DFS approved blood vial kit shall be affixed with a biohazard label and then placed into a larger mailing envelope along with the completed Request for Laboratory Examination Form. The envelope will then be mailed to the Department of Forensic Science by First Class Return Receipt mail. The Officer DUI Checklist, Field Sobriety Tests, and Blood/Breath Testing portions of the DUI Report shall be included in the envelope if the suspect is suspected of DUID. If it is a DUI, the lab will test for BAC. If the BAC is .08 or less, they will automatically test the blood for drugs. If the BAC is .09 or greater, they will not test for drugs unless requested separately. If it is a DUID (Driving Under the Influence of Drugs), the lab will automatically test for BAC and then the officer must ask for testing for illegal drugs and/or testing for specific drugs based on the officer's investigation.
 - b. The envelope must be mailed before the end of the officer's tour of duty and a property receipt must be completed, noting when and where the vials were mailed.
 - c. The accused has 90 days from the date of blood draw to petition the Department of Forensic Science to have the second vial sent to an independent lab for analysis. This must be done by the accused or his counsel through the court. Do not provide anyone with an Independent Lab Selection Form. They are no longer in use.



POLICY & PROCEDURES

NO.: 705

1 OF 6 PAGES

**SUBJECT: AUDIO/VISUAL INCIDENT
CAPTURE SYSTEM (AVICS)**

DISTRIBUTION: DEPT. MANUAL

**AMENDS / SUPERSEDES:
REVISED: 06/16/2014**

**APPROVED:
Signature on file**

EFFECTIVE DATE: 06/05/2006

PURPOSE: Audio/Video Incident Capture System (AVICS) has been demonstrated to be of value in collecting audio and visual evidence. AVICS can enhance the department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction and evidence for investigative purposes, as well as for officer evaluation and training. In addition, AVICS may expedite the prosecution and adjudication of criminal cases, promote officer safety, provide corroboration of court testimony and act as an eyewitness to events as they occur. In order to maximize the effectiveness of this equipment in these and related areas, officers shall follow the guidelines for AVICS use as set forth in this policy.

POLICY: It shall be the policy of James City County Police Department to utilize the Audio/Video Incident Capture System as set forth in this procedure. All audio/video recordings identified in this procedure are the exclusive property of the James City County Police Department. Any release, dissemination or copying of any portion, both audio and video, for any reason other than for administrative or criminal investigations, approved training, criminal prosecution or defense, lawful FOIA requests, or lawful court orders, is strictly prohibited without the expressed written consent of the Chief of Police.

Police personnel will not utilize AVICS unless they have received appropriate training. AVICS will be operated and maintained according to the manufacturer's specifications and recommendations. AVICS installed in department vehicles will be the responsibility of the officer assigned to the vehicle. All officers to whom an AVICS body worn device is assigned shall record all officer-citizen contacts in accordance with applicable statutory and constitutional laws.

PROCEDURE/STATEMENT:

I. Care of System and Devices:

- A. Both before and after their tour of duty, the officer shall inspect the in car as well as the body worn AVICS system for any damage or problems, to include the microphone, ensuring the system is securely mounted, and all cables and wiring are properly connected.
- B. Any damage or malfunction shall be reported to the immediate supervisor on duty.
- C. Supervisors shall inspect all AVICS systems on a quarterly basis and the results shall be documented on the quarterly vehicle inspection report.

II. Issuance of AVICS body worn camera system:

- A. Police personnel will not utilize AVICS body worn devices unless they have received appropriate training. AVICS body worn cameras will be operated and maintained according to the manufacturer's specifications and recommendations.
- B. AVICS body worn devices will be the responsibility of the officer to whom the device is assigned.
- C. The issuance of AVICS body worn device shall be the responsibility of the division commander or their respective supervisor(s). If the number of cameras available to a particular shift or division is less than the number of officers in that shift or division, the division commander or shift supervisor shall have discretion to decide which officers will be issued a device.
- D. The division commander or shift supervisor shall ensure that each officer to whom an AVICS body worn device is issued has received the required training prior to the issuance of the device.

III. AVICS recording guidelines: (In-Car Camera Systems)

- A. It shall be the officers' responsibility to ensure the AVICS system is powered on whenever the police vehicle is in operation.
- B. Current date, time and vehicle number is to be displayed.
- C. Once the recording of an incident has begun, the recording of both audio and video portions should continue until the incident is concluded. If for any reason the recording is discontinued, the reason should be audibly documented on the recording.
- D. Officers will inform any person who inquires that the AVICS is in use.
- E. Officers may inform the person that AVICS is in use if they feel it will be beneficial to do so.
- F. Officers will indicate in their incident reports when AVICS recordings are made.

G. Events that should be recorded, but are not limited to include:

- 1. Emergency responses
- 2. Traffic stops, beginning to end
- 3. Vehicle pursuits
- 4. Observation of DUI suspects prior to stop, during performance of field sobriety tests
- 5. Searches of vehicles and persons
- 6. Acts of hostility or physical violence
- 7. Any confrontational contact with a citizen/violator
- 8. Any other incident that the officer feels may become an issue of some importance later

- I. Officers should not activate the AVICS device or shall use caution when entering a public locker room, changing room, restroom, doctor's office or other place(s) where an individual - unrelated to the investigation - would have a reasonable expectation of privacy.
- J. Use of the AVICS body worn device in a hospital setting shall be limited to investigative use only. Officers will not record a patient's medical interaction and procedures with hospital personnel unless it directly relates to the investigation and hospital staff is made aware prior to the recording taking place. Officers will remain cognizant of HIPAA laws and guidelines.
- K. Officers shall not intentionally record confidential informants or undercover officers unless the recording is conducted specifically for the purpose of documenting a sting, drug purchase/sale or other undercover operation in furtherance of a criminal investigation.
- L. Officers will not make surreptitious recordings of conversations with other department members except when necessary in the course of a criminal investigation and/or for departmental administrative investigations.
- M. If more than one officer who is at an incident is equipped with an AVICS body worn device, all officers who are equipped with one shall record the incident.

V. Retrieval and storage of recordings:

- A. Recordings containing recorded incidents that the officer believes to be of evidentiary value (i.e., criminal, civil litigation and or departmental administrative investigations) shall be treated as official records.
- B. Officers shall download all recordings from a body worn device at the conclusion of their tour of duty, or prior to the commencement of their next tour of duty. All recordings shall only be downloaded using computers or other downloading methods approved by the James City County Police Department.
- C. Officers shall make a hard copy of all evidential recording and place it in master case file. This action shall be documented in the case report narrative and on the AVICS case file entry log. A duplicate copy will be generated and forwarded to the Commonwealth Attorney's Office to determine if it has any evidentiary value.
- D. All DUI arrests captured by the AVICS recorder will be copied to a DVD and turned into records with the DUI packet. A duplicate DVD will to be generated and forwarded to the Commonwealth Attorney's Office to determine if it has any evidentiary value. The recording should be advanced to the point where the DUI incident begins. Recordings should be marked with the defendant's name, case number, officer's name and date of recording written on it. The recording should be turned in with the DUI case file packets for forwarding to the Commonwealth Attorney's Office.



Occupant Protection

Problem Identification

As crashes claim so many lives in Virginia, and nationwide, the James City County Police Department works to educate the public and take enforcement action to try and prevent these deaths. Motor vehicle crashes are still occurring in James City County where the victim(s) were not using their seatbelts at the time of the crash. Such a simple step while traveling in a vehicle, putting on a seatbelt, can save countless lives, and this is the message that the department strives to deliver to its citizens.

Virginia has yet to make failing to use a seatbelt for anyone under 18 years of age a primary offense. This means that even if a law enforcement officer observes a subject (18y/o+) riding in a vehicle without a seatbelt, the officer must find another violation to stop the vehicle, and may then address the seatbelt. This obstacle may reduce summonses able to be issued, but the far worse result is a misleading example being set for younger occupants.

Crash reports in James City County record restraint usage by drivers and passengers involved. Analyzing data from 2013 to 2015 provided through Virginia DMV's TREDs system, the crash statistics show that the numbers of unrestrained persons were on the rise.

- In 2013, there were 38 total unrestrained persons involved in crashes, which then dropped to 29 in 2014, including 0 unrestrained fatalities. This was a positive change.
 - Crashes with unrestrained persons made up 3% of all reportable crashes in 2014.
- But in 2015 there were 42 unrestrained persons, including 2 unrestrained fatalities, a significant jump from 2014, and a potential problem.
 - Crashes with unrestrained persons made up 4% of all reportable crashes in 2015.

The more instances of unrestrained persons in a vehicle during a crash, the greater the chance of injury or death. Drivers and their occupants needed to know the risks behind not using their seatbelts. This is a problem that the James City County Police Department takes seriously.

The Traffic Unit has noted that there has been increased instances of distracted driving on the county roads and are causes of crashes. Officers on traffic stops continue to experience close-calls as drivers are failing to move over/slow down when emergency vehicles are stopped on the roadways. These issues are becoming more dangerous as technology becomes integrated into all aspects of life, and as the traffic volume on county roads increase.





Occupant Protection

Policy

The James City County Police Department recognizes that occupant protection is a priority and identifies its stance in written policy. Section IV.B of PPO 414 states:

“B. *Occupant Protection Violations. (Seatbelt and Child Safety Seat Laws)* – *It is a priority of this Department to protect occupants of motor vehicles that travel on the County’s highways through education and enforcement of occupant protection laws.*

1. *National statistics indicate that occupants of motor vehicles are far more likely to be injured or killed during a crash as a result of not using seatbelts.*
2. *Motor vehicle crashes are the leading cause of death to young children not secured in an approved child safety seat.*
3. *Officers who observe violations of Occupant Protection Laws should always consider appropriate enforcement actions to reduce these daily hazards.”*

The department also identifies the importance for young drivers to learn and develop good seatbelt habits, taking a strong stance on enforcement. PPO 414 Section II.B states:

“B. *Juveniles*

Officers should consider verbal warnings for juveniles who commit minor, non-hazardous violations. Note: Warnings, if given, may include contact with the parents. Failure to wear seatbelts is considered a hazardous violation for young drivers and appropriate enforcement action should be considered.”

The department has always maintained that its own officers should be an example of safety for the public, and directs in PPO 413 that its officers are required to wear their seatbelts when driving and riding in a police vehicle. Ride-along participants are also required per PPO 607 to wear their seatbelt when in a police vehicle.

PPO 436 Excerpt

PROCEDURE/STATEMENT:

I. General

A. The use of cellular telephones, pagers, Blackberries, or text messaging devices while driving is **strongly** discouraged. Officers should safely pull off of the road and/or stop to use any of these devices. If it is not possible to safely stop the vehicle, then hands-free and/or activated devices should be used.

Being a good example for the public does not stop with a seatbelt, PPO 436 and 413 cover wireless communications, specifically texting while driving. It is just as dangerous for an officer to be distracted while driving, as it is anyone else.

PPO 413 Excerpt

G. While driving or riding in a police automobile, under normal operating conditions, each occupant should wear his or her seat belt.

H. Disciplinary action to be taken for sustained complaints of speeding, failure to wear seatbelts / safety restraints, using the MCT while driving (moving.) e-mailing or texting while driving (moving.) or other moving violations; to include, violations of PPO 411 (while driving during emergency responses or operation) occurring in any 12 month time period, regardless if there is an accident, will be as follows:



Occupant Protection

Planning

Developing a plan of action to address occupant protection has always been a multi-unit collaborative effort. By utilizing multiple units of the department, the importance of occupant protection topics are able to be spread to a wider audience and in a variety of settings. For the James City County Police Department, occupant protection covers seatbelts, child safety seats, distracted driving and “move over” laws.



The Traffic Unit has recognized that seatbelt enforcement should begin with educating young drivers and their parents, in an effort to sort out any bad habits that may be passed down from parent to child. Seatbelt enforcement should encompass every part of the county, as the problem is not specific to one area or community. Assistance from the School Resource Unit would once again be requested to get the message of seatbelt safety into the schools. The School Resource Unit’s three high school officers work with students and staff through programs and activities to promote seatbelt safety through education and student involvement.

The Community Services Unit is involved with countless activities throughout the county, with an audience ranging from small children to senior citizens. This group of Master Police Officers is knowledgeable and able to answer concerns and questions from citizens. Every year during each of the three multi-week Citizens’ Police Academy sessions, the Community Services Unit sets aside a class for the Traffic Unit to give a presentation which includes occupant protection. The Community Services Unit also coordinates events that may include child safety seat checks by the department’s certified technicians.

The department’s Highway Safety Task Force is tasked with an enforcement role for occupant protection. This group of officers conduct patrols targeted at occupant protection enforcement. They also volunteer to work traffic checkpoints that focus on occupant protection during Click-It-Or-Ticket campaigns.



The Traffic Unit is responsible for the coordination of occupant protection campaigns, programs, media involvement and enforcement waves. The unit participates in the two Click-It-Or-Ticket campaigns every year. During each campaign, a pre-survey and a post-survey is conducted in a chosen enforcement area. These surveys count the number of belted drivers out of a 100 observed vehicles. Between the surveys, the Traffic Unit will coordinate events such as media involvement, enforcement waves, checkpoints and roadside signage to remind occupants to buckle up. The goal of the campaign is to raise seatbelt awareness and increase seatbelt use.

(2016 Click-It-Or-Ticket checkpoint)



Occupant Protection

Planning



Traffic Unit officers work together and request help from Uniform Patrol to address distracted driving and ‘move over’ issues. This partnership during enforcement phases will not only increase enforcement, but allows patrol officers to become more involved, and more aware of issues of occupant protection, and then continue to educate the community even without an active campaign. Continuing with the concept of education and awareness, the Traffic Unit sets out to help educate drivers on the distracted driving and ‘move over’ laws through media releases, signage and makes reminder material available.

The Traffic Unit uses information and collected data from the department’s crime analyst as well as Virginia DMV’s TRENDS program to track patterns and trends of crashes that involve unrestrained persons. Crash data from patterns and numbers over several years can be examined. Using this available data, the unit can more effectively focus its day-to-day enforcement activities. When campaigns begin, this data can be used to choose what locations in the county could benefit from increased occupant protection efforts.



Being a mostly residential and still considered a rural area, the Traffic Unit needed to ensure visibility around the county, with a focus on areas that were traveled by families. The unit utilized a “STEP” process (Selective Traffic Enforcement Project). The areas chosen for the Click-It-Or-Ticket mobilizations were due to their higher volume of residential traffic. The plan was to engage the citizens in their local community to tighten police-citizen relationships and help them to understand that occupant protection affects them close to home, not just “out on the road”.

Virginia Crash Report
 Date Range: 1/1/2015 to 12/31/2015
 Region: All Virginia
 Jurisdiction: James City County
 Grouped By: Month
 Crashes Filtered By: All Crashes

Month	2015		
	Crashes	Fatalities	Injuries
January	48	0	21
February	51	1	24
March	61	2	35
April	58	0	35
May	68	2	50
June	69	0	42
July	84	1	47
August	65	1	39
September	66	0	52
October	87	0	50
November	86	0	46
December	76	1	41
Totals	819	8	482

The Traffic Unit coordinates child safety events multiple times a year. These events allow citizens to have their child seats examined and properly installed by certified child safety seat technicians. The department’s technicians spend time with the participants and explain proper installation of safety seats, and the importance of proper seats.





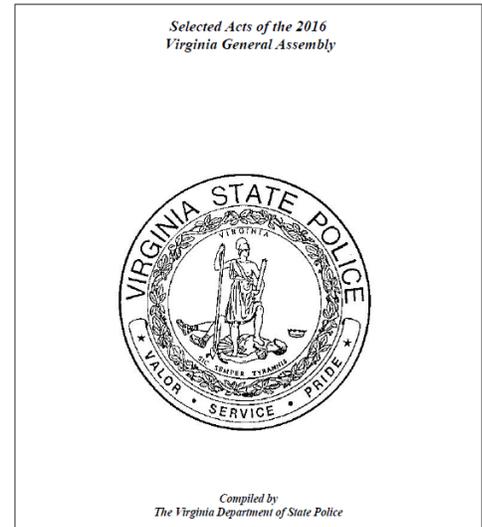
Occupant Protection

Training

In 2016, the James City County Police Department furthered its occupant protection awareness by providing officers with training to help them during education, investigation and enforcement. During the Basic Law Enforcement academy, new recruits are taught about the importance of seatbelts during the crash investigation block. As they move forward to their field training portion, motor vehicle laws are a constant topic of discussion and practical work. All officers in the department are provided with a legal update of new and changed laws on a yearly basis. Officers are given electronic versions of the formal laws, as well as a broken-down summary and explanation of the laws.

The department currently has six certified child safety seat technicians. During 2016, four technicians attended continuing education and training to maintain their certifications, while two more officers have completed the child safety seat technician class in January of 2017. To maintain certification, officers must attend refresher classes, online lectures, participate in child safety seat check events and demonstrate to an instructor that they are able to properly install a variety of safety seats. Officers that receive their initial basic certification attend a four day school. During this school they are instructed on the types of safety seats, the functions of the seats and parts, how to install the seats and safety concerns about misuse and non-use of safety seats. Students must then demonstrate their ability to install a number of seats, and finally participate in a seat check event. Extensive training about child seats is important, as the information and product that will be passed along to the public and be directly linked to the safety of children in vehicles.

The Traffic Unit handles the serious injury and fatal crashes that occur in the county, many of which involve issues of occupant protection. Persons and vehicles involved in those crashes must be examined for evidence that will tell if the occupants were wearing seatbelts, using safety seats and using a cellular phone or other means of distraction that may have contributed to the crash. In order for the Traffic Unit officers to gain the skills needed to properly investigate serious and fatal crashes, they must attend lengthy training classes. It is in these classes that officers are able to learn how to recognize evidence related to occupant protection and even have a chance to participate in practical exercises and see the evidence up close. In 2016, the Traffic Unit sent one officer to Fundamental of Crash Investigation and Advanced Crash Investigation schools, each lasting 2 weeks. Also, one Traffic Unit officer was sent to a week-long motorcycle crash investigation class in 2016. The information the officers learned in these classes will be crucial during their investigations of serious and fatal crashes in James City County.



(Seatbelt evidence at 2016 basic crash school)



Occupant Protection

Public Information & Education



Every year, the James City County Police Department participates and interacts with the community in an effort to increase awareness and education about occupant protection, and 2016 was no different. The department focuses a significant amount of effort toward the safety and education for persons under the age of 18. The Traffic Unit and the School Resource Unit work together to reach to high schoolers in an effort to teach them proper safety as they are beginning to drive. James City County officers teamed up with Chick-Fil-A restaurant for a campaign called “**Click It for Chicken**”. Students at local high schools were rewarded with free chicken sandwich coupons if they were “caught” wearing their seatbelts. Patrol is also utilized to extend this out to their encounters on the street, making sure to spread the word on seatbelt use as they reward citizens already being safe.

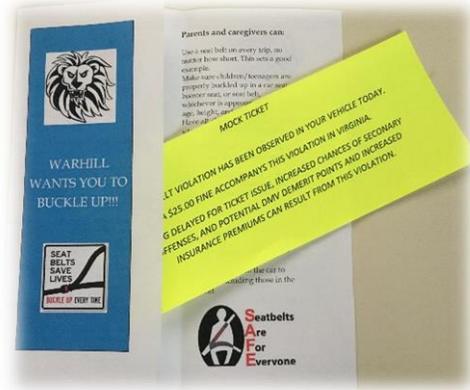
Drive Smart, in partnership with other agencies asked schools to join a program called “Get It Together.” This is a 5-month seatbelt challenge and educational program that involves buckle up pledges, activities and seatbelt checks in school parking lots. The goal is to improve teen driving behaviors and potentially saving lives of young people. All three James City County high schools participated in this program. James City County Police Department School Resource Officers were highly involved in this program and encouraging their students to **Buckle Up!**





Occupant Protection

Public Information & Education



When one high school noticed that they had an unacceptable rate of seatbelt use, the School Resource Officer asked the Traffic Unit to assist. The school and the department worked together making brochures to be handed out as well as “mock tickets”. Students and officers greeted vehicles as they came to the school, handing out the “mock ticket” and safety brochure to drivers that had unbelted occupants (*pictured above*). Traffic Unit officers conducted seatbelt usage surveys for and put a message board to remind the students and parents to buckle up.



The Traffic Unit hosted a Child Safety Seat Check event in a local shopping center, open to anyone that wanted to come by. At this event, certified technicians would interact with the public, explaining and showing how to properly install a child safety seat, check the seat for recalls and finally install/reinstall the seat for the participant. Technicians make sure to do more than correctly install the seat; they ensure that the participant understands which type of seat is safe for their child and that the participant acknowledges they understand how to properly install the seat. By educating the participant, it is a hope that that person is now more knowledgeable and the child is safer in the future.



Occupant protection goes beyond seatbelts, and so did the Traffic Unit’s message for the public. The Traffic Unit used measures to reach out to the public to address concerns about texting while driving and “move over” laws. Media releases and pamphlets available from the department were made to make drivers more aware of the existing “move over” laws, since “I didn’t know” was a common response when citizens were stopped for failing to yield. The Traffic Unit made sure to remind citizens that the law applies to more than just police vehicles. Traffic Unit officers worked together during enforcement of texting while driving, but also used media releases and roadside messages to reach out to the public.

(Top: CSS Tech SPO English at a child safety seat event. Bottom: Media release for 2016 Move Over campaign)



Occupant Protection

Enforcement

The James City County Police Department continued its efforts in occupant protection throughout 2016 through a variety of enforcement efforts. Uniform Patrol and Traffic Unit officers constantly looked for violations during day-to-day patrols, and the Traffic Unit coordinated additional efforts in order to directly focus on occupant protection. One method of enforcement that was also effective as visible deterrence had officers out of their vehicles standing at corners of intersections. Officers were able to observe a large volume of traffic up close, and with vehicles slowing and stopping, occupant protection and primary offenses were able to be observed with ease.

If a violation was observed, officers would safely gain the attention of the driver and have them pull into a nearby parking lot or shoulder. The message of safety could still be delivered during this type of enforcement if a primary offense was not observed, as the officer could make visual or verbal contact with occupants, reminding them to buckle up or not text and drive.

To address texting and driving, the Traffic Unit would pair up in an unmarked vehicle and travel throughout the county for enforcement. The officer in the passenger seat would spot drivers using their mobile devices and direct the driving officer on which vehicles to stop for texting and driving. Patrolling in this manner allowed the officer issuing the summons to pay attention to the offender and their actions with a mobile device while the vehicle was safely driven by another officer. The Traffic Unit focused these efforts in higher crash areas during campaigns. Monticello Avenue is has a significantly higher number of rear end crashes, possibly due to distracted driving, so the Traffic Unit used that roadway as one of the areas for signage and enforcement. The Traffic Unit and Uniform Patrol also worked together for enforcement of the state's "move over" law. As officers would make traffic stops on the road, another officer would support them as a backing officer, but watch for vehicles that failed to yield by not moving over or slowing down. In problem areas, officer were able to "leap frog" from one stop to another, stopping multiple "move over" violators.





Occupant Protection

Enforcement

The James City County Police Department’s DMV Highway Safety Task Force along with the department’s Traffic Unit, continued to participate in Click-It-Or-Ticket campaigns during the spring and fall. Officers identified an area that would benefit from increased occupant protection presence, and first conducted a survey of drivers who were and were not wearing their seat belts. The Traffic Unit would then coordinate presence, media releases, signage and enforcement activities in the area to raise awareness and promote seatbelt usage. Officers would then conduct a second survey afterward to see if these efforts made an impact. During both the spring and fall campaigns, there was a noticeable positive increase in seatbelt usage at each location!



(2016 Click-It-Or-Ticket media release and roadside display)

In 2016, Officers on the department’s Highway Safety Task Force conducted 40 occupant protection specific patrols and checkpoints, during which time officers contacted 109 vehicles, issuing 85 summonses. Officers are able to pick from a number of magnets and static-cling stickers that they can place on their patrol vehicle to promote occupant protection. As a department, 131 summonses for seatbelt and child safety seat violations were issued.



(2016 Click-It-Or-Ticket checkpoint)



Occupant Protection

Outcome

Over the years during the Click-It-Or-Ticket mobilizations, the Traffic Unit has found that the citizens of James City County do have a high seatbelt use. Surveys showed that seat belt use in James City County is higher than the state average and often match the national rate. In 2016 NHTSA found the national average to be 90.1%.

The James City County Police Department's Traffic Unit recognized that as Virginia is a secondary offense seat belt state, the usage rate is statistically lower than states that have primary seatbelt laws. NHTSA reported that in 2015, "primary law states" had a 91.2% seatbelt use, while "other law states" has 78.6% use. The Traffic Unit wanted to aim to mirror the outstanding seatbelt use of primary law states.

- During the May Click-It-Or-Ticket mobilization, the Traffic Unit observed an already above average seatbelt use of 81% during the pre-survey. After campaign and enforcement efforts, the post-survey showed an **8% increase of belt use to 89%!**
- During the November Click-It-Or-Ticket mobilization, the Traffic Unit observed a seatbelt use of 73% during the pre-survey. After campaign and enforcement efforts, the post-survey showed a **7% increase of belt use to 80%!**

Crashes in 2016 saw an increase in unrestrained occupants, growing to 47 from 42 in 2015, still an increase, but a small one in comparison from 2014-2015 (29 to 42). However, stopping the year-to-year increase, **the percentage of reportable crashes that involved unrestrained persons remained the same from 2015, at 4%**. In 2016, the James City County Police Department saw its occupant protection efforts pay off, as we experienced **0 fatalities of unrestrained persons!**

School Resource Officers working directly with students and staff at the high schools during the Get It Together programs taught students the importance of buckling up. The success of the school's efforts is recognized at an annual awards breakfast. The three high schools in James City County had a seatbelt use rate from **94.8% - 97.7%**. Lafayette High School was recognized with a 2nd Place award for most improved seatbelt use with an **increase of 18.9%**.

The James City County Police Department recognizes the efforts of its officers toward occupant protection, and shows its appreciation at the annual awards ceremony. In 2016, five officers were commended for their dedication to occupant protection: Inv. Jason Slodysko, MPO Jeremy Morris, MPO Jim Miller, MPO Sterling Perry and MPO Leslie Sten.





POLICY & PROCEDURES	NO.: 413	1 OF 7 PAGES
SUBJECT:	DISTRIBUTION: ALL PERSONNEL	
POLICE VEHICLES EQUIPMENT, USE, AND MAINTENANCE	AMENDS / SUPERSEDES: REVISED: 09/15/2015	
APPROVED: Chief Rinehimer's Signature on File	EFFECTIVE DATE: 04/15/88	

PURPOSE

To establish a policy concerning the proper use and care of police vehicles.

POLICY

Police vehicles will not be used except for police purposes, unless specifically approved by the Chief of Police. Officers are responsible for the care and maintenance of the vehicle assigned to them.

PROCEDURE/STATEMENT

I. General

- A. All officers will mark on-duty whenever the police vehicle is being used.
- B. Use of police vehicles is limited to uses which serve a police purpose.
 - 1. Examples of uses:
 - a. Normal Duty Use
 - b. Court appearances;
 - c. County/Police-Related meetings/appointments;
 - d. Special assignments;
 - e. Follow-up investigations;
 - f. Department approved training;
 - g. Physical conditioning
 - i. Officers living in James City County may use their police vehicle to drive to and from the LEC or the James City County Community Center for fitness anytime.
 - ii. Officers not living in James City County may use their police vehicle to drive to and from the LEC or the James City County Community Center for fitness immediately before or after their shift.
 - h. College courses (courses must occur directly prior to or at the conclusion of the officer's duty)
 - 2. Officers shall have their badge, I.D. and a department-approved firearm in their possession when operating a police vehicle.
- C. Officers will not jump start civilian vehicles using police vehicles.

- D. Vehicles issued to SWAT members will only be used by other officers when no other vehicle is available.
- E. Officers shall be responsible for vehicles issued to them. Cars are to be kept neat in appearance and in good running condition at all times.
- F. All members of the James City County Police Department shall:
 1. Exercise extreme care when operating an emergency vehicle with red/blue lights and siren.
 2. Operate their vehicle with due regard for the safety of all persons and in accordance with existing statutes and department policy.
 3. Maintain proper control of their vehicle at all times.
- G. While driving or riding in a police automobile, under normal operating conditions, each occupant should wear his or her seat belt.
- H. Disciplinary action to be taken for sustained complaints of speeding, failure to wear seatbelts / safety restraints, using the MCT while driving (moving,) e-mailing or texting while driving (moving,) or other moving violations; to include, violations of PPO 411 (while driving during emergency responses or operation) occurring in any 12 month time period, regardless if there is an accident, will be as follows:
 1. 1st offense: Verbal Reprimand, and/or up to a two-month take home vehicle suspension or other action dependent on mitigating or aggravating circumstances.
 2. 2nd offense: Written Reprimand, and/or up to a six-month take home vehicle suspension or other action dependent on mitigating or aggravating circumstances.
 3. 3rd offense: Suspension, reduction in grade, and/or demotion, and/or up to 12-month take home vehicle suspension or other action dependent on mitigating or aggravating circumstances.
 4. 4th offense: termination or other action dependent on mitigating or aggravating circumstances.
- I. Under aggravating circumstances, more severe disciplinary actions, up to and including termination, may be considered in any incident and at anytime where the officer has demonstrated disregard for safety or the officer has demonstrated a pattern of carelessness.
- J. In situations where an officer has received repeated citizen complaints of speeding or other traffic violations; however, the complaints cannot be sustained, the Chief of Police may direct a GPS tracking device to be placed on an officer's police vehicle for an unspecified time in order to monitor an officer's driving.

II. Issuance and Care of Police Vehicle

- A. Each officer will be issued a police vehicle (when available) and is responsible for maintaining the appearance and operating condition of the vehicle.
 - 1. Vehicles will be taken to the James City County Fleet Maintenance facility for repairs unless the Chief of Police has approved an alternate location.
 - 2. Vehicles may be taken to a Department-approved car wash as needed, at least once per month as weather permits. Stations for self-washing are also available at the LEC, Fleet Maintenance, and all Fire Stations.
 - 3. Each officer will report any damage to or missing equipment immediately to their supervisor.
- B. All patrol automobiles will be Police Package vehicles with all emergency equipment properly installed. All other divisions/unit's vehicles may or may not be police package vehicles.
- C. All unmarked vehicles will include at a minimum:
 - 1. One dry chemical fire extinguisher.
 - 2. One emergency first aid kit.
 - 3. Twelve 30-minute flares and/or reflective triangles.
 - 4. Mobile radio and/or portable radio.
 - 5. Red, red/blue or blue emergency lights.
 - 6. Reflective traffic vest.
- D. **Marked patrol automobiles shall be additionally equipped with:**
 - 1. Reflective decals on both sides of the vehicle identifying it as a police vehicle.
 - 2. Reflective triangles.
 - 3. Prisoner screen.
 - 4. AED.
 - 5. Spotlight.
 - 6. Two disposable blankets.
 - 7. Two traffic wands
 - 8. Fingerprint Kit
 - 9. First Aid Kit
 - 10. Personal Protection Kit
 - 11. Utility Knife
 - 12. Nylon Control Strap
 - 13. RADAR unit
 - 14. **Alco-sensor**
 - 15. Emergency Response Guide
 - 16. 100' rope
 - 17. Digital camera
 - 18. Spike strips
- E. Patrol supervisors' vehicles will also be equipped with additional evidence collection and preservation equipment as specified in PPO #503 -"Collection and Preservation of Evidence".



POLICY & PROCEDURES

NO.: 414

1 OF 25 PAGES

SUBJECT:
TRAFFIC LAW ENFORCEMENT

DISTRIBUTION: ALL MEMBERS

AMENDS / SUPERSEDES:
REVISED: 3/3/11

APPROVED: *Emmett H. Hammon*

EFFECTIVE DATE: 5/01/1988

VLEPSC STANDARD(S): OPR.07.01, 07.02, 07.03, 07.04, 07.05, 07.06

PURPOSE: To establish procedures for traffic law enforcement, preventative patrol, proactive enforcement and relations with motorists, pedestrians and the courts in an effort to maintain safe travel within James City County.

POLICY: Safe travel within James City County is a priority for the James City County Police Department. In an effort to maintain safe travel, the Police Department has a duty to enforce traffic violations. Traffic law enforcement involves all police activities or operations which relate to observing, detecting and preventing traffic law violations including taking appropriate enforcement action. However, overzealous enforcement, without consideration of the violator's familiarity with the legal requirements or without regard for the circumstances surrounding the violation, causes disrespect for the law and poor relations between the department and the community it serves. The intent of enforcement action should be to favorably alter the violator's future driving habits and gain voluntary compliance with traffic laws and regulations in an effort to maintain safe travel on the highways of James City County. Therefore, traffic enforcement actions (arrests, citations, warnings) by James City County Police Officers will be in proportion with the times, locations and types of violations involved in traffic accidents and problems occurring in this jurisdiction. An Officer's decision on the proper enforcement action to be taken will follow the guidelines set forth in this policy and will also incorporate an Officer's training, experience and common sense.

PROCEDURE/STATEMENT:

I. Types of Enforcement Actions

- A. Warnings: An effective verbal warning, properly given, can often build a positive rapport with the driver and be more effective than any other type of enforcement action. A verbal warning may be issued to a violator whenever:
1. There is a minor traffic infraction committed in those areas where traffic accident occurrences are minimal; or
 2. When the act may be due to ignorance of a local ordinance which may be a violation unique to this area.

B. Citation: A Virginia Uniform Summons (VUS) should be issued to a violator who violates traffic laws, jeopardizes the safe and efficient flow of vehicular and pedestrian traffic or transports occupants unsafely within a vehicle, including:

1. Violations of traffic laws
2. Hazardous moving violations.
- 3. Violations of Occupant Protection Laws. (Seatbelts and/or Child Safety Seats)**
4. Operating unsafe or improperly equipped vehicles.

C. Physical Arrest: Officers will make physical arrests of traffic law violators in compliance with Virginia Code Section 46.2-940, including the following circumstances:

1. Violators of traffic laws pertaining to Driving Under the Influence of Alcohol or Other Intoxicants.
2. Whenever a felony has been committed involving a vehicle.
3. Whenever the operator refuses to sign the promise to appear on the traffic summons.
4. Whenever the officer has reason to believe that the person will not comply with the summons if issued.

II. Special Categories of Violators

A. Nonresidents

Officers should consider the use of verbal warnings for nonresidents, from outside the Williamsburg/James City County area, who while passing through the County, commits a minor non-hazardous violation.

B. Juveniles

Officers should consider verbal warnings for juveniles who commit minor, non-hazardous violations. Note: Warnings, if given, may include contact with the parents. Failure to wear seatbelts is considered a hazardous violation for young drivers and appropriate enforcement action should be considered.

C. Foreign Diplomats and Consular Officials (See PPO# 704 Offenses Involving Foreign Diplomats)

1. Issue a verbal warning unless there is a serious violation of the law.
2. Under Federal Statutes, Foreign Diplomats and Consular Officials are not liable to arrest or detention prior to trial unless for commission of a felony.
3. Notify the U. S. State Department or the U. S. Magistrate if such individuals are arrested or detained.

- B. Information provided on the summons will include:
1. The date, time, location and name of Court for any scheduled Court appearance;
 2. Whether Court appearance by the person charged is mandatory;
 3. Whether the person charged may prepay any fine prior to the Court appearance and in doing so enter a guilty plea; and
 4. Any other information necessary prior to the release of the motorist. This includes a daytime phone or pager number for the violator, if the violator agrees to give it. The issuing officer should write “Phone # - N/A” on the summons if the violator refuses to give a number. Any complaints regarding the asking of a phone or pager number should be referred to the General District Court Clerk’s Office.

IV. Uniform Enforcement Policies for Traffic Law Violations

The following guidelines are intended to provide assistance in deciding whether or not a traffic summons is warranted for routine situations:

- A. Speeding Violations
1. The prevailing judicial opinion of minimum miles per hour over the posted speed limit a motorist must be traveling to be convicted of a speeding violation should be considered.
 2. This minimum may depend on the location of the violation and other circumstances such as congested areas, school or playground areas, etc.
- B. Occupant Protection Violations. (Seatbelt and Child Safety Seat Laws) – It is a priority of this Department to protect occupants of motor vehicles that travel on the County’s highways through education and enforcement of occupant protection laws.
1. National statistics indicate that occupants of motor vehicles are far more likely to be injured or killed during a crash as a result of not using seatbelts.
 2. Motor vehicle crashes are the leading cause of death to young children not secured in an approved child safety seat.
 3. Officers who observe violations of Occupant Protection Laws should always consider appropriate enforcement actions to reduce these daily hazards.
- C. Other Hazardous Violations
- Consider:
1. The degree of hazard
 2. The location
 3. The previous accident history of the location

4. The current directed patrol emphasis

5. Other related information

D. Equipment Violations

With only annual inspections now required of vehicles, consider the issuance of a summons for any essential equipment defects.

E. Public Carriers/Commercial Vehicle Violations

1. Consider the congestion of the area and carrier needs for delivery access.

2. Flagrant, repeat and dangerous violations should be cited.

3. Consider if the hazardous material/commercial carrier violations are violations of VA. Code 46.2-341.

F. Multiple Violations

1. Consideration should be given to citing on the most serious charge and issuing verbal warnings on all others.

2. Cite on all charges, however, if necessary.

G. Other Non-hazardous Violations

Consider issuing a verbal warning unless violations are flagrant and/or repetitive.

H. Newly Enacted Laws and/or Regulations

1. Normally a grace period is established during which only verbal warnings are issued.

2. Thereafter, the officer should consider the above-listed guidelines which apply and use discretion.

I. Driving Under the Influence

See Section XII of this policy.

V. Traffic Law Enforcement Practices

A. Moving Enforcement or Observations

1. Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties.

2. Area patrol involves traffic enforcement within the officer's assigned area of responsibility (Zone).
3. Line Patrol involves traffic enforcement along and concentrating on a particular section of roadway (Example: Richmond Road from the intersection with Centerville Road to the Williamsburg/James City County line).
4. Directed Patrol instructions can specify enforcement efforts in an area, on a line patrol, or at a specific location, depending on the nature of the hazard/violation being concentrated on.
5. **Specialized Enforcement Waves that focus on Speed, Occupant Protection, and DUI/DUID (Impaired Driving). Examples: "Checkpoint Strikeforce" and "Click-it or Ticket"**

B. Stationary Enforcement or Observations

1. Covert or overt techniques may be used to make observations about the flow of traffic at a particular location.
2. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve to remind passing motorists of the need for compliance with traffic laws.
3. Covert Enforcement which requires the use of a concealed location is less well accepted by the motoring public, but may at times be the only way to tackle a particular problem.
4. Although this department seldom uses unmarked vehicles for the specific purpose of traffic enforcement, there are occasions when a citizen may be stopped by an officer driving an unmarked car.
 - a. Investigations, administration, some shift supervisors, and selected patrol officer all use unmarked vehicles and may find it necessary to make traffic stops.
 - b. Due to vehicle availability, when marked units are receiving necessary repairs, a patrol officer may use an unmarked vehicle for his regular tour of duty.
 - c. An unmarked vehicle may be assigned to an officer as part of a directed patrol program when it is decided that this is the best means for dealing with an identified traffic problem.
5. In any case, when an unmarked vehicle is used to make vehicle stops for the purpose of traffic law enforcement, the unmarked vehicle will be equipped with emergency lights and a siren. (See PPO# 413, Police Vehicles: Equipment, Use and Maintenance.)
6. Officers conducting stationary enforcement/observations will park their patrol vehicles off of the hard surface (paved / concrete) portion of the highway intended for vehicle travel. Paved crossovers are considered travel lanes. An exception to this restriction is in a residential 25 MPH neighborhood. Officers may sit on the hard surface and in the travel



POLICY & PROCEDURES

NO.: 436

1 OF 1 PAGES

SUBJECT:

WIRELESS COMMUNICATIONS

APPROVED:

Emmett H. Hammon

DISTRIBUTION: DEPT. MANUALS

AMENDS / SUPERSEDES:
REVISED:

EFFECTIVE DATE: 1/15/08

VLEPSC STANDARD(S): OPR.01.06

PURPOSE: To regulate the use of wireless communication while driving a law enforcement vehicle. The main purpose of this policy is for officer safety and the protection of the citizens.

POLICY: The use of any cellular telephone, pagers, Blackberries, PDA's or text messaging devices while operating a police vehicle is **strongly** discouraged. Use of mobile computer will be in accordance with PPO-430 Mobile Data Terminals.

PROCEDURE/STATEMENT:

I. General

- A.** The use of cellular telephones, pagers, Blackberries, or text messaging devices while driving is **strongly discouraged**. Officers should safely pull off of the road and/or stop to use any of these devices. If it is not possible to safely stop the vehicle, then hands-free and/or activated devices should be used.
- B.** Officers **shall not operate** the mobile computer while simultaneously driving the vehicle except with voice activated software.
- C.** Employees shall exercise extreme caution when driving and shall maintain control of his/her vehicle at all times (see PPO-413 Police Vehicles: Equipment, Use and Maintenance).
- D.** Any employee involved in a vehicle accident resulting from the use of such devices will be subject to disciplinary action.



POLICY & PROCEDURES

NO.: 607

1 OF 3 PAGES

SUBJECT:
RIDE ALONG PROGRAM

DISTRIBUTION: ALL PERSONNEL

AMENDS / SUPERSEDES:
REVISED: 01/05/2016

APPROVED:

EFFECTIVE DATE: 07/26/2004

PURPOSE

To set forth guidelines to regulate the conditions under which citizens are permitted to participate in the James City County Police Department's Ride-Along Program.

POLICY

It is the policy of this Department to provide a Ride-Along Program. This program allows interested citizens to accompany officers during their patrol shifts in order to gain a realistic view of the patrol officer's job. In order to accomplish this in a safe and responsible manner, the following procedures are set forth.

PRODEDURES/STATEMENT

I. Program eligibility

A. Applicants for the ride-along program must meet one of the following criteria to participate in the program:

1. Be a resident of James City County or participant in a County sponsored program.
2. Be a member of a civic organization or employee of a business located within James City County.
3. Be employed by James City County in a position where knowledge of Departmental procedures and functions would be valuable.
4. Be a law enforcement officer from another agency or a police applicant with this Department.
5. Be enrolled as a student in an accredited law enforcement program or related field of study.
6. Be a Department Police Explorer participant at least 17 years of age.
7. Be a family member of an employee of the Department.
8. Demonstrate a special interest for participation that would benefit the Department, County, or citizenry.

B. A local criminal history check, NCIC/VCIN check, DMV check, and LInX database check will be performed by Records staff on all Ride-Along applicants. Applicants may be denied by any supervisor for any reason, to include but not limited to the following:

1. Prior Felony conviction.
2. Prior Class 1 or 2 Misdemeanor conviction within the last 10 years.
3. Prior conviction or known history of violence against law enforcement.
4. Undergoing an active criminal investigation of any kind.

5. Awaiting trial or sentencing for a criminal offense.
6. Outstanding criminal warrant or summons.
7. Currently have a suspended or revoked driver's license.
8. Requesting to ride with an officer who has previously taken action against the applicant, such as arrest, warrant, or summons.
9. Involved in pending lawsuit by the applicant against an officer, Department or County and vice versa.
10. Previous or current known member of a gang or a subversive or terrorist group.
11. Any person terminated from the Department or who resigned to preclude disciplinary action.

II. Application for Ride-Along

A. Ride-Along Request Form

1. A Ride-Along Form shall be completed and approved by the Chief of Police, or his designee, prior to the Ride-Along. The form shall be maintained on file by the Chief of Police for a period of one year. The form must be submitted for approval at least five (5) working days prior to the expected ride-along date.
2. Applicants must be at least 17 years of age. Members of the Police Explorers Program may participate with the approval of the Chief.

B. Conduct/responsibilities

1. Supervisors are to ensure that any individual participating in a Ride-Along is advised of, and in compliance with, the instructions given on the Ride-Along Release Form. This shall be accomplished at the onset of the ride-along.
2. The officer assigned to the Ride-Along is responsible for the safety and conduct of the participant. The officer shall explain what action is expected in the event of an emergency. The participant may be required to exit the cruiser prior to responding on selected emergencies at the officer's discretion. When possible, civilian passengers should not be allowed to remain in an emergency vehicle during a pursuit. **The participant shall wear a seat belt at all times when in the cruiser.**
3. Any misconduct on the part of the participant shall be reported to a supervisor immediately. The supervisor may terminate the individual's privilege at any time.
4. Ride-Along participants are not permitted to be involved in any police action (i.e., search, arrest, interview of suspect, etc.) unless specifically requested for officer assistance in accordance with the Code of Virginia.
5. Ride-Along participants shall not be permitted to remain with prisoners in the absence of the officer.

III. Rules and Regulations

- A. The shift supervisor will designate with whom the participant will ride.
- B. The shift supervisor may terminate the participant's Ride-Along at any time, if in their opinion, the continued participation presents undue risks or is not in the best interest of the Department.
- C. The hours of the participant's Ride-Along will be established prior to the approval of the application. These time limits may be terminated at the request of the applicant. Extension of the time limit may only be made with the approval of the shift supervisor.
- D. Participants are prohibited from carrying any flashlight, camera, radio of any type, audio or video recording device, binoculars, or any similar device unless authorized by the Chief of Police.
- E. **Participants will not be permitted to carry weapons, concealed or otherwise, or restraining devices of any kind. Exceptions may be made for sworn law enforcement personnel.**



Speed Awareness

Problem Identification

Speeding on the roadways are a leading cause of crashes, and crashes that lead to injury and death. Virginia Department of Motor Vehicles' Virginia Traffic Crash Facts showed that the commonwealth suffered the loss of 323 people in 2015 due to speed-related crashes, 42% of all Virginia fatalities in 2015.

The James City County Police Department recognizes that speed and speed-based concerns, will always play a constant role in travel throughout the county. Because of this, it is important that it is constantly monitored and enforced to keep the roadways safe. The department spreads its efforts throughout the county since incidents from speed can occur anywhere. Enforcement and crash data allows the department to become aware of concerning speed trends, especially increased crashes.

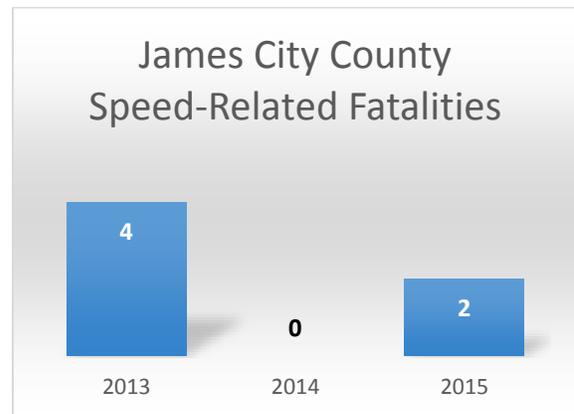
Though James City County's speed-related fatalities have started to become significantly lower when compared to state statistics, the James City County Police Department strives to continue to address speed on the roadways to decrease speed-related incidents.

Even as the number of speed-related crashes continues on a downward trend, the department must continue to approach speed-related crashes as a continuing problem. The lower the number of crashes, the lower the probability of injury or death.

Speed issues bring forward complaints from citizens that need to be addressed, as their complaints often include the safety of themselves and others, and the department encourages this communication. Complaints about speeding may be communicated to the department through phone calls, walk-ins to the department headquarters, emails, social media and general interaction with officers; just to name a few ways. The constant flow of speeding complaints from citizens is a main concern of the department, as many complaints come from subdivisions, where you should be able to feel safe.



James City County had a total of 656 reportable crashes in 2015, and 59 of those were speed-related crashes, **9%**. This was a **decrease** from 2014, which saw 69 reportable speed-related crashes.



Speed was a factor in 4 of the 6 fatalities in 2013 (67%), 0 of the 5 fatal crashes in 2014 (0%) and 2 of the 8 fatal crashes in 2015 (25%).



Speed Awareness

Policy

The James City County Police Department recognizes traffic enforcement as a central role of a law enforcement agency to keep its roadways safe for citizens and visitors. PPO 414 "Traffic Law Enforcement" states:

	POLICY & PROCEDURES	NO.: 414	1 OF 25 PAGES
	SUBJECT: TRAFFIC LAW ENFORCEMENT		DISTRIBUTION: ALL MEMBERS
	APPROVED: <i>Emmett H. Hamer</i>		AMENDS / SUPERSEDES: REVISED: 3/3/11
	EFFECTIVE DATE: 5/01/1988		

VLEPSC STANDARD(S): OPR.07.01, 07.02, 07.03, 07.04, 07.05, 07.06

PURPOSE: To establish procedures for traffic law enforcement, preventative patrol, proactive enforcement and relations with motorists, pedestrians and the courts in an effort to maintain safe travel within James City County.

POLICY: Safe travel within James City County is a priority for the James City County Police Department. In an effort to maintain safe travel, the Police Department has a duty to enforce traffic violations. Traffic law enforcement involves all police activities or operations which relate to observing, detecting and preventing traffic law violations including taking appropriate enforcement action. However, overzealous enforcement, without consideration of the violator's familiarity with the legal requirements or without regard for the circumstances surrounding the violation, causes disrespect for the law and poor relations between the department and the community it serves. The intent of enforcement action should be to favorably alter the violator's future driving habits and gain voluntary compliance with traffic laws and regulations in an effort to maintain safe travel on the highways of James City County. Therefore, traffic enforcement actions (arrests, citations, warnings) by James City County Police Officers will be in proportion with the times, locations and types of violations involved in traffic accidents and problems occurring in this jurisdiction. An Officer's decision on the proper enforcement action to be taken will follow the guidelines set forth in this policy and will also incorporate an Officer's training, experience and common sense.

PROCEDURE/STATEMENT:

I. Types of Enforcement Actions

A. Warnings: An effective verbal warning, properly given, can often build a positive rapport with the driver and be more effective than any other type of enforcement action. A verbal warning may be issued to a violator whenever:

1. There is a minor traffic infraction committed in those areas where traffic accident occurrences are minimal, or
2. When the act may be due to ignorance of a local ordinance which may be a violation unique to this area.

"Safe travel within James City County is a priority for the James City County Police Department. In an effort to maintain safe travel, the Police Department has a duty to enforce traffic violations. Traffic law enforcement involves all police activities or operations which relate to observing, detecting and preventing traffic law violations including taking appropriate enforcement action...The intent of enforcement action should be to favorably alter the violator's future driving habits and gain voluntary compliance with traffic laws and regulations in an effort to maintain safe travel on the highways of James City County...An Officer's decision on the proper enforcement action to be taken will follow the guidelines set forth in this policy and will also incorporate an Officer's training, experience and common sense."

The James City County Police Department considers speed enforcement a priority in an effort to reduce injury and save lives. The department directly states this priority in PPO 414 Section XI-A:

XI. Speed Enforcement

A. Excessive speed is the second greatest cause of death and injury on the American highways. It shall be a priority of the James City County Police Department to enforce speeding violations in an effort to reduce crashes, prevent injuries and save lives.

B. Uniform methods of enforcement of speed laws in James City County should be applied by all officers.

C. Procedures for the enforcement of laws applying to speed will vary in accordance with the type of equipment used.

1. Pacing
 - a. The officer should follow the vehicle being paced at a constant interval for an adequate distance, at least one-quarter of a mile, to obtain a reading on the speedometer indicating a speed exceeding that posted.
 - b. All speedometers must be calibrated at least every six months and calibration sheets filed in the calibration book located at the courthouse.
2. Radar
 - a. Radar is not to be utilized for "filler" or "slack" officer time, but should be planned and utilized where vehicle speed is excessive or of hazard to other motorists or pedestrians.
 - b. All departmental radar units meet current NHTSA standards. Generally, the following procedures are applicable to the operation of radar units.
 - (1) Radar units will always be operated in compliance with manufacturer's instructions.
 - (2) The radar unit will be properly installed in the vehicle and connected to the appropriate power supply.
 - (3) The effective range of the particular radar unit must be thoroughly understood by the operator, so visual observations can support the target speed readings.
 - (4) The operator must choose an appropriate location in accordance with directions of his commanding officer relative to traffic accident experience in which speed has been identified as a factor. The location must also be conducive to the effective and safe operation of radar.
 - (5) The radar unit will be properly calibrated to assure accuracy in checking speed.
 - a. The operator must follow the manufacturer's recommended, specific methods of checking calibration without exception.

"Excessive speed is the second greatest cause of death and injury on the American highways. It shall be a priority of the James City County Police Department to enforce speeding violations in an effort to reduce crashes, prevent injuries and save lives."

PPO 414 also guides officers in use of RADAR and other speed enforcement methods. PPO 207, PPO 414 and PPO 420 address maintenance of speed measurement equipment by the Traffic Unit, calibration checks conducted by the Traffic Unit and calibration checks done by operators.

The James City County Police Department views speed enforcement to be so essential that it has established in policy that every officer will receive RADAR operator certification and continue to hold this certification, even establishing it as a requirement for career advancement.



Speed Awareness

Planning

Speeding, or traveling faster than the posted speed limit or traveling too fast for conditions, not only affects the way your vehicle handles, but has an impact of the operator as well:

- As your speed increases, so does the time that it takes for you to see and then react to something in the environment; your perception-reaction time.
- Once you finally react to the environment, your vehicle travels farther and farther as your actions are put into play; whether it be braking, steering, etc.
- The higher your speed is, the more distance you will cover. If there is not enough distance for your perception, reaction and action to occur, there will be a crash. The higher your speed, the more severe a crash will be when your perception, reaction and action are not enough to avoid the environment.

Speed limits are set with consideration to aspects around the area of the roadway. Slower speeds, and speeds that are proper for the environmental conditions, will give you a much better chance to avoid any environmental incidents, and therefore avoiding a crash.

Enforcement of speeding instances is mandated in policy to be a focus of the James City County Police Department and is a duty for all of its officers to engage in. The Traffic Unit, Uniform Patrol Division, Community Services Unit, School Resource Unit and Crime Analyst work in collaboration to address and enforce speeding offenses. Citizen complaints a constant source for speeding enforcement effort, and at times requiring effort from multiple aspects of the department in order to be properly addressed. Getting the department and the community involved greatly increases the chances for a positive and effective outcome to speed enforcement.

The Traffic Unit plans its enforcement action from information received from citizen complaints, collected speed data and summons patterns to organize more effective speed enforcement plans. The Traffic Unit may deploy tools like its JAMAR Technologies RADAR Recorder in areas that have been identified as having speeding issues, either by citizen complaints or departmental means. Summons patterns can show areas in the county that have continuing speed problems and need direct action. Citizen complaints can be about any roadways in the county and often are about subdivisions. Based on collected data, the Traffic Unit will begin to take action needed to address the issues. These actions may include increased presence, use of technology and tools, requests for assistance from other units and direct enforcement.



(JAMAR Technologies RADAR Recorder)



(Community Service Unit Annual Car Show)

The Uniform Patrol Division directs its speeding enforcement efforts based on direction and requests for assistance from the Traffic Unit in the form of increased presence and enforcement, as well as patrol officers' general knowledge of trends in the area. The Traffic Unit, Community Services Unit and the School Resource Unit work directly with the community to educate them about the importance of proper vehicle speed and the consequences of excessive speed.



Speed Awareness

Training

Officers of the James City County Police Department start their speed enforcement training before even beginning field training. Officers receive their RADAR Operator Basic course before they hit the streets, and continue to develop and maintain their speed awareness training throughout their career. Speed management on the county roadways is considered such an important issue that the department requires officers to receive and maintain RADAR certification for career ladder advancements. Every road officer is issued their own RADAR, and has LIDAR units available for use.

RADAR Operator Basic Certification – All officers that begin employment with the department, that are not already certified RADAR operators, are required to attend and successfully complete a basic RADAR operator course. From there, all sworn officers must maintain their RADAR certification throughout their employment, and that certification is a prerequisite for any career ladder advancement.

RADAR Operator Recertification – 2016 saw the continued use of our completely in-house developed on-line RADAR operator recertification. Beginning in 2006, officers are able to take the course while working their normal shift. They also received DCJS credit upon completion because of our “satellite academy” status through the Hampton Roads Criminal Justice Training Academy. Course completion is only awarded after passing a written test that is proctored by a RADAR instructor, with a score of 100%. In addition, the complete on-line presentation is available to all officers 24 hours a day to view and refresh the officer’s knowledge at a moment’s notice.

LIDAR Operator Basic Certification – Officers are given the opportunity to become LIDAR certified whenever a basic class is held through the department. LIDAR certification is not a requirement, but a skill set and tool that officers may choose to pick up in order to advance themselves and be more effective in speed enforcement.

LIDAR Operator Recertification – The department has developed its own on-line LIDAR operator recertification course that mirrors the layout and style of the RADAR recertification course.

Speed Measurement Instructor – As officers begin to develop their career and skill sets, some choose to take on instructor roles. After completing a General Instructor school, if an officer desires to become a Speed Measurement instructor, they may submit their request through the department. If there is a need for additional instructors, the officer must be approved and successfully complete a week long Speed Measurement Instructor school. After successful completion, they will be expected to actively participate in basic certification courses, proctor recertification tests and be knowledgeable and available for officers that may have questions about speed measurement.

Police Motorcycles – In April 2012, James City County Police Department started the Police Motorcycle Program. Motorcycles have been an added asset to the Department in traffic enforcement. Eighty hours of training is required as well as monthly proficiency and safety training. There are currently two motorcycles in the Department and six motor officers. One of the Motor Unit’s primary duties is traffic enforcement, with heavy emphasis on speed awareness.

Speed Awareness – Officers are taught other various methods of recognizing, measuring and enforcing speeding infractions. A few examples: Officers are trained how to pace vehicles using their patrol vehicles, and are advised on what elements are needed to establish a pacing case. Officers are trained on what the “basic” speed limit, safe speed, is and how to establish if a vehicles is exceeding the safe speed. Officers are taught about braking distances and how speed relates to these distances.

Training Attended	Officers Attended	Total Hours
RADAR Operator Basic Certification	6	96
RADAR Operator Recertification	22	44
LIDAR Operator Basic Certification	4	32
Motor Officer Monthly Developmental Training	6	288



Speed Awareness

Public Information & Education

The James City County Police Department is involved with educating its officers and the community about speeding offenses and the consequences of speeding on our highways.



The James City County Police Department receives numerous complaints about speeding on the highways and in neighborhoods. At times, a Traffic Unit representative will attend neighborhood meetings to become informed about their complaints, and offer suggestions to the community about how to address their issues and inform them of how the police department can assist.

Many times it is requested that we set up the department's RADAR trailer in the neighborhood for a few days. The RADAR trailer is simply a display and reminder tool to help deter speeding. The trailer does not record any information on vehicles or drivers, so citizens won't be hesitant from asking for assistance because they think they may get in trouble. The Traffic Unit wants to utilize the RADAR trailer as a first form of reminder and deterrence before sending officers for enforcement. This always helps remind residents to slow down and it is also a very good community policing tool.



Another tool that may be used, depending on the type and frequency of complaints in an area, is the department's Jamar RADAR Recorder. This tool records speeds of vehicles in the area over a length of time, and compiled the collected data to generate requested reports. The reports can show speeds during certain days, times during the day, longer time periods, average speeds, if the area has a considerable speeding problem and many other configurations depending on the user's needs. After this tool is used, the information can be passed along to the complainant, and/or used by the department to refocus enforcement time and effort.

If a traffic complaint is found to require on-scene enforcement, Patrol and Traffic Unit officers are requested to be present in the neighborhood. During this "enforcement phase", drivers that are stopped are not only reminded about their speed and the speed limit of the roadway, but also the presence of complaints and the dangers of excessive speed. Officers want citizens to be aware of the impact speeding has on the subdivisions and the dangers of speeding, not just that they are receiving a summons.



The James City County Police Department Traffic Unit works together with the Community Services Unit by giving presentations during the Citizens' Police Academy, and also sends a representative to participate in the annual Citizen's Court Academy held at the Williamsburg – James City County Courthouse. Officers give an informative presentation, which includes

speeding concerns and enforcement, with the students. Students are also taught how speed relates to crash occurrence and crash severity. These students are made up of residents from the community. The department will also use various media outlets to spread a message of awareness about speeding, especially during holidays and weekends.





Speed Awareness

Enforcement



James City County officers strive to remain diligent and are constantly looking for and enforcing speeding violations within the county. Patrol officers remain proactive in their zones, becoming more familiar with areas that have speeding issues and take it upon themselves to address these concerns. The Traffic Unit conduct their day-to-day patrols throughout the county and in specific areas of complaint and greater enforcement needs. The Traffic Unit also constantly sends down request for assistance from the Uniform Patrol shifts in areas where speeding complaints have been received. This collaboration leads to 24 hour presence and enforcement in complaint areas, leading to faster results and safer streets. The department also continued to participate in regional campaigns such as the Route 60 Blitz.

In 2016, the James City County Police Department's Highway Safety Task Force and Traffic Unit were used to focus efforts directly at speed awareness during weekends and holidays. Backed by funding from the Department of Motor Vehicles, officers conducted 161 specialized patrols for speed awareness. **These patrols resulted in 687 contacts, 573 summons issued, as well as multiple DUI, narcotics and other arrests.**



While Uniform Patrol handled countless "live" traffic complaints throughout the year, the Traffic Unit handled 27 traffic complaints of varying nature. After speaking with the complainant, visiting the site and fully understanding the details of the complaint, the assigned officer will begin to take actions appropriate for the complaint.

These actions may include:

*Assistance from other department units - Use of monitoring/recording tools - Presence and deterrence techniques
Media releases - Meetings with HOAs - Meeting and working with VDOT - Speed studies - Analysis of past records and complaints - Enforcement*



The goal of the Traffic Unit when handling these complaints is not to simply issue summonses and leave, but to directly address the issue and work toward a solution.

The department and the Traffic Unit also put focus on speed awareness and enforcement in specialized areas such as work zones, school zones and speed transition zones.



Speed Awareness

Enforcement



A method of checking our efforts is through the use of a traffic classifier. This device is used at locations where speed related problems are occurring. We conduct pre and post traffic studies to analyze the results of our efforts. The classifiers collect raw data that is later uploaded into the Traffic Unit's laptop. Detailed reports are created which will show the speed of all traffic traveling in the target area. When a problem is discovered the Traffic Unit utilizes the "STEP" or Selective Traffic Enforcement Project method to reduce vehicular speed.

During the "STEP" the Traffic Unit utilizes a RADAR trailer for voluntary compliance and follow-up with several days of directed radar enforcement. The results are always positive with a regular reduction in speed.



Since January 2010, the James City County Police Department has utilized in-car electronic summonses, Esummons. Officers are able to issue summonses at a much faster pace with more accurate and legible information than hand-writing summonses. Once properly trained on the Esummons system, officer safety is increased with auto-population of information and a scanner that pulls information from the 2D barcodes of registration cards and licenses and automatically runs the information through DMV, VCIN and NCIC. Traffic enforcement became easier and safer for James City County officers.

In 2016, the efforts of the officers of the James City County Police Department resulted in the issuance of 1,868 speeding summonses. This outstanding effort helped the number of speed-related fatalities in 2016 to remain at 0!





Speed Awareness

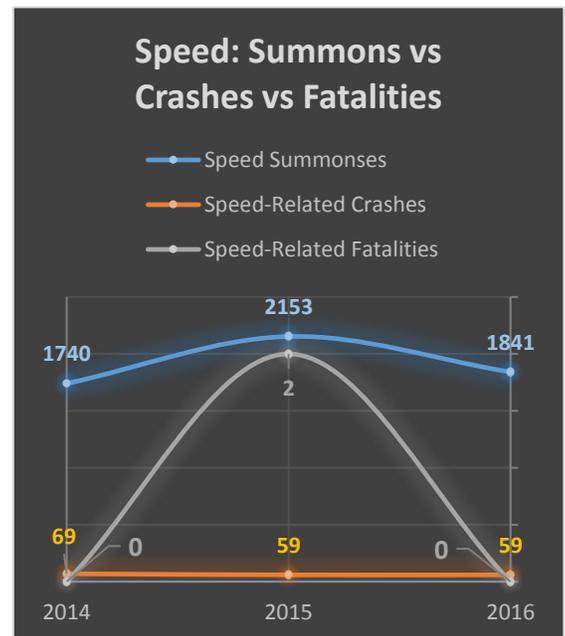
Outcome

The James City County Police Department has made it a goal and directive for speed enforcement to be a daily aspect for all officers. Unregulated excessive speeding on roadways can cause the instances of speed-related crashes and fatalities to increase quickly. James City County has begun to maintain a low percentage of speed-related crashes, which the police department associates with a constant vigil on the roadways by officers.

In 2015, of the 656 reportable crashes, 59 were listed to be speed-related crashes. Whether speed was the cause of the crash, or just an aspect, those 59 crashes were only 9% of all reportable crashes. Speed-related fatalities increased from 0 in 2014 to 2 in 2015, 25% of the total fatal crashes in 2015.

The department and the Traffic Unit dedicated additional effort toward speed enforcement and it made an impact.

- Officers conducted 161 *speed focused patrols*, resulting in 573 summonses.
- In 2016 a total of 1,868 speeding summonses were issued by JCCPD officers.
- In 2016 the 59 speed-related crashes made up 9% of the 649 reportable crashes.
- **Speed-related fatalities dropped back down to 0 in 2016!**



The James City County Police Department recognized five officers that stood out in their commitment to speed enforcement. The efforts of these officers, without a doubt, helped prevent crashes, injury and death on the roadways of James City County.



SPO Lonnie Bain

Sgt. Thomas Johnson
 SPO Roger Langwell
 SPO Trey Jackson



Sgt. Tony Quiros



POLICY & PROCEDURES	NO.: 414	1 OF 25 PAGES
SUBJECT: TRAFFIC LAW ENFORCEMENT	DISTRIBUTION: ALL MEMBERS	
	AMENDS / SUPERSEDES: REVISED: 3/3/11	
APPROVED: <i>Emmett H. Hammon</i>	EFFECTIVE DATE: 5/01/1988	

VLEPSC STANDARD(S): OPR.07.01, 07.02, 07.03, 07.04, 07.05, 07.06

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PROCEDURE/STATEMENT:

I. Types of Enforcement Actions

- A. Warnings: An effective verbal warning, properly given, can often build a positive rapport with the driver and be more effective than any other type of enforcement action. A verbal warning may be issued to a violator whenever:
 - 1. There is a minor traffic infraction committed in those areas where traffic accident occurrences are minimal; or
 - 2. When the act may be due to ignorance of a local ordinance which may be a violation unique to this area.

B. Citation: A Virginia Uniform Summons (VUS) should be issued to a violator who violates traffic laws, jeopardizes the safe and efficient flow of vehicular and pedestrian traffic or transports occupants unsafely within a vehicle, including:

1. Violations of traffic laws
2. Hazardous moving violations.
3. Violations of Occupant Protection Laws. (Seatbelts and/or Child Safety Seats)
4. Operating unsafe or improperly equipped vehicles.

C. Physical Arrest: Officers will make physical arrests of traffic law violators in compliance with Virginia Code Section 46.2-940, including the following circumstances:

1. Violators of traffic laws pertaining to Driving Under the Influence of Alcohol or Other Intoxicants.
2. Whenever a felony has been committed involving a vehicle.
3. Whenever the operator refuses to sign the promise to appear on the traffic summons.
4. Whenever the officer has reason to believe that the person will not comply with the summons if issued.

II. Special Categories of Violators

A. Nonresidents

Officers should consider the use of verbal warnings for nonresidents, from outside the Williamsburg/James City County area, who while passing through the County, commits a minor non-hazardous violation.

B. Juveniles

Officers should consider verbal warnings for juveniles who commit minor, non-hazardous violations. Note: Warnings, if given, may include contact with the parents. Failure to wear seatbelts is considered a hazardous violation for young drivers and appropriate enforcement action should be considered.

C. Foreign Diplomats and Consular Officials (See PPO# 704 Offenses Involving Foreign Diplomats)

1. Issue a verbal warning unless there is a serious violation of the law.
2. Under Federal Statutes, Foreign Diplomats and Consular Officials are not liable to arrest or detention prior to trial unless for commission of a felony.
3. Notify the U. S. State Department or the U. S. Magistrate if such individuals are arrested or detained.

4. The current directed patrol emphasis

5. Other related information

D. Equipment Violations

With only annual inspections now required of vehicles, consider the issuance of a summons for any essential equipment defects.

E. Public Carriers/Commercial Vehicle Violations

1. Consider the congestion of the area and carrier needs for delivery access.

2. Flagrant, repeat and dangerous violations should be cited.

3. Consider if the hazardous material/commercial carrier violations are violations of VA. Code 46.2-341.

F. Multiple Violations

1. Consideration should be given to citing on the most serious charge and issuing verbal warnings on all others.

2. Cite on all charges, however, if necessary.

G. Other Non-hazardous Violations

Consider issuing a verbal warning unless violations are flagrant and/or repetitive.

H. Newly Enacted Laws and/or Regulations

1. Normally a grace period is established during which only verbal warnings are issued.

2. Thereafter, the officer should consider the above-listed guidelines which apply and use discretion.

I. Driving Under the Influence

See Section XII of this policy.

V. Traffic Law Enforcement Practices

A. Moving Enforcement or Observations

1. Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties.

2. Area patrol involves traffic enforcement within the officer's assigned area of responsibility (Zone).
3. Line Patrol involves traffic enforcement along and concentrating on a particular section of roadway (Example: Richmond Road from the intersection with Centerville Road to the Williamsburg/James City County line).
4. Directed Patrol instructions can specify enforcement efforts in an area, on a line patrol, or at a specific location, depending on the nature of the hazard/violation being concentrated on.
5. **Specialized Enforcement Waves that focus on Speed, Occupant Protection, and DUI/DUID (Impaired Driving). Examples: "Checkpoint Strikeforce" and "Click-it or Ticket"**

B. Stationary Enforcement or Observations

1. Covert or overt techniques may be used to make observations about the flow of traffic at a particular location.
2. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve to remind passing motorists of the need for compliance with traffic laws.
3. Covert Enforcement which requires the use of a concealed location is less well accepted by the motoring public, but may at times be the only way to tackle a particular problem.
4. Although this department seldom uses unmarked vehicles for the specific purpose of traffic enforcement, there are occasions when a citizen may be stopped by an officer driving an unmarked car.
 - a. Investigations, administration, some shift supervisors, and selected patrol officer all use unmarked vehicles and may find it necessary to make traffic stops.
 - b. Due to vehicle availability, when marked units are receiving necessary repairs, a patrol officer may use an unmarked vehicle for his regular tour of duty.
 - c. An unmarked vehicle may be assigned to an officer as part of a directed patrol program when it is decided that this is the best means for dealing with an identified traffic problem.
5. In any case, when an unmarked vehicle is used to make vehicle stops for the purpose of traffic law enforcement, the unmarked vehicle will be equipped with emergency lights and a siren. (See PPO# 413, Police Vehicles: Equipment, Use and Maintenance.)
6. **Officers conducting stationary enforcement/observations will park their patrol vehicles off of the hard surface (paved / concrete) portion of the highway intended for vehicle travel. Paved crossovers are considered travel lanes. An exception to this restriction is in a residential 25 MPH neighborhood. Officers may sit on the hard surface and in the travel**

lane within a residential 25 MPH neighborhood to conduct stationary RADAR, other traffic enforcement or observations. However, the officer will park as far to the right as possible.

VI. Traffic Stop Objectives

- A. There are two major objectives of a traffic stop:
 - 1. Immediate objective: to take appropriate enforcement action.
 - 2. Ultimate objective: to favorably alter the violator's future driving behavior.
- B. The attainment of these two objectives:
 - 1. Requires a thorough understanding of human relations.
 - 2. Demands flexibility on the part of the officer.
 - 3. Depends upon the officer's ability to evaluate.
 - a. the violator's mental outlook
 - b. physical condition
 - c. facts concerning the violation
- C. Uniform enforcement procedures and practices should minimize any conflict which may develop between the officer and the violator and assist in achieving the two major objectives of the traffic stop.

VII. Stopping the Traffic Law Violator (Also see PPO #425 Biased-Based Policing)

- A. The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator and other users of the highway. These procedures are to be followed when possible, and are presented from the perspective that the ideal conditions exist.
- B. Varying conditions regarding the engineering of the particular portion of roadway, the urgency to stop the violator (DUI), and the existing volume of traffic may require adjusting or altering the recommended procedure.
- C. Vehicle Stop Procedures
 - 1. The overtaking of the traffic violator has ended when the officer has positioned himself behind the violator to begin the stopping procedure.
 - 2. At this point, the officer should notify Dispatch of the intended traffic stop, the license number and location of the vehicle to be stopped, and the reason for the stop.

XI. Speed Enforcement

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- B. Uniform methods of enforcement of speed laws in James City County should be applied by all officers.**
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 - 1. Pacing**
 - a. The officer should follow the vehicle being paced at a constant interval for an adequate distance, at least one-quarter of a mile, to obtain a reading on the speedometer indicating a speed exceeding that posted.**
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 - (1) Radar units will always be operated in compliance with manufacturer's instructions.**
 - (2) The radar unit will be properly installed in the vehicle and connected to the appropriate power supply.**
 - (3) The effective range of the particular radar unit must be thoroughly understood by the operator, so visual observations can support the target speed readings.**
 - (4) The operator must choose an appropriate location in accordance with directions of his commanding officer relative to traffic accident experience in which speed has been identified as a factor. The location must also be conducive to the effective and safe operation of radar.**
 - (5) The radar unit will be properly calibrated to assure accuracy in checking speed.**
 - a. The operator must follow the manufacturer's recommended, specific methods of checking calibration without exception.**

- b. Any problems with the operation of the radar units or apparent malfunction should be promptly reported to their supervisor and forwarded to the Traffic Unit for repairs.
- (6) The following elements must be established in court by the officer when radar speed charges are placed:
- a. The time, place, and location of the vehicle that was checked, the identity of the operator, the speed of the vehicle, the visual and radar speed.
 - b. Officer qualifications and training in the use of radar.
 - c. The radar unit was operated along manufacturer established guidelines.
 - d. The unit was tested for accuracy prior to and after use, utilizing an approved method.
 - e. Identify the vehicle and should have made a visual observation of its apparent speed.
 - f. Speed limit in the zone in which the officer was operating and where such signs were posted.
- D. Radar training is given to all officers during the Field Training Program and by certified in-house instructors. Officers, in court testimony, should be able to cite/display training received or certificate issued.
- E. The Traffic Unit is responsible for ensuring that:
- 1. Radar units receive proper care and upkeep;
 - 2. All required maintenance and calibration of radar units is performed;
 - 3. Records are kept; and
 - 4. Appropriate certificates are on file in the calibration book at the courthouse.

XII. DUI Enforcement

A. General

1. Drunk driving kills and injures thousands of people every year. Driving under the influence of intoxicants is an offense generally associated with leisure-time activity. Consequently, most arrests are made during the evening hours or in the early morning hours after taverns



POLICY & PROCEDURES	NO.: 420	1 OF 4 PAGES
SUBJECT: TRAFFIC UNIT	DISTRIBUTION: DEPT. MANUAL	
APPROVED: Chief Rinehimer (Signed Copy on File)	AMENDS / SUPERSEDES: REVISED: 03/06/2015	
	EFFECTIVE DATE: 07/10/2002	

VLEPSC STANDARD(S): ADM.25.09

PURPOSE: To outline the responsibilities of the James City County Police Department's Traffic Unit. This policy will assign duties and establish the methods by which traffic data will be collected, analyzed, and made available to the users in support of department operations.

POLICY: The goal of the Traffic Unit is to reduce the number of motor vehicle accidents in James City County by having valid crash and enforcement data available to provide department personnel, VDOT and other highway safety-related groups. This information may be used to identify needed crash prevention efforts and programs. The Records Management System shall contain information on all reportable accidents investigated by the department beginning January 2001. **The Traffic Unit will support the department's traffic activities through data collection and analysis, review of traffic enforcement policy and procedures, traffic enforcement measures, program planning, maintenance and calibration of equipment, and traffic enforcement.**

PROCEDURE/STATEMENT:

I. General

- A. The goal of Traffic Unit is to contribute to the department's mission of promoting safe and efficient movement of vehicles and pedestrians in James City County.
- B. While it is the primary function of the Operations Division and Traffic Unit, all personnel of this department have responsibilities for the traffic function and its support. See also Traffic Law Enforcement, PPO# 414.
- C. The Operations Division Commander, acting through the Patrol Shift Supervisors and the Traffic Unit, is responsible for planning, inspection and coordination of the department's traffic activities. Departmental traffic activities include, but are not limited to:
 - 1. Accident investigation;
 - 2. Operation of speed measuring devices;
 - 3. Operation of breath test equipment;
 - 4. Parking/congestion control;
 - 5. Traffic direction and control for special events; and
 - 6. Traffic safety education.

- D. The Operations Division Commander, in conjunction with the Traffic Unit, will prepare departmental goals and objectives in reference to traffic activities based upon data and analysis provided by the Traffic Unit in an effort to promote a proactive traffic enforcement response.

II. Traffic Unit Structure

- A. The unit will consist of a Sergeant and additional officers with the following minimum qualifications:
 - 1. State Certified Instructor;
 - 2. Demonstrated interest and efforts related to traffic enforcement; and
 - 3. Ability to use a computer to compile reports and enter data.
- B. Members of the Highway Safety Task Force and Fatal/Serious Crash Team report to the Traffic Unit supervisor.
- C. The Traffic Unit supervisor will report directly to the Operations Division Commander.

III. Responsibilities of Traffic Unit

- A. Enforcement of county and state laws.
- B. Provide training to department personnel in speed enforcement, occupant protection, DUI enforcement and other issues related to traffic enforcement.
- C. Maintenance of radar units and preliminary breath testing devices.
- D. Check calibration of tuning forks and police vehicles speedometers.
- E. Perform traffic analysis and/or coordinate selective enforcement activities based on traffic complaints or ongoing traffic problems.
- F. Serve as liaison with VDOT to identify:
 - 1. Locations requiring traffic control; and
 - 2. Locations requiring parking control or "No Parking" signs.
- G. Serve as liaison with state and local traffic safety groups.
- H. Procure and distribute traffic safety educational material to the public.
- I. Work with the Grants Administrator in preparing applications for grant funding and provide statistics and other data for any required reports showing how grant funds are utilized.
- J. Respond to and investigate traffic crashes when available.
- K. Other duties and reports as assigned.

IV. Records Management System (RMS)

The Records Management System includes the following:

- A. Electronic files of all accident reports, reflecting the results of crash investigations; and
- B. Electronic files of all Virginia Uniform Summonses issued for traffic infractions, violations, locations, and arrests. The Records Clerk will obtain dispositions from DMV as needed.

V. Traffic Crash/Enforcement Data

- A. The Commonwealth of Virginia Department of Motor Vehicles Police Crash Report (FR-300P) shall serve as the primary source for the collection of data concerning motor vehicle crashes within the county.
- B. The Computer Aided Dispatch (CAD) System, RMS, and Monthly Productivity Reports may serve as resources for data collection related to traffic enforcement.

VI. Data Analysis

- A. The responsibility for the analysis of traffic data shall be that of the Traffic Unit. Analytical Traffic Reports will be maintained for a period of ten years.
- B. Semi-annually, the Traffic Unit will submit a Traffic Data Analysis Report to the Chief. This report will analyze crash data and make suggestions for enforcement actions in an effort to reduce crashes. This report will contain the following:
 - 1. Suggestions on geographic assignment of personnel and equipment.
 - 2. Suggestions on the establishment of preventative patrols to address unlawful and unsafe driving behaviors.
 - 3. The following accident characteristics will be analyzed for the semiannual report: total crashes by time of day, day of week, location, and causation factors.
 - 4. Analysis of enforcement activities will be based on available summons data. This analysis will compare the enforcement practices with crash patterns. The following will be compared: time of day, day of week, location and violation types.
- C. Annually, the Traffic Unit will submit a comprehensive report to the Chief. This report will summarize departmental efforts in promoting traffic safety and may include data on enforcement, crashes, traffic studies, and educational programs.

VII. Selective Traffic Enforcement

- A. Selective traffic enforcement may be conducted based on traffic/crash analyses, citizen complaints, and other sources in which enforcement needs are identified.**

- B. Traffic enforcement requests should be documented on the Traffic Enforcement Request form which identifies specific information regarding traffic complaints. This form will then be forwarded to other department personnel, as needed, to increase awareness and/or request specific enforcement action. Upon completion, the Traffic Unit will maintain the request on file.



Problem Identification

Local Issue: School Zone Safety

The James City County Police Department's Traffic Unit understands that there will always be traffic complaints, especially in sensitive areas such as school zones and neighborhoods, but also it is very important to the safety of the citizens that repetitive complaints receive extra attention and an in-depth look. A common complaint that is received by the Traffic Unit is that of issues involving school zones throughout the county. More often than not, the speed of vehicles traveling in active school zones is the basis of the complaint.

When the Traffic Unit receives a traffic complaint, an assigned officer confirms that there is an issue that needs to be addressed, and then takes a variety of measures to address the complaint. If the unit recognizes that a complaint is continuously being received and confirmed, additional efforts will be taken. In the instance of school zone safety, repetitive complaints could show that there are multiple factors contributing toward the issues, as well as multiple safety reasons to commit to an extended campaign.

The James City County Police Department constantly engages in programs and activities that are directed toward the education and safety of young citizens. School zone safety is a direct tie to the safety of young citizens. Parents and buses that are transporting the children into the school grounds rely on the reduced speed limit to feel comfortable traveling in and out of traffic. New drivers that are traveling to and from the schools are aided by the reduced speed limit as they continue to learn. Pedestrians also count on school zones to be effective so they may safely walk and cross roadways, especially when escorting small children. Having unsafe school zones not only present a danger to those traveling in the zones, but also teach young and

impressionable drivers to ignore regulatory signs, leaving a lasting impression and bad habit.

The Traffic Unit could confirm that there was constant speeding through school zones throughout the county, during both morning and afternoon. Complaints that were received were supported by the unit's observations and enforcement actions. There was a problem, safety in school zones was greatly reduced due to vehicles speeding and not abiding by the school zone speed limit while the area was active.

The Traffic Unit now needed to figure out how to address the issue in order to work toward a solution.





Policy

Written policy and directives of the James City County Police Department, specifically PPO 414 “Traffic Law Enforcement”, identify traffic enforcement as a vital part of maintaining a safe community, with the intent to “*alter the violator's future driving habits and gain voluntary compliance with traffic laws and regulations in an effort to maintain safe travel on the highways of James City County*”. The concept of voluntary compliance was what the Traffic Unit wanted to achieve when addressing school zone safety.

School zone speed limits are set lower than the normal posted speed limit due to the increased traffic in an out of an area during specific times; and included in that traffic may be new drivers, drivers being cautious with children on board and pedestrians in the area. This increased traffic creates a concern for likelihood of crashes and injury. PPO 414 addresses the fact that speed is a major contributor to injury and death, and that correcting this issue through compliance and enforcement will save lives.

XI. Speed Enforcement

- A. Excessive speed is the second greatest cause of death and injury on the American highways. It shall be a priority of the James City County Police Department to enforce speeding violations in an effort to reduce crashes, prevent injuries and save lives.

The Traffic Unit was aware that there may be factors beyond a driver being simply unwilling to follow the posted school zone speed limits that may cause them to speed and create dangers in school zones. In order to find out what these issues were, the unit would have to utilize different techniques and tools to see what is occurring. Part of the enforcement phase would use both marked and unmarked vehicles in order to create a presence driven awareness and compliance with marked vehicles, as well as an increased ability to catch a violator in action with unmarked vehicles. PPO 414 touches on use of covert and overt techniques for traffic issues.

B. Stationary Enforcement or Observations

1. Covert or overt techniques may be used to make observations about the flow of traffic at a particular location.
2. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve to remind passing motorists of the need for compliance with traffic laws.
3. Covert Enforcement which requires the use of a concealed location is less well accepted by the motoring public, but may at times be the only way to tackle a particular problem.



Planning

Since the solution to the problem of school zone safety could not be corrected by simply putting a marked vehicle in the active zones, or issuing numerous summonses, a multi-step plan needed to be developed to address the issue. The Traffic Unit developed **Operation Lunch Pail**, a 7-step approach that used data collection and analysis, enforcement media releases and VDOT involvement.

The **first step** in Operation Lunch Pail was to choose which school zones would be used for the operation. James City County has a diverse environment when it comes to population layout. Some areas of the county are spread out and much more rural than other areas, which are either condensed residential or a mixture of residential and commercial. The county continues to grow and expand the population into the more rural areas, so the unit wanted to choose school zones that had different elements. Two school zones were chosen:

- *Norge Elementary School*, located near the upper rural end of James City County on Richmond Road. This school zone was chosen because it was located along a major highway and thoroughfare of the county. The entrance/exit to the school is controlled by a traffic light that is located in the middle of the school zone. There are also sidewalks on the school side of the highway, facilitating easier pedestrian traffic to and from the school.
- *D.J. Montague Elementary School*, located in the middle of James City County on Centerville Road. This school zone was chosen because it was located along a secondary roadway, but one that still has a moderate amount of traffic to give more accurate speed samples. There are no sidewalks for pedestrian traffic to and from the school, and there is no traffic lights or other signs and signals to aide entrance to the school and only a stop sign for traffic exiting the school.

After the schools were chosen, the Traffic Unit moved to **step two**, collecting speed data from both locations. Utilizing the unit's Jamar Technologies RADAR Recorder, speeds were recorded for both morning and afternoon school zone travel, with no change in normal police presence. After a week of speed collection at each school zone, Traffic Unit officers analyzed the data and found that each school had vehicles traveling an average speed of 35mph through the school zones, which are posted as a 25mph speed limit while active. An average speed of 10mph over the school zone safety speed limit meant that the complaints from citizens were again confirmed. The Traffic Unit now had a baseline to compare their upcoming results.

Step three would be a hands-on approach in the school zones. This step would be centered on enforcement and presence. The Traffic Unit, made up of three officers and a sergeant, scheduled to have enforcement and presence three days of the week, during both of the active morning and afternoon school zones. The presence of both unmarked and marked police vehicles would address the drivers that solely needed to see law enforcement as a reminder to comply with the speed limit. Officers would take enforcement actions for drivers that were exceeding the speed limit through the school zone. It would be left up to each officer's discretion whether the stopped violator would be issued any summonses. More on how the enforcement step transpired will be discussed later.

Step four, which ran simultaneously with steps two and three, involved media releases as reminders about school zone speed limits, and notifying citizens that officers would be increasing school zone speed enforcement. This step will be discussed more in an upcoming section.

After media releases had been put out for a length of time and the enforcement phase had ended, the Traffic Unit needed to collect speed data, and share observation notes to see what impressions their efforts had made; **step five**. Speed data was collected in the same manner as it was in step 2. The collected speeds were then analyzed and compared to previous data.

Step six saw the inclusion of the Virginia Department of Transportation, and sharing of the unit's efforts with the local representative. From the interaction with VDOT in step six, the **final step (seven)** would be an ongoing process to improve school zone safety with the collaboration of the Williamsburg/James City County Schools, VDOT and the James City County Police Department. Both steps six and seven will be discussed in the "Outcome" section.



State / Local Issue

Training

The James City County Police Department's Traffic Unit conducted Operation Lunch Pail, which encompassed skills in traffic enforcement, speed measurement and specialized equipment. Each officer in the Traffic Unit has no fewer than nine years of experience as a law enforcement officer, and has demonstrated a passion for traffic enforcement and traffic related activities.

Specialized Equipment – The Traffic Unit has procured equipment that is necessary and applicable to the specific and specialized assignments they are given. For Operation Lunch Pail, speed data needed to be collected, and this data needed to be accurate. Each officer in the Traffic Unit received training on the setup and operation of the Jamar Technologies RADAR Recorder, which was the equipment used during this operation to record speeds in steps two and five. After the speed data is collected, the officers must then be familiar with the computer software in order to translate the speed data into useable numbers.



Speed Measurement – Officers of the Traffic Unit have received their certification as RADAR operators, and have maintained this certification through continuing training and testing. Along with RADAR as a speed measurement tool, Traffic Unit officers have received their certification as LIDAR operators and maintained this certification through continuing training and testing. The unit also has one officer that is a DCJS certified Speed Measurement instructor (RADAR and LIDAR). In order to enforcement school zone speed limits, the Traffic Unit officers need this speed measurement training and the knowledge of how to use it. Each officer is trained on and utilizes the Kustom Signals Directional Golden Eagle II RADAR unit, and the Kustom Signals ProLaser III and ProLaser IV LIDAR units.



Before beginning the enforcement step for Operation Lunch Pail, Traffic Unit officers discussed their plan of action for the two locations. Their knowledge of the layout of the chosen school zones, necessary evidentiary elements of school zone speeding offenses as well as their training and experience in traffic enforcement, all would aide them in a more successful enforcement phase. The officers discussed effective areas to place vehicles for line-of-sight, where marked vehicles should be and reviewed the active school zone times.





State / Local Issue

Public Information & Education

The James City County Police Department’s Traffic Unit considers school zone safety an important topic. As in other traffic related issue that the unit addresses, the unit wanted to be sure to involve the community during Operation Lunch Pail. The main goal of Operation Lunch Pail was to improve school zone safety. Safer school zones meant that the children being transported in vehicles, riding bicycles, walking and otherwise traveling to and from schools would have a safer environment to do so. Reducing injury and loss of life on the roadways of the county.

Awareness, deterrence and enforcement are three common tactics used in traffic campaigns. The Traffic Unit wished to employ all three of these tactics in order to sway travelers in the county toward compliance. Media relations were contacted, and the Traffic Unit requested that reminders about school zone speeds be posted. The enforcement phase of this operation began, but the media released continued to roll out. These releases not only reminded citizens to be aware of their speed while in active school zones, but let them know about the results of the first speed study conducted for the operation. Also, the releases alerted citizens that police had increased presence and enforcement in school zones, listing the number of summonses that had been issued so far in the campaign. This use of social and news media was not only intended to increase awareness, but to be used as an element of deterrence.

As the enforcement phase began, the Traffic Unit included a marked vehicle to continue a push of deterrence. If a motorist’s behavior can be corrected by a reminder from deterrence through presence, the overall goal is achieved. Enforcement was used to attempt to gain compliance from those motorists that were not swayed by the presence of the regulatory signs, a marked vehicle and media releases. Even though involving and educating the public through citations is the last method the unit wanted to use, it was still recognized as an effective tool, and one that may gain overall compliance.

Throughout the year, the James City County Police Department has involved the public in speed related education. The Community Services Unit hosts a Citizen’s Police Academy multiple times a year, during which speed enforcement, motor vehicle safety and serious/fatal crashes are discussed. The department hosts an Open House (*pictured right, 2016*), which utilizes static displays of assets, units and programs throughout the department, including the Traffic Unit and its functions. Operation Lunch Pail originated due to citizen complaints. Though citizens complaining to the department may not seem preferable, the Traffic Unit uses each complaint to listen to the concerns of the citizens, offer advice and be involved and visible in the community.





Enforcement

The enforcement phase, step three, of Operation Lunch Pail spanned four weeks over two months, October 17 – November 7, 2016. The Traffic Unit chose to conduct enforcement at Norge Elementary School and DJ Montague Elementary School at a minimum of three days of each week. The unit did not schedule full enforcement participation for every day of all four weeks in order to avoid drawing public criticism toward a campaign that was based on safety. Because of the staggered school start times, officers were able to conduct enforcement at both school zones during each of the morning and afternoon activation times. Patrol officers were encouraged to conduct enforcement in the DJ Montague and Norge school zones with Traffic Unit officers and on their own in any school zone.



Each time officers went to a school zone to conduct enforcement, they would start by waiting for the school zone lights to turn on. Once the lights were on, the school zone was active and the 25mph school zone speed limit regulatory signs were in effect. Officers would travel the school zone, witnessing themselves that the lights on each end were on and visible. They would also be making sure that the lights were active during the properly scheduled time and nothing was obstructing the roadway or the signs. All of these observations were necessary for court testimony and proper enforcement.

Officers then set up in covert and overt areas to conduct RADAR and LIDAR. Throughout this step, both marked and unmarked vehicles were placed so that they could be seen by traffic going into the school zone and traffic already in the school zone. This was done to promote compliance through visibility. At times, officers were even outside of their vehicles in full uniform and visible. Any vehicle that was observed traveling at an unsafe speed over the school zone speed limit was stopped and addressed by an officer. At the end of the enforcement period, between the four Traffic Unit officers a total of 82 summonses were issued, as well as a number of warnings.

The enforcement step was not only used as a way to be visible in school zones and issue summonses, but also as a time to make contact with citizens and hear why they were exceeding the school zone speed. Traffic Unit officers made sure that they spoke with the drivers that were stopped, and explaining why they had been stopped and why school zone safety was important. During this contact they would make note of important factors brought out in the conversation. As an example, at the DJ Montague school zone, a common reason for drivers that were speeding northbound was that they could not tell if the sign lights were flashing, and they couldn't see the sign because of the trees around it. Traffic Unit officers had observed the sign prior to enforcement, and noted that the light lenses were older and faded, but the lights could be seen, and the tree branches did not interfere with the sign. This was also true in the afternoon when drivers stated that the glare prevented them from seeing the lights. Though these reasons were not valid, they were noted for evaluation later in the operation. Other observations and reasons will be discussed in the "Outcomes" section.



State / Local Issue

Outcomes

The goal of Operation Lunch Pail was to work toward safer school zones. The Traffic Unit addressed this after receiving multiple citizen complaints about speeding vehicles in school zones, and then experiencing the problem when investigating the complaints. Ascertaining the reasons that vehicles may be speeding and working toward a solution took precedence over only issuing summonses for speeding offenses in the school zones.

The Traffic Unit developed and conducted a seven-step operational plan to address the issue. After choosing school zones and conducting an initial speed study in the chosen zones, the unit made media releases to keep the public informed of the ongoing enforcement and remind them of school zone speeds. Enforcement occurred over a four-week period and resulted in Traffic Unit officers issuing 82 summonses.

In step five, a post-engagement speed study was conducted at both school zones, using the same positions for the RADAR recorder as during the initial speed study. Traffic Unit officers found that the average speed in the Norge Elementary school zone has increased from 35mph to 36mph, and the average speed in the DJ Montague school zone had increased from 35mph to 42mph. Of course the Traffic Unit was expecting a decrease in average speed in both locations to show that their efforts had made an impact. But the increase in speed did not mean that their efforts were without a positive result.

Step six was a meeting with the Williamsburg/James City County schools and local VDOT representative. During the meeting, the unit discussed what measures had been taken to address school zone safety, and how the post-engagement speed study showed that there were no positive changes in speed. The Traffic Unit then shared their observations of the school zones and what information was gathered from citizens that they came into contact with.

Some of the information gathered from citizens:

- Drivers said they couldn't see lights because they were dim
- Drivers said they couldn't see signs because of foliage overgrowth
- Drivers said they were confused because other school zones were already over
- Drivers admitted they were in a rush or not paying attention
- Drivers said they thought they were already out of the school zone
- Drivers said they could not tell if the lights were on because of the glare

Some observations made by officers about school zones:

- Drivers would not slow down even when officers were very visible
- Signs may not 'stick out' from all the other signage and roadside objects
- Drivers came from a neighborhood or road inside the school zone and did not pass a regulatory sign
- Old and outdated signs and lights needed to be upgraded for better visibility
- Though no signs were covered, and no foliage was an obstruction, it could be cut back
- Glare in the morning and afternoon made it hard to see the lights, covers were needed above the lights





State / Local Issue

Outcome

After sharing this information with the VDOT and WJCC schools representatives, the Traffic Unit assured them that the school zone signs were visible and the lights were working and could be seen at all times. Drivers not complying with the school zone speed limit was most likely due to inattention or disregard. Even with this being the case, the police department, schools and VDOT had an obligation to explore steps they could take aid the community; safety was the goal and the bottom line.

Step seven is now in effect, an on-going effort to improve school zone safety with the collaboration of the Williamsburg/James City County Schools, VDOT and the James City County Police Department. VDOT confirmed that a sign for the DJ Montague school zone needed to be replaced due to its age and wear. They also agreed that better maintenance of foliage around school zone signs would aid with visibility and would address the issue. The representative shared that the school zone signs at Norge Elementary would be revamped to bring more attention to them. VDOT and WJCC schools did not stop there. The Traffic Unit was informed that during the upcoming summer break, all school zones in the county would be reevaluated, so necessary improvements could be made to signage (updating, adding, etc.), road markings and the school zones as a whole.

The Traffic Unit may not have been able to lower the speeds of drivers during Operation Lunch Pail, but by using the value of collaboration, the unit was able to start in motion widespread evaluation and improvements to schools zones in the county. The improvements will, without a doubt, aide drivers in recognizing where school zones are, and that they are active. Continued effort from the Traffic Unit will also aid in keeping the public informed of school zone laws, and the safety reasons behind those laws.





POLICY & PROCEDURES

NO.: 414

1 OF 25 PAGES

SUBJECT:
TRAFFIC LAW ENFORCEMENT

DISTRIBUTION: ALL MEMBERS

AMENDS / SUPERSEDES:
REVISED: 3/3/11

APPROVED: *Emmett H. Hammon*

EFFECTIVE DATE: 5/01/1988

VLEPSC STANDARD(S): OPR.07.01, 07.02, 07.03, 07.04, 07.05, 07.06

PURPOSE: To establish procedures for traffic law enforcement, preventative patrol, proactive enforcement and relations with motorists, pedestrians and the courts in an effort to maintain safe travel within James City County.

POLICY: Safe travel within James City County is a priority for the James City County Police Department. In an effort to maintain safe travel, the Police Department has a duty to enforce traffic violations. Traffic law enforcement involves all police activities or operations which relate to observing, detecting and preventing traffic law violations including taking appropriate enforcement action. However, overzealous enforcement, without consideration of the violator's familiarity with the legal requirements or without regard for the circumstances surrounding the violation, causes disrespect for the law and poor relations between the department and the community it serves. The intent of enforcement action should be to favorably alter the violator's future driving habits and gain voluntary compliance with traffic laws and regulations in an effort to maintain safe travel on the highways of James City County. Therefore, traffic enforcement actions (arrests, citations, warnings) by James City County Police Officers will be in proportion with the times, locations and types of violations involved in traffic accidents and problems occurring in this jurisdiction. An Officer's decision on the proper enforcement action to be taken will follow the guidelines set forth in this policy and will also incorporate an Officer's training, experience and common sense.

PROCEDURE/STATEMENT:

I. Types of Enforcement Actions

- A. Warnings: An effective verbal warning, properly given, can often build a positive rapport with the driver and be more effective than any other type of enforcement action. A verbal warning may be issued to a violator whenever:
1. There is a minor traffic infraction committed in those areas where traffic accident occurrences are minimal; or
 2. When the act may be due to ignorance of a local ordinance which may be a violation unique to this area.

B. Citation: A Virginia Uniform Summons (VUS) should be issued to a violator who violates traffic laws, jeopardizes the safe and efficient flow of vehicular and pedestrian traffic or transports occupants unsafely within a vehicle, including:

1. Violations of traffic laws
2. Hazardous moving violations.
3. Violations of Occupant Protection Laws. (Seatbelts and/or Child Safety Seats)
4. Operating unsafe or improperly equipped vehicles.

C. Physical Arrest: Officers will make physical arrests of traffic law violators in compliance with Virginia Code Section 46.2-940, including the following circumstances:

1. Violators of traffic laws pertaining to Driving Under the Influence of Alcohol or Other Intoxicants.
2. Whenever a felony has been committed involving a vehicle.
3. Whenever the operator refuses to sign the promise to appear on the traffic summons.
4. Whenever the officer has reason to believe that the person will not comply with the summons if issued.

II. Special Categories of Violators

A. Nonresidents

Officers should consider the use of verbal warnings for nonresidents, from outside the Williamsburg/James City County area, who while passing through the County, commits a minor non-hazardous violation.

B. Juveniles

Officers should consider verbal warnings for juveniles who commit minor, non-hazardous violations. Note: Warnings, if given, may include contact with the parents. Failure to wear seatbelts is considered a hazardous violation for young drivers and appropriate enforcement action should be considered.

C. Foreign Diplomats and Consular Officials (See PPO# 704 Offenses Involving Foreign Diplomats)

1. Issue a verbal warning unless there is a serious violation of the law.
2. Under Federal Statutes, Foreign Diplomats and Consular Officials are not liable to arrest or detention prior to trial unless for commission of a felony.
3. Notify the U. S. State Department or the U. S. Magistrate if such individuals are arrested or detained.

4. The current directed patrol emphasis

5. Other related information

D. Equipment Violations

With only annual inspections now required of vehicles, consider the issuance of a summons for any essential equipment defects.

E. Public Carriers/Commercial Vehicle Violations

1. Consider the congestion of the area and carrier needs for delivery access.

2. Flagrant, repeat and dangerous violations should be cited.

3. Consider if the hazardous material/commercial carrier violations are violations of VA. Code 46.2-341.

F. Multiple Violations

1. Consideration should be given to citing on the most serious charge and issuing verbal warnings on all others.

2. Cite on all charges, however, if necessary.

G. Other Non-hazardous Violations

Consider issuing a verbal warning unless violations are flagrant and/or repetitive.

H. Newly Enacted Laws and/or Regulations

1. Normally a grace period is established during which only verbal warnings are issued.

2. Thereafter, the officer should consider the above-listed guidelines which apply and use discretion.

I. Driving Under the Influence

See Section XII of this policy.

V. Traffic Law Enforcement Practices

A. Moving Enforcement or Observations

1. Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties.

2. Area patrol involves traffic enforcement within the officer's assigned area of responsibility (Zone).
3. Line Patrol involves traffic enforcement along and concentrating on a particular section of roadway (Example: Richmond Road from the intersection with Centerville Road to the Williamsburg/James City County line).
4. Directed Patrol instructions can specify enforcement efforts in an area, on a line patrol, or at a specific location, depending on the nature of the hazard/violation being concentrated on.
5. Specialized Enforcement Waves that focus on Speed, Occupant Protection, and DUI/DUID (Impaired Driving). Examples: "Checkpoint Strikeforce" and "Click-it or Ticket"

B. Stationary Enforcement or Observations

1. Covert or overt techniques may be used to make observations about the flow of traffic at a particular location.
2. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve to remind passing motorists of the need for compliance with traffic laws.
3. Covert Enforcement which requires the use of a concealed location is less well accepted by the motoring public, but may at times be the only way to tackle a particular problem.
4. Although this department seldom uses unmarked vehicles for the specific purpose of traffic enforcement, there are occasions when a citizen may be stopped by an officer driving an unmarked car.
 - a. Investigations, administration, some shift supervisors, and selected patrol officer all use unmarked vehicles and may find it necessary to make traffic stops.
 - b. Due to vehicle availability, when marked units are receiving necessary repairs, a patrol officer may use an unmarked vehicle for his regular tour of duty.
 - c. An unmarked vehicle may be assigned to an officer as part of a directed patrol program when it is decided that this is the best means for dealing with an identified traffic problem.
5. In any case, when an unmarked vehicle is used to make vehicle stops for the purpose of traffic law enforcement, the unmarked vehicle will be equipped with emergency lights and a siren. (See PPO# 413, Police Vehicles: Equipment, Use and Maintenance.)
6. Officers conducting stationary enforcement/observations will park their patrol vehicles off of the hard surface (paved / concrete) portion of the highway intended for vehicle travel. Paved crossovers are considered travel lanes. An exception to this restriction is in a residential 25 MPH neighborhood. Officers may sit on the hard surface and in the travel

lane within a residential 25 MPH neighborhood to conduct stationary RADAR, other traffic enforcement or observations. However, the officer will park as far to the right as possible.

VI. Traffic Stop Objectives

- A. There are two major objectives of a traffic stop:
 - 1. Immediate objective: to take appropriate enforcement action.
 - 2. Ultimate objective: to favorably alter the violator's future driving behavior.
- B. The attainment of these two objectives:
 - 1. Requires a thorough understanding of human relations.
 - 2. Demands flexibility on the part of the officer.
 - 3. Depends upon the officer's ability to evaluate.
 - a. the violator's mental outlook
 - b. physical condition
 - c. facts concerning the violation
- C. Uniform enforcement procedures and practices should minimize any conflict which may develop between the officer and the violator and assist in achieving the two major objectives of the traffic stop.

VII. Stopping the Traffic Law Violator (Also see PPO #425 Biased-Based Policing)

- A. The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator and other users of the highway. These procedures are to be followed when possible, and are presented from the perspective that the ideal conditions exist.
- B. Varying conditions regarding the engineering of the particular portion of roadway, the urgency to stop the violator (DUI), and the existing volume of traffic may require adjusting or altering the recommended procedure.
- C. Vehicle Stop Procedures
 - 1. The overtaking of the traffic violator has ended when the officer has positioned himself behind the violator to begin the stopping procedure.
 - 2. At this point, the officer should notify Dispatch of the intended traffic stop, the license number and location of the vehicle to be stopped, and the reason for the stop.

XI. Speed Enforcement

- A. Excessive speed is the second greatest cause of death and injury on the American highways. It shall be a priority of the James City County Police Department to enforce speeding violations in an effort to reduce crashes, prevent injuries and save lives.**
- B. Uniform methods of enforcement of speed laws in James City County should be applied by all officers.**
- C. Procedures for the enforcement of laws applying to speed will vary in accordance with the type of equipment used.**
 - 1. Pacing**
 - a. The officer should follow the vehicle being paced at a constant interval for an adequate distance, at least one- quarter of a mile, to obtain a reading on the speedometer indicating a speed exceeding that posted.**
 - b. All speedometers must be calibrated at least every six months and calibration sheets filed in the calibration book located at the courthouse.**
 - 2. Radar**
 - a. Radar is not to be utilized for "filler" or "slack" officer time, but should be planned and utilized where vehicle speed is excessive or of hazard to other motorists or pedestrians.**
 - b. All departmental radar units meet current NHTSA standards. Generally, the following procedures are applicable to the operation of radar units:**
 - (1) Radar units will always be operated in compliance with manufacturer's instructions.**
 - (2) The radar unit will be properly installed in the vehicle and connected to the appropriate power supply.**
 - (3) The effective range of the particular radar unit must be thoroughly understood by the operator, so visual observations can support the target speed readings.**
 - (4) The operator must choose an appropriate location in accordance with directions of his commanding officer relative to traffic accident experience in which speed has been identified as a factor. The location must also be conducive to the effective and safe operation of radar.**
 - (5) The radar unit will be properly calibrated to assure accuracy in checking speed.**
 - a. The operator must follow the manufacturer's recommended, specific methods of checking calibration without exception.**

- b. Any problems with the operation of the radar units or apparent malfunction should be promptly reported to their supervisor and forwarded to the Traffic Unit for repairs.
- (6) The following elements must be established in court by the officer when radar speed charges are placed:
- a. The time, place, and location of the vehicle that was checked, the identity of the operator, the speed of the vehicle, the visual and radar speed.
 - b. Officer qualifications and training in the use of radar.
 - c. The radar unit was operated along manufacturer established guidelines.
 - d. The unit was tested for accuracy prior to and after use, utilizing an approved method.
 - e. Identify the vehicle and should have made a visual observation of its apparent speed.
 - f. Speed limit in the zone in which the officer was operating and where such signs were posted.
- D. Radar training is given to all officers during the Field Training Program and by certified in-house instructors. Officers, in court testimony, should be able to cite/display training received or certificate issued.
- E. The Traffic Unit is responsible for ensuring that:
- 1. Radar units receive proper care and upkeep;
 - 2. All required maintenance and calibration of radar units is performed;
 - 3. Records are kept; and
 - 4. Appropriate certificates are on file in the calibration book at the courthouse.

XII. DUI Enforcement

A. General

1. Drunk driving kills and injures thousands of people every year. Driving under the influence of intoxicants is an offense generally associated with leisure-time activity. Consequently, most arrests are made during the evening hours or in the early morning hours after taverns



POLICY & PROCEDURES	NO.: 420	1 OF 4 PAGES
SUBJECT: TRAFFIC UNIT	DISTRIBUTION: DEPT. MANUAL	
APPROVED: Chief Rinehimer (Signed Copy on File)	AMENDS / SUPERSEDES: REVISED: 03/06/2015	
	EFFECTIVE DATE: 07/10/2002	

VLEPSC STANDARD(S): ADM.25.09

PURPOSE: To outline the responsibilities of the James City County Police Department's Traffic Unit. This policy will assign duties and establish the methods by which traffic data will be collected, analyzed, and made available to the users in support of department operations.

POLICY: The goal of the Traffic Unit is to reduce the number of motor vehicle accidents in James City County by having valid crash and enforcement data available to provide department personnel, VDOT and other highway safety-related groups. This information may be used to identify needed crash prevention efforts and programs. The Records Management System shall contain information on all reportable accidents investigated by the department beginning January 2001. **The Traffic Unit will support the department's traffic activities through data collection and analysis, review of traffic enforcement policy and procedures, traffic enforcement measures, program planning, maintenance and calibration of equipment, and traffic enforcement.**

PROCEDURE/STATEMENT:

I. General

- A. The goal of Traffic Unit is to contribute to the department's mission of promoting safe and efficient movement of vehicles and pedestrians in James City County.
- B. While it is the primary function of the Operations Division and Traffic Unit, all personnel of this department have responsibilities for the traffic function and its support. See also Traffic Law Enforcement, PPO# 414.
- C. The Operations Division Commander, acting through the Patrol Shift Supervisors and the Traffic Unit, is responsible for planning, inspection and coordination of the department's traffic activities. Departmental traffic activities include, but are not limited to:
 - 1. Accident investigation;
 - 2. Operation of speed measuring devices;
 - 3. Operation of breath test equipment;
 - 4. Parking/congestion control;
 - 5. Traffic direction and control for special events; and
 - 6. Traffic safety education.

- D. The Operations Division Commander, in conjunction with the Traffic Unit, will prepare departmental goals and objectives in reference to traffic activities based upon data and analysis provided by the Traffic Unit in an effort to promote a proactive traffic enforcement response.
- II. Traffic Unit Structure
- A. The unit will consist of a Sergeant and additional officers with the following minimum qualifications:
 - 1. State Certified Instructor;
 - 2. Demonstrated interest and efforts related to traffic enforcement; and
 - 3. Ability to use a computer to compile reports and enter data.
 - B. Members of the Highway Safety Task Force and Fatal/Serious Crash Team report to the Traffic Unit supervisor.
 - C. The Traffic Unit supervisor will report directly to the Operations Division Commander.

III. Responsibilities of Traffic Unit

- A. Enforcement of county and state laws.
- B. Provide training to department personnel in speed enforcement, occupant protection, DUI enforcement and other issues related to traffic enforcement.
- C. Maintenance of radar units and preliminary breath testing devices.
- D. Check calibration of tuning forks and police vehicles speedometers.
- E. Perform traffic analysis and/or coordinate selective enforcement activities based on traffic complaints or ongoing traffic problems.
- F. Serve as liaison with VDOT to identify:
 - 1. Locations requiring traffic control; and
 - 2. Locations requiring parking control or "No Parking" signs.
- G. Serve as liaison with state and local traffic safety groups.
- H. Procure and distribute traffic safety educational material to the public.
- I. Work with the Grants Administrator in preparing applications for grant funding and provide statistics and other data for any required reports showing how grant funds are utilized.
- J. Respond to and investigate traffic crashes when available.
- K. Other duties and reports as assigned.

IV. Records Management System (RMS)

The Records Management System includes the following:

- A. Electronic files of all accident reports, reflecting the results of crash investigations; and
- B. Electronic files of all Virginia Uniform Summonses issued for traffic infractions, violations, locations, and arrests. The Records Clerk will obtain dispositions from DMV as needed.

V. Traffic Crash/Enforcement Data

- A. The Commonwealth of Virginia Department of Motor Vehicles Police Crash Report (FR-300P) shall serve as the primary source for the collection of data concerning motor vehicle crashes within the county.
- B. The Computer Aided Dispatch (CAD) System, RMS, and Monthly Productivity Reports may serve as resources for data collection related to traffic enforcement.

VI. Data Analysis

- A. The responsibility for the analysis of traffic data shall be that of the Traffic Unit. Analytical Traffic Reports will be maintained for a period of ten years.
- B. Semi-annually, the Traffic Unit will submit a Traffic Data Analysis Report to the Chief. This report will analyze crash data and make suggestions for enforcement actions in an effort to reduce crashes. This report will contain the following:
 - 1. Suggestions on geographic assignment of personnel and equipment.
 - 2. Suggestions on the establishment of preventative patrols to address unlawful and unsafe driving behaviors.
 - 3. The following accident characteristics will be analyzed for the semiannual report: total crashes by time of day, day of week, location, and causation factors.
 - 4. Analysis of enforcement activities will be based on available summons data. This analysis will compare the enforcement practices with crash patterns. The following will be compared: time of day, day of week, location and violation types.
- C. Annually, the Traffic Unit will submit a comprehensive report to the Chief. This report will summarize departmental efforts in promoting traffic safety and may include data on enforcement, crashes, traffic studies, and educational programs.

VII. Selective Traffic Enforcement

- A. Selective traffic enforcement may be conducted based on traffic/crash analyses, citizen complaints, and other sources in which enforcement needs are identified.**

- B. Traffic enforcement requests should be documented on the Traffic Enforcement Request form which identifies specific information regarding traffic complaints. This form will then be forwarded to other department personnel, as needed, to increase awareness and/or request specific enforcement action. Upon completion, the Traffic Unit will maintain the request on file.