



## 2017 VIRGINIA LAW ENFORCEMENT CHALLENGE APPLICATION

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

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

Agency (as it would appear on an award): Montgomery County Sheriff's Office

Agency Category: Sheriff's Offices

Total Number of Sworn Personnel: 116 Total Number of Uniformed Officers on the Street: 36

Submitter(s) (main point of contact for application): Lt. Mark Hollandsworth

Department: Montgomery County Sheriff's Office

Address: 1 East Main Street City: Christiansburg State: VA Zip: 24073

Submitter Phone: 5403826915 ext#44403 Submitter Email: hollandsworthme@montgomerycountyva.gov

Department Head: Sheriff Charles H. Partin Email: partinch@montgomerycountyva.gov

### APPLICATION ATTACHMENTS PACKET

#### CHECKLIST

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

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

### SPECIAL AWARD CONSIDERATIONS

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

*\*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: **1491**
2. Total roadway crashes in 2015: **1744**
3. Total roadway crashes in 2016: **\*1568 (preliminary data)**
4. Total fatal crashes in 2014: **4**
5. Total fatal crashes in 2015: **6**
6. Total fatal crashes in 2016: **\*5 (preliminary data)**
7. Total injury crashes in 2014: **500**
8. Total injury crashes in 2015: **597**
9. Total injury crashes in 2016: **\*613 (preliminary data)**

### 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 **X** no \_\_\_\_\_
2. Number of officers who received training in 2016 in impaired driving: **23**
3. This agency participates in officer recognition programs for impaired driving detection and apprehension:  
yes **X** no \_\_\_\_\_
4. Number of Impaired Driving Arrests in 2014: **121**
5. Number of Impaired Driving Arrests in 2015: **103**
6. Number of Impaired Driving Arrests in 2016: **79**
7. Total number of fatal and injury crashes related to Impaired Driving in 2016: **\*53 (preliminary data)**
8. Percentage of fatal and injury crashes related to Impaired Driving in 2016: **3.4%**
9. This agency is allowed to conduct Impaired Driving Checkpoints: yes **X** no \_\_\_\_\_
10. Number of Special Enforcement Efforts in 2016 for Impaired Driving (saturation patrols, checkpoints, etc.): **42**
11. Output Statistics: How many DUI citations were issued in target areas?: **7**
12. Output Statistics: How many DUI citations were issued during the target times?: **7**
13. Output Statistics: How many contacts were made? (total): **1307**
14. Output Statistics: How many contacts in target areas?: **1307**

## 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: **87.9%**
5. Your jurisdiction's safety belt use percentage rate at the beginning of 2016: **81%**
6. Your jurisdiction's safety belt use percentage rate at the end of 2016: **81%**
7. Number of officers who received training in 2016 in occupant protection: **2**
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: **28**
10. Number of Seat Belt Citations in 2015: **47**
11. Number of Seat Belt Citations in 2016: **22**
12. Number of Child Seat Citations in 2014: **11**
13. Number of Child Seat Citations in 2015: **6**
14. Number of Child Seat Citations in 2016: **3**
15. Number of Special Enforcement Efforts in 2016 for Occupant Protection: **35**
16. Output Statistics: How many citations were issued in target areas?: **72**
17. Output Statistics: How many citations were issued during the target times?: **72**
18. Output Statistics: How many contacts were made? (total): **188**
19. Output Statistics: How many contacts were made in target areas?: **188**

## 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: **49**
3. This agency participates in officer recognition programs for speed detection and apprehension: yes  no
4. Number of Speeding Citations in 2014: **843**
5. Number of Speeding Citations in 2015: **546**
6. Number of Speeding Citations in 2016: **178**
7. Total number of 2016 fatal and injury crashes related to speed: **121\*(preliminary data)**
8. Percentage of 2016 fatal and injury crashes related to speed: **7.7%**
9. Number of Special Enforcement Efforts in 2016 for Speed: **80**
10. Output Statistics: How many citations were issued in target areas?: **227**
11. Output Statistics: How many citations were issued during the target times?: **227**
12. Output Statistics: How many contacts were made? (total): **328**
13. Output Statistics: How many contacts were made in target areas?: **328**

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



# MONTGOMERY COUNTY SHERIFF'S OFFICE

An Accredited Agency

C.H. "Hank" Partin, Sheriff



## IMPAIRED DRIVING

The Montgomery County Sheriff's Office is a full service agency, providing law enforcement, civil service, courthouse security, jail operations, and specialized teams. Our county spans 392 square miles, including the Town of Christiansburg and the Town of Blacksburg, where high concentrations of people reside. Those areas outside the corporate town limits are generally considered more rural and less densely populated. According to the 2016 census, approximately 98,602 people reside in our county, with estimates showing us breaking the 100,000 mark in the next three years.

There are several major roads which dissect the county including: Interstate 81, US Routes 11 and 460, major State Routes 8, 114, and 177, along with multiple other state routes connecting us to our surrounding neighbors.

### PROBLEM IDENTIFICATION:

The Montgomery County Sheriff's Office currently has 36 deputies assigned to our patrol division, with traffic enforcement being one of their many responsibilities. Our Sheriff's Office is committed to protecting the public from impaired drivers who may do harm to those around them. Our agency conducts DMV grant based selective enforcement which provides additional people to conduct patrols looking specifically for impaired drivers. These campaigns generally coincide with national campaigns such as 'Drive Sober or Get Pulled Over' and 'Operation Strike Force' just to name a few. Additionally, we also focus around holidays, which statistically have shown higher impaired drivers on the roads.

To: All Patrol Deputies  
 From: Lt. Hollandsworth  
 Date: December 1, 2016  
 Ref: Paid Overtime - Selective Enforcement Alcohol Grant M6OT-2017-57074-6723

Over time for selective enforcement with a primary focus on alcohol violations during the Drive Sober or Get Pulled Over campaign. The pay rate is time and a half.

DMV HSO requires enforcement to be conducted in data-driven locations: Peppers Ferry Rd, Lusters Gate Rd, Ellet Rd, Prices Fork Rd, Radford Rd, Riner Rd, and Rt. 460 during the specific time frame listed below. Zero tolerance is encouraged by the Highway Safety Office.

December 15, 2016, 2100-0200: Brown ✓

December 16, 2016, 2100-0200: Chip Shradel 25

December 17, 2016, 2100-0200: Brown ✓

December 21, 2016, 2100-0200: ~~Combs 31~~ DR Williams 59 ✓

December 22, 2016, 2100-0200: Combs 31 ✓

December 22, 2016, 2200-0300: ~~Combs 31~~ ~~Thompson~~ Not Worked

December 23, 2016, 2100-0200: Diggs ✓

December 23, 2016, 2200-0300: Combs 31 ✓

December 28, 2016, 2100-0200: Diggs ✓

December 29, 2016, 2100-0200: Thompson ✓

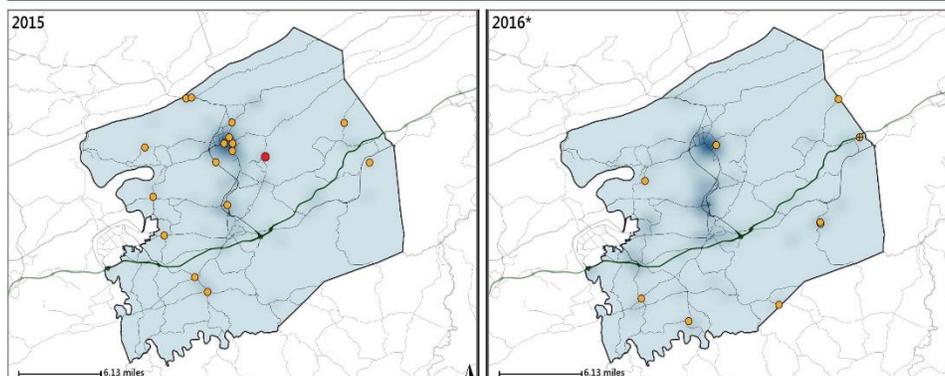
December 29, 2016, 2200-0300: Brown

Most eating establishments which serve alcohol are located in the towns of Christiansburg and Blacksburg, requiring residents who live in the outlying areas of the county to drive to their destination of choice. When they choose to have an alcoholic beverage or if they abuse illegal or prescribed drugs, they become a risk to every resident in their path.

**PLANNING:**

When planning Impaired Driving specialized enforcement, we utilize target areas and times based on statistics provided by the Virginia Highway Safety Office. By utilizing this data, we can concentrate deputies in statistic driven areas where we have seen crashes and injuries related to impaired driving. The below chart shows the last four year’s data involving crashes related to alcohol impairment.

Department of Motor Vehicles Virginia Highway Safety Office				
Roanoke Region	Montgomery County Alcohol Crash Statistics			January, 2017
Available Crash Data - Calendar Year	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016*</b>
All Crashes	1529	1491	1744	1568
Fatal Crashes	9	4	6	5
Serious Injury Crashes	60	66	68	75
All Injury Crashes	478	500	597	613
Alcohol-Related Crashes	99	93	93	85
Alcohol-Related Fatal Crashes	<b>3</b>	<b>2</b>	<b>1</b>	<b>No Alcohol-Related Fatalities</b>
Highest Time Period(s)	Midnight - 2:59am (67%)	Midnight - 2:59am 3:00am - 5:59am (100%)	Midnight - 2:59am (100%)	
Highest Day(s)	Friday - Tuesday (66%)	Saturday (100%)	Saturday (100%)	
Highest Month(s)	April (67%)	October - July (100%)	April (100%)	
Alcohol-Related Serious Injury Crashes	<b>10</b>	<b>12</b>	<b>16</b>	<b>9</b>
Highest Time Period(s)	Midnight - 2:59am 6:00pm - 8:59pm (60%)	Midnight - 2:59am (33%)	Midnight - 2:59am 9:00pm - 11:59pm (62%)	3:00pm - 5:59pm (33%)
Highest Day(s)	Sunday - Saturday (60%)	Sunday (42%)	Sunday (25%)	Saturday (33%)
Highest Month(s)	January - April (40%)	December (25%)	November - July (36%)	September - January (66%)
Alcohol-Related Injury Crashes	<b>45</b>	<b>56</b>	<b>49</b>	<b>44</b>
Highest Time Period(s)	Midnight - 2:59am (36%)	Midnight - 2:59am (32%)	Midnight - 2:59am (31%)	Midnight - 2:59am 9:00pm - 11:59pm (54%)
Highest Day(s)	Saturday (29%)	Saturday (25%)	Saturday (27%)	Saturday (25%)
Highest Month(s)	December (18%)	January (12%)	January (12%)	September (23%)



● Alcohol-Related Fatal Interstate Crashes  
● Alcohol-Related Serious Injury Interstate Crashes  
● Alcohol-Related Serious Injury Non-interstate Crashes  
 The blue gradient represents the density of all alcohol-related crashes.  
 \* This report contains preliminary data.

Not only are the enforcement efforts mobile patrols, but our agency also conducts checkpoints to locate impaired drivers.



### **TRAINING:**

During 2016, there were two deputies who completed the New River Criminal Justice Academy's basic law enforcement class, which included specialized training in impaired driving detection and field sobriety testing. All deputies assigned to our patrol division have had training in impaired driving detection and testing, in addition to select deputies assigned in our civil, warrants, street crimes, and investigations divisions. Additionally, 21 deputies received recertification or in-service in impaired driving and alcohol related training. This agency strives to keep its personnel trained in the newest techniques to make enforcement easier in every facet.

### **PUBLIC INFORMATION AND EDUCATION:**

The Montgomery County Sheriff's Office does countless public events throughout the county to emphasize the importance of reducing impaired driving. These events reach thousands of community members throughout the year. In addition, our DARE program is taught in all of our county elementary schools. This program stresses the importance of good decisions and how one bad decision, such as driving impaired, can impact your entire life. Our DARE instructor brings in judges to talk with the fifth graders to relay stories about people he's seen come through his courtroom.



We are also able to impact our youth at the high school level through several cooperative programs our school resource officers organize with their YOVASO groups. Save Your Tailgate and Arrive Alive are complimented throughout the year with the DUI golf cart program and a mock crash. Students operate the golf cart on a course while wearing our impaired vision goggles.



In addition to our social media outreach through Facebook and Twitter, our SRO's have been using their YOVASO participants to help spread the word. Recently a group of middle school students appeared on a local television station to promote their Arrive Alive campaign.

**ENFORCEMENT:**

In 2016, the Montgomery County Sheriff's Office made 79 impaired driving arrests in the county. Of those arrests, seven were made during selective enforcement in targeted times and locations, funded through DMV grant money. 1307 contacts were made during the grant enforcement activities, which included two checkpoints and 42 saturation patrols.

**OUTCOME:**

We had a successful 2016 with no fatal crashes related to impaired operations and our serious related crashes dropped as well from 16 in 2015 to 9 in 2016. It is my hope that the diligence of our hardworking deputies continues in making positive gains. Emphasis will continue to be placed on impaired operations in Montgomery County in order to drive numbers down further.

The Montgomery County Sheriff's Office is committed to the safety and well-being of our citizens and visitors. As you can see from the below excerpt from our mission statement:

At its core, our mission is to prevent and reduce crime, and through a partnership with our community, create a better quality of life for all citizens.

Our mission includes:

- Effective crime prevention programs
- Proactive school safety initiatives
- Deputies approachable by the public
- Accountable to all citizens

We emphasize partnering with our community and creating a better quality of life, along with being accountable to all citizens. This agency will continually strive to reduce the number of impaired operators, whether alcohol, prescription or illegal drug, in order to make our roads safe. In doing so we will keep the commitment to our citizens and preventing senseless injuries and deaths by persons acting with a reckless disregard for others.

**MONTGOMERY COUNTY SHERIFF'S OFFICE  
IMPAIRED DRIVING POLICY**

The Montgomery County Sheriff's Office does have policy specifically related to the expectations of deputies when coming into contact impaired drivers and related testing to determine impairment.



COMMONWEALTH OF VIRGINIA  
MONTGOMERY COUNTY SHERIFF'S OFFICE  
CHRISTIANSBURG, VA



**GENERAL ORDER NO. 34**

Reviewed: 09/01/2016

**VEHICLE STOPS & TRAFFIC ENFORCEMENT**

Revised: 09/01/2016

**PURPOSE**

The purpose of this order is to establish procedures for stopping and approaching the traffic violator and to provide uniform processes in handling these violations. The primary concern of a deputy engaged in a vehicular stop is safety of the violator, other motorists, and the deputy. Particular care must be taken to assure that the safety of the motorists and passengers are not endangered by any actions of the deputy. This order also defines violator types, traffic violations, and uniform enforcement procedures. *A traffic stop demographic form shall be required to be completed on every vehicle stop and turned in to the Field Operations Captain by the end of the next business day.* The Field Operations Captain will have the Administrative Assistant log the information from the form and then forward it back to the Captain of Field Operations to be filed.

**PROCEDURE**

**1. STOPPING THE VIOLATOR**

The following steps in stopping and approaching vehicles are intended to provide maximum safety for the deputy, the violator and other motorists. Should the deputy have reason or cause to stop a vehicle, planning the stop is important. It is not always possible to select the ideal place to make the stop, and precautions must be taken regardless of the location. Varying conditions regarding the engineering of the highway, the urgency to stop a vehicle, and the existing volume of traffic may dictate adjusting or altering the recommended procedure. *These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exists.*

- A. The deputy shall notify the communications center of the intended location of the stop, the vehicle license number, and the number of occupants in the vehicle.
- B. The deputy should note the license number of the vehicle when possible, and leave same inside the patrol vehicle.
- C. The deputy should be thoroughly familiar with the area, and anticipate the appropriate location to stop the vehicle. Consideration should be given to a location with ample space, and appropriate lighting. The deputy should avoid stops on hills, curves, intersections, private drives, and business locations that have limited parking.
- D. The deputy should signal the violator to stop. This signal should be with emergency lights, hand signals, sounding the horn, or the siren. These signals also alert other drivers of the intent of the deputy and will usually facilitate securing the right-of-way for the stopping maneuver. The use of "wig wag" lights shall be limited to daylight hours.

## **J. PEDESTRIANS/BICYCLE VIOLATIONS**

Any motorist that puts a pedestrian or bicyclist in a dangerous situation should be stopped and appropriate enforcement action taken. Any pedestrian or bicyclist disobeying a traffic law should be advised of the violation and notified of safety procedures. It is left to the deputy's discretion whether to issue a summons or a warning, taking into consideration the circumstances of the event.

## **K. PUBLIC CARRIER/COMMERCIAL VEHICLE VIOLATIONS**

Consider all information when dealing with these violations, such as: congestion of area, dangerousness of offense, lack of parking, special needs for delivery access, etc. Repetitive or negligent violators should be cited.

## **L. MEDICAL REVIEW REQUESTS**

During routine patrol activities, deputies frequently encounter persons whom they suspect of being incompetent, physically or mentally disabled, or having other conditions that might prevent the person from exercising reasonable care over a motor vehicle. In all such cases, in addition to whatever enforcement is taken, the Medical Review Request form should be completed and submitted to the DMV.

## **M. SEATBELT/CHILD SAFETY SEAT VIOLATIONS**

Deputies are trained in the changing laws involving seatbelt and safety seat violations. Consider all information in warning or summoning persons in violation of seat belt or child safety seat laws. If a person is a repeat offender or is putting children in danger, consider summoning the violator.

## **N. DRIVING UNDER THE INFLUENCE**

Various courts have interpreted driving under the influence to mean, "the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages, drugs, or any other self administered intoxicants". It does not imply that the operator of a motor vehicle to be in a state of alcoholic or drug-induced stupor or to be entirely incapable of exercising physical control of his/her vehicle. Driving under the influence 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 the taverns close or when social gatherings end. Although intoxicated drivers may be observed any day, holidays and weekends reflect increases in DUI arrests.

Each deputy shall be familiar with Code of Virginia 18.2-266 through 18.2-269, which relate to driving under the influence. It is unlawful for any person to drive or operate any motor vehicle, engine, or train, while under the influence of alcohol, intoxicants, or narcotic drugs of any nature. The term motor vehicle shall include pedal bicycles with helper motors (mopeds), while operated on the public highways of this State.

## **O. DUI/DUID PROCEDURES**

As soon as a deputy collects reasonable suspicion that a motorist is under the influence, the deputy shall stop the violator as soon as reasonably practicable, (observations should be noted for future reference). In most cases the deputy will see driving impairments in some form, some examples are:

1. Sitting through a green light; or
2. Weaving; or
3. Very slow speed; or
4. Excessive speed; or
5. Disregarding signs or signals; or
6. Wide turns, or
7. Inattention, etc.

Deputies shall be alert for suspected DUI offenders, both on patrol and in selective enforcement activities. When you have observed a driver whose actions are similar to the above examples, or which are not consistent with normal driving practices, an immediate stop should be made. Be alert and use extreme caution when stopping a suspected intoxicated driver. Keep in mind that alcohol affects judgment, behavior, and reactions. Deputies shall review all the facts, including visual perception, odor, conduct, driving ability, roadside sobriety tests, etc, in determining the probable cause for the DUI arrest. In addition, the preliminary breath test (PBT), if available, should be given and the Rights to a Preliminary Test should be read prior to the preliminary breath test.

### **1. SOBRIETY TESTING**

A. Deputies should administer a minimum of three field sobriety tests, if possible. Following are the three tests recognized by the NHTSA (National Highway Transportation Safety Administration):

1. Horizontal Gaze Nystagmus;
2. Walk and turn;
3. One-leg stand;

B. The NHTSA recognizes three additional "pre-tests" that may be used strictly to help judge impairment; i.e. Alphabet, Count Down Test, and Finger Count Test but they should be performed in the same order and manner every time prior to the NHTSA Sobriety Tests. They may also be used when a physical impairment prohibits someone from performing one or more of the NHTSA Sobriety Tests. This procedure helps in testifying in court and keeps testing routine.

C. If the operator fails the roadside tests, a preliminary breath test (PBT) shall be administered, if available (Code of Virginia 18.2-267). Preliminary breath testing can be used in developing probable cause for the DUI arrest, but the arrest should never be solely based upon the results of the reading. The operator may refuse the preliminary breath test, and must be advised of his/her right to refuse, by reading the following, prior to the preliminary test:

**Preliminary Breath Test Advisory** (Read to suspect prior to arrest and prior to offering PBT):  
*I suspect you of operating a motor vehicle in violation of Code of Virginia 18.2-266, 18.2-266.1, or 18.2-272(b). In accordance with law, you are entitled to have your breath analyzed to determine the probable alcoholic content of your blood, and upon request, to observe the process of analysis and the reading on the equipment used to perform the test. You have the right to refuse to permit your breath to be so analyzed, and your failure to permit such analysis shall not be used as evidence against you in a court of law. Should you elect to submit to such breath analysis, the results shall not be admitted into evidence in any prosecution for violation of Code of Virginia 18.2-266, 18.2-266.1, 18.2-272(b) or any similar local ordinances.*

- D. Every patrol deputy is given an “Implied Consent” card along with the “Rights to a Preliminary Test” listed on the back. This card should be accessible to the deputy during DUI stops. If a deputy needs a replacement card, it can be obtained from the Lieutenant of the Patrol division.
- E. Ask the violator when he/she took their last drink of alcohol; make sure to wait at least 20 minutes from the time of the last drink before administering the preliminary breath test. If it has been less than 20 minutes, it may give a false reading.
- F. Try to keep Office issued preliminary breath test (PBT) calibration current.
- G. At the deputy’s discretion, if the violator fails the tests given, he/she may be arrested and taken for blood and/or breath testing.
- H. If a deputy suspects that the vehicle operator is under the influence of both, alcohol and drugs, or drugs alone, he should follow the procedures set forth below in circumstances where a blood sample is needed: (Blood samples shall be analyzed by the Division of Consolidated Laboratories for evidence of alcohol and for various illegal, prescription, or over-the-counter drugs.)

***Instructions Provided by Commonwealth Attorney’s Office***

- 1. **Traffic Stop – Alcohol**
  - a. Driver stopped in vehicle and arrested after field tests for suspected DUI of alcohol.
  - b. Ask if they will submit to a breath test.
  - c. If they refuse, read them the Declaration of Refusal as it is currently written.
  - d. If they refuse breath test, charge with Refusal (either civil or criminal based upon priors).
  - e. If they take the test, we have a certificate for the DUI charge.
- 2. **Traffic Stop – Drugs**
  - a. Driver stopped and arrested after field tests for DUI of drugs (or combination of alcohol and drugs). DO NOT READ IMPLIED CONSENT LAW.
  - b. Proceed to the Magistrates Office to obtain a search warrant.
  - c. Go to hospital and execute search warrant. Send blood drawn to the lab.
  - d. Set on DUID court day (will need toxicologist since presumptions to not apply).

### 3. **Vehicle Crash – Driver Cannot Take Breath Test**

- a. Accident case. Driver unable to take field tests or transported to hospital. Therefore, will be unavailable to take breath test.
- b. After investigation and obtaining probable cause (odor of alcohol, any statements of driver regarding drinking/using drugs, statements of rescue personnel, items found, etc.), proceed to Magistrates Office and obtain search warrant for blood draw.
- c. In the alternative, ask driver for CONSENT for a blood draw. **DO NOT READ IMPLIED CONSENT LAW.** If driver says no, obtain a search warrant.
- d. Go to hospital and execute search warrant.
- e. Obtain arrest warrant after certificate returned from lab (if alcohol/drugs indicated).
- f. Set on DUID date (will need toxicologist since presumptions do not apply).

### 4. **Any Case on Private Property**

- a. Driver arrested for DUI or DUID on PRIVATE PROPERTY (Implied Consent law does not apply).
- b. After advising of Miranda, ask driver if he will consent to a breath test (alcohol) or a blood test (if drugs suspected). **DO NOT READ IMPLIED CONSENT LAW.**
- c. If driver does not consent to either, obtain a search warrant for blood draw.
- d. Set on DUID date (will need toxicologist since presumptions do not apply).

1. The deputy shall make a full written report of the DUI arrest and the report may include the following: circumstances of the DUI, formation of probable cause, any problems, actions taken, results, and charges obtained.

## 2. **Intoxilyzer: Breath Testing Device**

The security, care, and all physical evidence obtained from a DUI, is the deputy's responsibility. The regulations of the Virginia State Division of Consolidated Laboratory Services states: "The breath test device must be stored in a clean, dry, location which is only accessible to an authorized licensee for the purpose of actually administering a breath test, preventative maintenance checks, or other official uses." The term licensee shall mean a person holding a valid license from the Virginia Division of Consolidated Laboratory Services pursuant to Code of VA 18.2-268. The Intoxilyzer room is located directly across from the magistrate's office.

## 3. **ARREST OF THE DUI**

### A. **Implied Consent/Acknowledgement/Declaration of Refusal**

Advise the arrestee of the Implied Consent Law. Each deputy is provided Implied Consent forms and should have one available during DUI stops. The Implied Consent must be read and explained to the violator before the Intoxilyzer is started:

#### **Implied Consent Advisory** (To be read to suspect immediately after arrest):

*The Code of Virginia provides that if you, whether licensed by Virginia or not, operate a motor vehicle upon a highway in the Commonwealth and are arrested for a drug or alcohol-related driving offense in violation of §§18.2-51.4, 18.2-266, 18.2-266.1 or 18.2-272(b) or of a similar ordinance if arrested within three hours of the alleged offense, you shall be deemed to have*

agreed, as a condition of such operation, to consent to have a sample of breath, blood, or both breath and blood taken for chemical testing to determine the alcohol and/or drug content of your blood. You shall submit to a breath test. If the breath test is unavailable or you are physically unable to submit to the breath test, a blood test shall be given. If I have reasonable cause to believe that you were driving under the influence of drugs or a combination of drugs and alcohol, you may be required to allow the taking of a blood sample for chemical testing to determine the drug content of your blood, even if a breath sample was previously provided. If you refuse to permit the taking of a required sample of breath, blood, or both breath and blood, and your refusal is unreasonable, your refusal constitutes a separate offense. A first violation of this section is a civil offense and subsequent violations are criminal offenses. [Note to arresting Deputy: If the suspect refuses to submit to the chemical test, you should again advise the person of the implied consent law by reading it verbatim from the form provided by the Office of the Executive Secretary of the Supreme Court.]

#### **B. DUI arrests on private property**

If the arrest occurs as a result of operation of a motor vehicle on private property or the operation of a moped anywhere, Implied Consent does not apply. This shall not prevent the arresting deputy from attempting to obtain consent from the arrested person to submit to a chemical analysis of his/her blood or breath.

#### **C. When Utilizing Blood testing procedures**

1. Take the arrested person to a physician, registered professional nurse, graduate laboratory technician, or other technician designated by order of the Circuit Court (18.2-268.5 of the Code of Virginia, as amended, 1950) acting upon recommendation of a licensed physician, who will withdraw blood for the purpose of determining the alcoholic and/or drug content.
2. The arresting deputy shall also witness the doctor or technician taking the blood sample and ensure that an alcohol solvent is not used to cleanse the withdrawal location. The deputy shall initial the two vial labels before the doctor or technician seals the vials in their containers. The initial shall be placed on the label where it will not interfere with the date written by the doctor or technician who took the sample.
3. The arresting deputy shall take possession of the container as soon as the vials are placed in the container and sealed by the person taking the sample.
  - a. The deputy shall, before the end of duty, write the name of the arrested person, deputy's name, date and time of arrest on the container.
  - b. The deputy shall prepare an evidence form, for the blood vials. The vial container, a copy of the IBR, and Analysis form shall be turned into evidence as soon as reasonably practicable.
  - c. Once the Department of Forensic Science (DFS) completes the analysis, the DFS shall preserve the remainder of the blood until 90 days have lapsed from the date the blood was drawn. During this 90-day period, the accused may, by motion filed before the court, request an order directing the DFS to transmit the remainder of the blood sample to an independent laboratory retained by the accused for analysis. The DFS shall destroy the remainder of the blood sample if no notice of a motion to transmit the remaining blood sample is received during the 90-day period.

#### D. Breath Analysis Procedures

1. Chemical analysis of a person's breath shall be performed by anyone possessing a valid breath operator's license, issued by the Virginia State Division of Consolidated Laboratory Services. This may include the arresting deputy or anyone participating in the arrest. In the event the Intoxilyzer machine is not available, the test is deemed not available.
2. The type of equipment and the methods used to perform breath analysis shall be in accordance with the regulations of the Virginia State Division of Consolidated Laboratory Services.
3. The tester shall issue a certificate of breath alcohol analysis. This is a three copy form and should be distributed as follows:
  - a. White copy, the original shall be given to the magistrate, which is forwarded to the General District Court with the summons and warrant;
  - b. Green copy, the second copy will be given to the arrested person;
  - c. Yellow copy, the third copy is for departmental use and is to be forwarded to records for filing and after one year, it may be destroyed.

#### E. DUI involving accidents

Deputies should try to obtain the following information:

1. Identification of any witnesses who saw the suspect operating the motor vehicle.
2. Questioning the witnesses, as to the suspect's condition, actions, and statements immediately after the accident.
3. Establish the time of the accident. A DUI arrest may be made up to 3 hours after the time of the accident.
4. See General Order 66: Accident Procedures.

#### F. Driving Under the Influence of Drugs

If a deputy arrests a person for driving or operating a motor vehicle, commercial vehicle, or boat under the influence of drugs, the deputy shall proceed to the Magistrates Office to obtain a search warrant as directed above. The procedures for blood tests are listed in Section 9 of this order. The titled Form Prescribing the Procedure to Obtain an Independent Analysis of Blood Sample and Lists of Laboratories Approved by the Division of Forensic Science shall be used only in DUID cases. Explain the selection process to the violator, have him/her choose a lab and sign the form.

#### G. The Magistrate

The violator shall be taken before the magistrate, to obtain the warrant for Driving under the Influence, or similar ordinance. The signed Notice of Administrative Suspension form, any driver's licenses, DUI summons, breath test results, criminal and traffic history, etc., shall be given to the magistrate at this time. The magistrate shall bond, release, or commit the accused to jail.

#### H. Notice of Administrative Suspension of Driver's License/Driving Privilege

The Administrative Suspension form shall be completed, upon the issuance of petition, summons, or warrant for 18.2-51.4, 18.2-266, or similar local ordinance. This form states that the violator's privilege to drive in Virginia is suspended, and any driver's license issued by the Commonwealth of Virginia is also suspended, for the term set forth in the paperwork, as of the date and time stated below, pursuant to the Virginia Code 46.2-391.2, because:

1. A breath test results in 0.08 percent or more blood alcohol level; or
2. A refusal to submit to a blood or breath test in violation of Code of Virginia 18.2-268.3, or similar ordinance.
3. A breath test result of 0.02 or higher for an individual under the age of 21.

Make sure the notice is executed and is signed by the violator. If the violator has a current license, it shall be taken and given to the magistrate with the suspension notice. Three copies should be made of the administrative suspension form.

1. The original, signed by the accused, shall be given to the magistrate and forwarded to the court. Make sure the accused signs the original.
2. One copy shall be given to the accused, serving him/her of the suspension.
3. The last copy is for the deputy. The deputy must give the form as soon as possible to dispatch to enter the information in to the system. If it is not entered, and the accused is stopped, the seven-day suspension will not appear on the transcript. After, it is entered it shall be placed in the deputy's mailbox.

There are two ways for the violator to obtain the license at the end of the seven days; a) it can be mailed by the court at the end of the suspension; or b) it can be picked up from the court after the suspension time is over.

#### I. DUI's involving underage persons

Underage persons fall into two categories: a) under 21, but over 18, and b) under 18, which are considered juveniles (juveniles may be released to a parent/guardian after a summons is issued for DUI or 18.2-266.1). The purpose of defining the two is that they are prosecuted in different courts. Violator's that are under twenty-one can be charged under 18.2-266.1, with a blood alcohol level of 0.02%, or more. If the BAC is over 0.08%, the underage person can be charged with 18.2-266. See General Order 54: Juvenile Procedures.



## MONTGOMERY COUNTY SHERIFF'S OFFICE

*An Accredited Agency*  
C.H. "Hank" Partin, Sheriff



### **OCCUPANT PROTECTION**

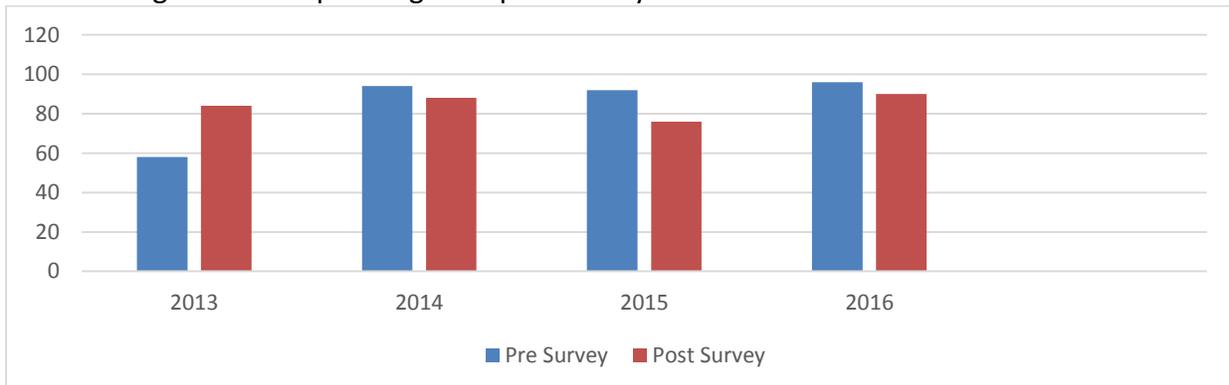
The Montgomery County Sheriff's Office is a full service agency, providing law enforcement, civil service, courthouse security, jail operations, and specialized teams. Our county spans 392 square miles, including the Town of Christiansburg and the Town of Blacksburg, where high concentrations of people reside. Those areas outside the corporate town limits are generally considered more rural and less densely populated. According to the 2016 census, approximately 98,602 people reside in our county, with estimates showing us breaking the 100,000 mark in the next three years.

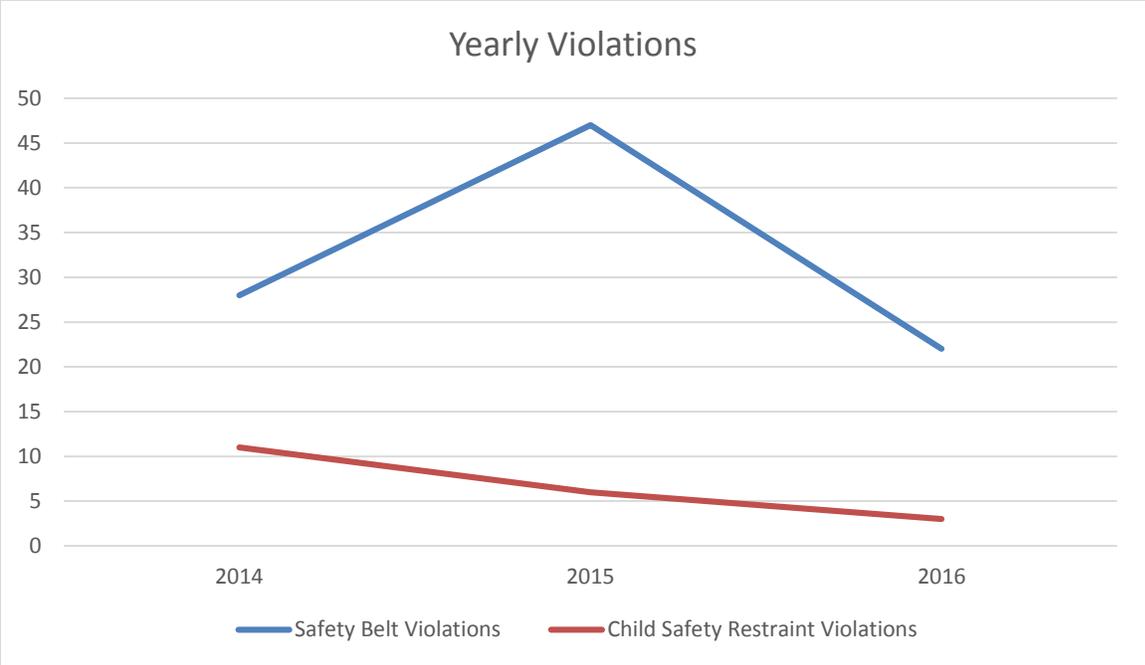
There are several major roads which dissect the county including: Interstate 81, US Routes 11 and 460, major State Routes 8, 114, and 177, along with multiple other state routes connecting us to our surrounding neighbors.

#### **PROBLEM IDENTIFICATION:**

The Montgomery County Sheriff's Office currently has 36 deputies assigned to our patrol division, with traffic enforcement being one of their many responsibilities. Due to our rural roads, occupant protection has its challenges. After dark we are not afforded as much opportunity to see violations due to most roads not being lit. Additionally, safety belt violations are a secondary offense, sometimes making it difficult to conduct a lawful stop. However, the Sheriff's Office is committed to protecting not only unrestrained children, but also adults in a vehicle.

Occupant protection rates have traditionally been measured by conducting personal observations at select locations throughout our county. The chart below represents survey numbers conducted in May of each year shown and the pre-campaign versus the post campaign, as gathered by VSP in the county. Overall usage is up each year following 2013, but there is a significant drop during each post survey.



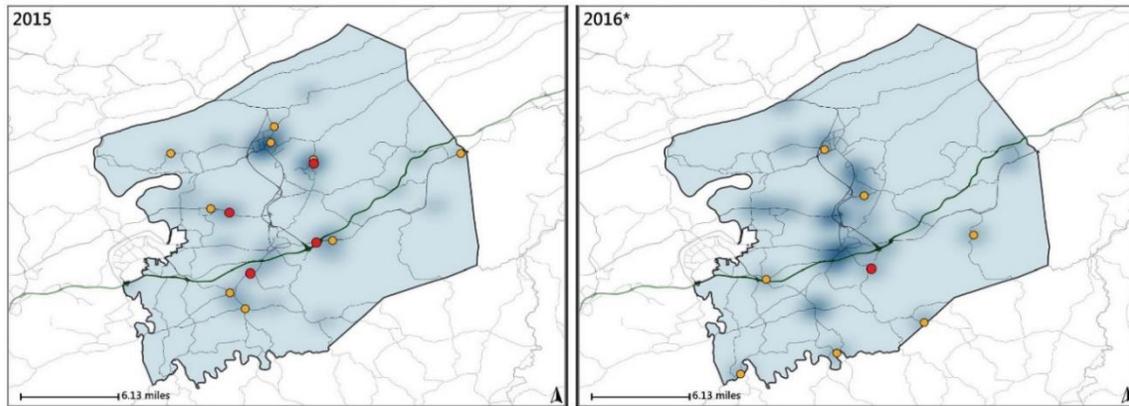


As shown above child safety restraint violations have continued to drop over the last three years, with safety belt violations continuing to fluctuate. Part of the decreases can be attributed to overtime enforcement activities conducted by this agency, funded by DMV grants. Deputies continually receive training throughout the year at specialty and in-service classes regarding the importance of enforcing occupant protection.

**PLANNING:**

When planning Occupant Protection specialized enforcement, we utilize target areas and times based on statistics provided by the Virginia Highway Safety Office. By utilizing this data, we can concentrate deputies in statistic driven areas where we have seen crashes and injuries related to failure to wear safety belts. The below chart shows the last four year's data including unrestrained fatalities and serious injuries continuing to decrease.

Department of Motor Vehicles  Virginia Highway Safety Office				
Roanoke Region		January, 2017		
Montgomery County Unrestrained Crash Statistics				
Available Crash Data - Calendar Year	2013	2014	2015	2016*
All Crashes	1529	1491	1744	1568
Fatal Crashes (fatalities)	9 (9)	4 (4)	6 (6)	5 (5)
Serious Injury Crashes (injuries)	60 (76)	66 (87)	68 (83)	75 (95)
All Injury Crashes (injuries)	478 (688)	500 (673)	597 (840)	613 (882)
Unrestrained-Related Crashes	37	37	41	33
Unrestrained-Related Fatal Crashes (fatalities)	<b>4 (4)</b>	<b>No Unrestrained Fatalities</b>	<b>4 (4)</b>	<b>1 (1)</b>
Highest Time Period(s)	Midnight - 2:59am (50%)		Midnight - 2:59am 3:00pm - 5:59pm (50%)	3:00am - 5:59am (100%)
Highest Day(s)	Friday (75%)		Saturday (75%)	Wednesday (100%)
Highest Month(s)	April (50%)		April - January (50%)	September (100%)
Unrestrained-Related Serious Injury Crashes (injuries)	<b>11 (11)</b>	<b>18 (18)</b>	<b>9 (9)</b>	<b>7 (7)</b>
Highest Time Period(s)	9:00am - 11:59am 6:00pm - 8:59pm (36%)	3:00pm - 5:59pm (33%)	6:00pm - 8:59pm (33%)	6:00am - 8:59am (29%)
Highest Day(s)	Saturday - Thursday (54%)	Sunday - Monday (44%)	Friday (33%)	Monday (43%)
Highest Month(s)	August (27%)	December (22%)	July - March (44%)	October (29%)
Unrestrained-Related Injury Crashes (injuries)	<b>33 (50)</b>	<b>37 (59)</b>	<b>39 (59)</b>	<b>32 (44)</b>
Highest Time Period(s)	Midnight - 2:59am (18%)	3:00pm - 5:59pm (24%)	6:00pm - 8:59pm (28%)	3:00pm - 5:59pm (28%)
Highest Day(s)	Friday (21%)	Monday (27%)	Friday (23%)	Tuesday (19%)
Highest Month(s)	November (15%)	May (19%)	April - March (30%)	January - August (32%)



- Unrestrained-Related Fatal Interstate Crashes
- Unrestrained-Related Fatal Non-interstate Crashes
- Unrestrained-Related Serious Injury Interstate Crashes
- Unrestrained-Related Serious Injury Non-interstate Crashes

The blue gradient represents the density of all unrestrained-related crashes.  
 \* This report contains preliminary data.

## TRAINING:

During 2016, we had two deputies complete the New River Criminal Justice Academy's basic law enforcement class, which included specialized training in occupant protection. All deputies assigned to our patrol division have had training in occupant protection, in addition to deputies assigned in our civil, warrants, street crimes, and investigations divisions.

## PUBLIC INFORMATION AND EDUCATION:

The Montgomery County Sheriff's Office does countless public events throughout the county to emphasize the importance of occupant protection. Two of our larger festivals are *Steppin' Out* in Blacksburg and *Wilderness Trail* in Christiansburg. These events reach thousands of community members each day and provide us an opportunity to reach age ranges from infant to senior.



In addition to the community events, we are continuously speaking in our county schools at all levels, stressing the importance of occupant protection. Our SRO directed YOVASO program in our county middle and high schools work diligently to explain to our next generation of drivers the importance of occupant protection. We also take advantage of our social media accounts through Facebook and Twitter to spread our message and reaching countless numbers of followers.



## ENFORCEMENT:

In 2016, the Montgomery County Sheriff's Office issued 22 adult seat belt tickets and three child seat summonses, down from 2015, where a combined 53 were issued. We hope that through our public education and continued emphasis in our traffic safety messages, this drop can be directly attributed to the work we have put in. During 2016, 36 DMV grant funded occupant protection patrols were worked, resulting in nine summonses in target areas during target times. Overall there were 147 citizen contacts made in the target areas during this grant funded work. This is in addition to patrol units working normal traffic enforcement during their daily work schedules.

**OUTCOME:**

Montgomery County saw only one unrestrained fatality in 2016, which was down from four in 2015. In addition, the unrestrained related crashes have gone from 41 in 2015, to 33 in 2016. We see this as a success based on the overall amount of crashes in 2015 being 1744 and 2016 being 1568. This equates to only 2% in 2016 crashes having an unrestrained occupant. Our office mission statement includes:

At its core, our mission is to prevent and reduce crime, and through a partnership with our community, create a better quality of life for all citizens.

Our mission includes:

- Effective crime prevention programs
- Proactive school safety initiatives
- Deputies approachable by the public
- Accountable to all citizens

Our mission emphasizes partnering with our community and creating a better quality of life, along with being accountable to all citizens. This agency will continually strive to push our overall seatbelt usage above 95% through our diligent work giving our county a better quality of life. In doing so we will keep the commitment to our citizens and preventing senseless injuries and deaths by persons not wearing a safety belt.



## **MONTGOMERY COUNTY SHERIFF'S OFFICE OCCUPANT PROTECTION POLICY**

The Montgomery County Sheriff's Office does have policy specifically related to the expectations of deputies when coming into contact with unrestrained drivers, passengers, and children.

### **J. PEDESTRIANS/BICYCLE VIOLATIONS**

Any motorist that puts a pedestrian or bicyclist in a dangerous situation should be stopped and appropriate enforcement action taken. Any pedestrian or bicyclist disobeying a traffic law should be advised of the violation and notified of safety procedures. It is left to the deputy's discretion whether to issue a summons or a warning, taking into consideration the circumstances of the event.

### **K. PUBLIC CARRIER/COMMERCIAL VEHICLE VIOLATIONS**

Consider all information when dealing with these violations, such as: congestion of area, dangerousness of offense, lack of parking, special needs for delivery access, etc. Repetitive or negligent violators should be cited.

### **L. MEDICAL REVIEW REQUESTS**

During routine patrol activities, deputies frequently encounter persons whom they suspect of being incompetent, physically or mentally disabled, or having other conditions that might prevent the person from exercising reasonable care over a motor vehicle. In all such cases, in addition to whatever enforcement is taken, the Medical Review Request form should be completed and submitted to the DMV.

### **M. SEATBELT/CHILD SAFETY SEAT VIOLATIONS**

Deputies are trained in the changing laws involving seatbelt and safety seat violations. Consider all information in warning or summoning persons in violation of seat belt or child safety seat laws. If a person is a repeat offender or is putting children in danger, consider summoning the violator.

### **N. DRIVING UNDER THE INFLUENCE**

Various courts have interpreted driving under the influence to mean, "the ability to operate a motor vehicle is reduced or impaired by the consumption of alcoholic beverages, drugs, or any other self administered intoxicants". It does not imply that the operator of a motor vehicle to be in a state of alcoholic or drug-induced stupor or to be entirely incapable of exercising physical control of his/her vehicle. Driving under the influence 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 the taverns close or when social gatherings end. Although intoxicated drivers may be observed any day, holidays and weekends reflect increases in DUI arrests.

Each deputy shall be familiar with Code of Virginia 18.2-266 through 18.2-269, which relate to driving under the influence. It is unlawful for any person to drive or operate any motor vehicle, engine, or train, while under the influence of alcohol, intoxicants, or narcotic drugs of any nature. The term motor vehicle shall include pedal bicycles with helper motors (mopeds), while operated on the public highways of this State.

The Montgomery County Sheriff's Office has written policy mandating the use of safety belts by deputies.



COMMONWEALTH OF VIRGINIA  
MONTGOMERY COUNTY SHERIFF'S OFFICE  
CHRISTIANSBURG, VA



**GENERAL ORDER NO. 33**

**ROUTINE & EMERGENCY VEHICLE OPERATION**

Reviewed: 09/01/2016

Revised: 07/01/2015

**I. PURPOSE**

The purpose of this general order is to establish policy ensuring the safe operation of Sheriff's office vehicles with attention being given to the safe operation of Sheriff's Office vehicles when responding to calls for emergency service.

**II. POLICY**

It shall be the policy of the Montgomery County Sheriff's Office that all appointees operate county vehicles in the safest manner possible. While operating county vehicles, employees shall exercise safe driving practices and obey the traffic laws of the Commonwealth of Virginia.

A Sheriff's Office law enforcement vehicle, even in emergency and pursuit situations, will be operated in a controlled, safe, and courteous manner so that it will not endanger the life and property of the deputy and the public. This responsibility is especially great in view of the tactical situations and traffic conditions in which Office vehicles are operated.

The vehicles' emergency equipment is intended to facilitate the movement of the law enforcement vehicle through traffic in responding to an emergency call or to facilitate the immediate pursuit of an actual or suspected law violator. Therefore, any Deputy operating a Sheriff's Office vehicle in any manner other than in accordance with normal safe driving practices shall do so only with the use of emergency equipment in accordance with State Code 46.2-920 and department policy stated elsewhere, within this manual. **Safety belts are required to be used at all times in Office vehicles while the vehicle is in motion unless the safe performance of duty is compromised, as described in VA CODE 46.2-1094.**

**III. PROCEDURE**

1. All Sheriff's Office vehicles will be driven in a safe and proper manner, with the driver remaining in control of the vehicle at all times, and acting in full compliance with all traffic laws and regulations. Sheriff's Office vehicles are conspicuous symbols of authority on the streets, and the actions of drivers are observed by many. This places the responsibility on each deputy of the Sheriff's Office to set a visible example of good driving behavior and habits.
2. Under emergency situations as defined herein, Section 46.2-920 of the Code of Virginia authorizes vehicle operators to disregard certain traffic regulations specified therein. However, neither the individual operator nor the Sheriff's Office is immune from Civil Liability for failure to use reasonable care. The Sheriff's Office and the individual operator may be liable for civil damages



## MONTGOMERY COUNTY SHERIFF'S OFFICE

*An Accredited Agency*  
C.H. "Hank" Partin, Sheriff



### **SPEED AWARENESS**

The Montgomery County Sheriff's Office is a full service agency, providing law enforcement, civil service, courthouse security, jail operations, and specialized teams. Our county spans 392 square miles, including the Town of Christiansburg and the Town of Blacksburg, where high concentrations of people reside. Those areas outside the corporate town limits are generally considered more rural and less densely populated. According to the 2016 census, approximately 98,602 people reside in our county, with estimates showing us breaking the 100,000 mark in the next three years.

There are several major roads which dissect the county including: Interstate 81, US Routes 11 and 460, major State Routes 8, 114, and 177, along with multiple other state routes connecting us to our surrounding neighbors.

#### **PROBLEM IDENTIFICATION:**

The Montgomery County Sheriff's Office currently has 36 deputies assigned to our patrol division, with traffic enforcement being one of their many responsibilities. We are able to utilize several different strategies in identifying our problem areas where speed directly impacts the community. Our RADAR and LIDAR operators work continuously in known problem areas and conduct applicable enforcement on a daily basis. Most of this enforcement is concentrated where our highest amount of vehicles travel, US Routes 11 and 460, and state routes 8, 114, and 177. These roads see the largest daily traffic count due to work and college commuters, along with select fall weekends adding another 60,000 travelers into our county during home Virginia Tech football games.



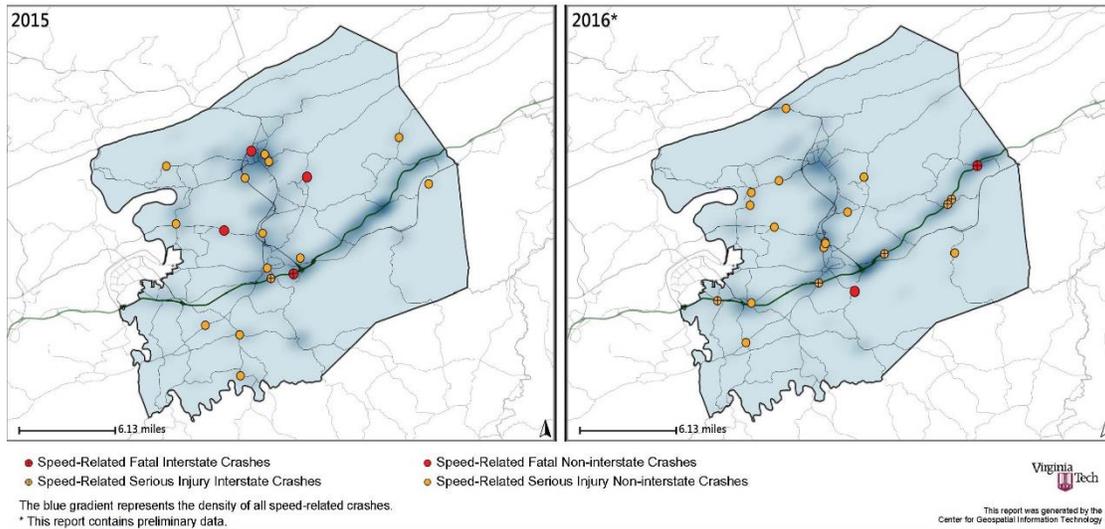
Our biggest resource is our citizens who request enforcement on our smaller roads. This agency is able to deploy our Stealth Stat unit in neighborhoods where we receive complaints. This unit provides accurate data to identify true times and need for enforcement. As seen in the charts below, the identified area, once monitored could have a true speed problem, or it could just be a perceived problem. In either event, we meet with the citizen or group to go over the data and explain it, so that they know the results. We also pass this data along to our



**PLANNING:**

When planning specialized enforcement for speed for DMV overtime, we utilize target areas and times based on statistics provided by the Virginia Highway Safety Office. By utilizing this data, we can concentrate deputies in statistic driven areas where we have seen crashes and injuries related to speed. The below chart shows the last four year's data including speed related fatalities continuing to decrease, with a small increase in serious injuries.

Department of Motor Vehicles  Virginia Highway Safety Office				
Roanoke Region		January, 2017		
Montgomery County Speed Crash Statistics				
Available Crash Data - Calendar Year	2013	2014	2015	2016*
All Crashes	1529	1491	1744	1568
Fatal Crashes	9	4	6	5
Serious Injury Crashes	60	66	68	75
All Injury Crashes	478	500	597	613
Speed-Related Crashes	263	257	252	249
Speed-Related Fatal Crashes	<b>3</b>	<b>2</b>	<b>4</b>	<b>2</b>
Highest Time Period(s)	6:00pm - 8:59pm 9:00pm - 11:59pm (66%)	Midnight - 2:59am 3:00am - 5:59am (100%)	6:00pm - 8:59pm (50%)	6:00am - 8:59am 3:00am - 5:59am (100%)
Highest Day(s)	Friday (100%)	Saturday (100%)	Thursday - Saturday (100%)	Saturday - Wednesday (100%)
Highest Month(s)	December - March (66%)	October - July (100%)	April - January (50%)	November - September (100%)
Speed-Related Serious Injury Crashes	<b>16</b>	<b>22</b>	<b>14</b>	<b>18</b>
Highest Time Period(s)	Noon - 2:59pm (31%)	3:00pm - 5:59pm (27%)	Midnight - 2:59am (29%)	9:00pm - 11:59pm 6:00pm - 8:59pm (44%)
Highest Day(s)	Saturday (38%)	Saturday (27%)	Friday - Tuesday (42%)	Monday (28%)
Highest Month(s)	August (25%)	July (23%)	June - May (28%)	September (33%)
Speed-Related Injury Crashes	<b>101</b>	<b>103</b>	<b>100</b>	<b>101</b>
Highest Time Period(s)	Midnight - 2:59am (19%)	3:00pm - 5:59pm (18%)	3:00pm - 5:59pm (21%)	3:00pm - 5:59pm (22%)
Highest Day(s)	Saturday (23%)	Monday (18%)	Wednesday (19%)	Sunday (17%)
Highest Month(s)	June (16%)	July (13%)	July (13%)	September (17%)



80 speed enforcement patrols took place during 2016, which were funded from DMV grants on both county roads and interstate 81. These overtime activities resulted in 227 various charges, 71 of which were speeding charges and 10 reckless driving charges.

**TRAINING:**

During 2016, we had two deputies complete the New River Criminal Justice Academy’s basic law enforcement class, which included specialized training in RADAR and LIDAR. All deputies assigned to our patrol division have been trained in RADAR, along with select deputies assigned in our civil, warrants, street crimes, and investigations divisions. There were also 40 deputies who completed RADAR operator re-certification, two speed measurement instructor re-certifications and five deputies who completed their speed estimations for operator status. Our agency has four deputies which are LIDAR instructors as well.

**PUBLIC INFORMATION AND EDUCATION:**

The Montgomery County Sheriff’s Office does countless public events throughout the county to emphasize the importance of operating vehicles at safe speeds and not driving distracted. One of our major events is our YOVASO crash re-creation to press home the impact of what bad decisions can have. This program is focused toward high school juniors and seniors.



We also participate in multiple community events in our county where we reach age ranges from infant to senior. From large scale multi-day events, to talking to school groups, we feel every contact counts when spreading the message of traffic safety. We also take advantage of our social media accounts through Facebook and Twitter to spread our message and reach countless numbers of followers.



## **ENFORCEMENT:**

In 2016, the Montgomery County Sheriff's Office issued 178 speeding summonses throughout the county, with 71 of those coming from the overtime grant funded enforcement. Deputies assigned in our patrol division issued the other 107 while conducting their normal duties. We have seen a continuous drop in overall speed related crashes over the last four years and a reduction of fatal speed related crashes by 50% from 2015 to 2016. However, we have noticed our serious injury crashes which are speed related have increased from 14 to 18. This will be used to direct overtime enforcement this budget year, not only times but also locations.



## **OUTCOME:**

Montgomery County saw only two speed related fatalities in 2016, which was down from four in 2015. As in any case we would like to see that number be zero, but in reality that probably will not be an attainable goal. In addition, speed related crashes have gone down as well, a trend we will hopefully continue seeing as our deputies make more presentations to our citizens.

At its core, our mission is to prevent and reduce crime, and through a partnership with our community, create a better quality of life for all citizens.

Our mission includes:

- Effective crime prevention programs
- Proactive school safety initiatives
- Deputies approachable by the public
- Accountable to all citizens

Our mission emphasizes partnering with our community and creating a better quality of life, along with being accountable to all citizens. This agency will continually strive to reduce all speed related crashes and offenses through our diligent work giving our county a better quality of life. In doing so we will keep the commitment to our citizens and preventing senseless injuries and deaths by persons driving at excessive speeds.

**MONTGOMERY COUNTY SHERIFF'S OFFICE**  
**SPEED POLICY**

The Montgomery County Sheriff's Office does have policy specifically related to the expectations of deputies when coming into contact with drivers involved in speed related offenses and the use of speed measurement devices.



COMMONWEALTH OF VIRGINIA  
MONTGOMERY COUNTY SHERIFF'S OFFICE  
CHRISTIANSBURG, VA



**GENERAL ORDER NO. 34**

Reviewed: 09/01/2016

**VEHICLE STOPS & TRAFFIC ENFORCEMENT**

Revised: 09/01/2016

**PURPOSE**

The purpose of this order is to establish procedures for stopping and approaching the traffic violator and to provide uniform processes in handling these violations. The primary concern of a deputy engaged in a vehicular stop is safety of the violator, other motorists, and the deputy. Particular care must be taken to assure that the safety of the motorists and passengers are not endangered by any actions of the deputy. This order also defines violator types, traffic violations, and uniform enforcement procedures. *A traffic stop demographic form shall be required to be completed on every vehicle stop and turned in to the Field Operations Captain by the end of the next business day.* The Field Operations Captain will have the Administrative Assistant log the information from the form and then forward it back to the Captain of Field Operations to be filed.

**PROCEDURE**

**1. STOPPING THE VIOLATOR**

The following steps in stopping and approaching vehicles are intended to provide maximum safety for the deputy, the violator and other motorists. Should the deputy have reason or cause to stop a vehicle, planning the stop is important. It is not always possible to select the ideal place to make the stop, and precautions must be taken regardless of the location. Varying conditions regarding the engineering of the highway, the urgency to stop a vehicle, and the existing volume of traffic may dictate adjusting or altering the recommended procedure. *These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exists.*

- A. The deputy shall notify the communications center of the intended location of the stop, the vehicle license number, and the number of occupants in the vehicle.
- B. The deputy should note the license number of the vehicle when possible, and leave same inside the patrol vehicle.
- C. The deputy should be thoroughly familiar with the area, and anticipate the appropriate location to stop the vehicle. Consideration should be given to a location with ample space, and appropriate lighting. The deputy should avoid stops on hills, curves, intersections, private drives, and business locations that have limited parking.
- D. The deputy should signal the violator to stop. This signal should be with emergency lights, hand signals, sounding the horn, or the siren. These signals also alert other drivers of the intent of the deputy and will usually facilitate securing the right-of-way for the stopping maneuver. The use of "wig wag" lights shall be limited to daylight hours.

## **A. SUSPENDED/REVOKED MOTORISTS**

1. The Virginia Uniform Summons shall be issued when a deputy stops a vehicle and identifies the operator as driving with a revoked or suspended operator's license (Code of Virginia 46.2-301).
2. A deputy who sees a person driving who is known to be under suspension or revocation may swear out a warrant, if he/she is not able to stop the violator.
3. The Suspension/Revocation/Disqualification Notice should be filled out for a driver who is unaware of or disregarding any suspension. The driver shall sign, turn over any license, and receive a copy of the suspension notification.

## **B. SPEEDING VIOLATIONS**

Deputies should follow appropriate guidelines for speed enforcement. The violation shall be a clearly convictable speed in court.

### **1. TYPES OF SPEED ENFORCEMENT**

- a. **Pacing:** The deputy shall follow the vehicle being paced at a constant interval for an adequate distance to obtain a speedometer reading; speedometers must be calibrated at least every six months.
- b. **RADAR/LIDAR:** Both, stationary RADAR and/or moving RADAR shall be applied in areas that speed is a hazard to motorists and pedestrians. The following guidelines govern the use of RADAR/LIDAR, which will always be operated in compliance with manufacturer's instructions. All departmental RADAR units meet current NHTSA standards.

### **2. RADAR/LIDAR OPERATION:**

- a. The RADAR unit must be properly installed in the vehicle and connected to the appropriate power supply.
- b. Operators must thoroughly understand the effective range of the RADAR/LIDAR observations can support the speed meter readings.
- c. The operator must choose a safe location that is conducive to safe and effective operation of radar. Deputies shall keep in mind, extra patrol areas, high accident areas, and school zone locations.

- d. The RADAR/LIDAR unit shall be properly calibrated to insure accuracy in checking speed. The operator shall follow the manufacturers recommended methods of checking calibration without exceptions. Any problems with operation of RADAR/LIDAR units or apparent malfunction shall be promptly reported to the supervisor in-charge of the shift. Loss or breakage of RADAR/LIDAR equipment, by a deputy, shall be reported immediately, to the shift Lieutenant and Captain of Field Operations. A letter about the deputy's breakage or loss may also be required. If a RADAR/LIDAR unit is not working properly at the beginning of a shift, or is broken before use, report the damage immediately to the shift Lieutenant.
- e. Only deputies that are certified RADAR/LIDAR operators may operate RADAR/LIDAR equipment. A new trainee may operate RADAR/LIDAR, only, if he/she is in the presence of a certified operator.
- f. In court, deputies must establish the following elements of RADAR/LIDAR speed:
  - 1. The time, place, and location of the vehicle, the identity of the operator, speed of the vehicle, and the visual and RADAR/LIDAR check speed;
  - 2. Deputy qualifications and training in use of RADAR/LIDAR;
  - 3. Proper operating of RADAR/LIDAR unit;
  - 4. That the unit was tested for accuracy before and after use by an approved method;
  - 5. Identification of the vehicle;
  - 6. Speed limit zone in which the deputy was operating was posted;
  - 7. RADAR/LIDAR unit and vehicle used.
- g. The Sheriff or his designee is responsible for the proper care and upkeep, maintenance, and calibration of RADAR/LIDAR units, maintenance of records, and appropriate certificates are filed with the clerks of the courts.

#### C. NON-HAZARDOUS VIOLATIONS

Deputies may consider a warning unless it is a repetitive or flagrant offense.

#### D. HAZARDOUS VIOLATIONS

Consider the degree of hazard, location, accident history of location, current directed patrol emphasis, repetitiveness of offense, etc.

#### E. EQUIPMENT VIOLATIONS