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**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER NUMBER 4-4**

TRAFFIC ENFORCEMENT

- SUBJECT:** Procedures for the investigation and enforcement of traffic offenses.
- PURPOSE:** To reduce the frequency of injury and non-injury traffic collisions within the boundaries of the University. Furthermore, this General Order is to prescribe procedures for enforcement of traffic laws, preventative patrol, proactive enforcement and relations with motorists and pedestrians.
- POLICY:** It is the policy of the CSU Fullerton Police Department that all officers treat every person with respect and does their part in furthering the positive relationships the Department shares with its community. It is also the policy of the Department to encourage appropriate driving attitudes, skills, behaviors and habits so that all members of the university and its visitors enjoy a safer environment.

PROCEDURE:

- I. The Department's traffic enforcement and education program shall include:
- A. Enforcement of traffic law violations
 - B. Enforcement of speeding violations
 - C. Pedestrian, skateboard and bicycle safety and enforcement
 - D. Defensive Driver Training
 - E. Alcohol/ Drug safety programs
 - F. Point traffic control (See General Order 4-7)
 - G. Traffic safety and driving presentations
- II. Enforcement action may consist of the following:
- A. A verbal warning may be used, when, in the officer's discretion, the offense was of a minor nature (infraction only), and that the suspected violator has provided a reasonable explanation as to the cause of the violation. [CALEA 61.1.2c]
 - 1. The officer will notify dispatch that a verbal warning was given and should provide the Vehicle Code Section(s) violated. The officer shall advise if the violation was hazardous or non-hazardous if the vehicle code(s) is/are not provided.

2. Dispatch will note the verbal warning and Vehicle Code Section violated in the incident log.
- B. A written notice to appear (citation) [CALEA 61.1.2b]
1. Citations shall be completed and issued to the violator at the time the officer observes the violation, in accordance with California Vehicle Code (CVC) Sections 40500, 40501 and 40502.
 2. Citations that are not delivered to the suspected violator at the time the violation occurred can be delivered at a later date or time when, as a result of the investigation of a traffic collision, the citation is issued in accordance with California Vehicle Code (CVC) Section 40600.
- C. Physical arrest of the suspected violator [CALEA 61.1.2a]
1. For a felony offense when the violator is suspected of committing that offense.
 2. When the violator, as a driver, is suspected of violating any section of the California Vehicle Code, which addresses driving while under the influence of alcohol and/or drugs.
 3. The violator has committed a misdemeanor offense in the officer's presence.
 4. The individual is suspected of having violated any section of the California Vehicle Code concerning driving while under the influence of alcohol and/or drugs, and is also suspected of having been involved in a traffic collision at the time he committed that offense, CVC Section 40300.5.
 5. The driver refuses to sign a citation as required by California Vehicle Code (CVC) Section 40302(b).
 6. The driver has an outstanding warrant for his/her arrest, as issued by a judge.
 7. The officer believes that the offense(s) will either continue, or that the violator will not satisfy the legal requirement to appear before a magistrate as ordered within a citation.
- III. Uniform Enforcement Policies for Traffic Law Violations:
- A. The following guidelines for uniform traffic law enforcement action in routine situations are provided to assist officers in making decisions as to whether or not a citation is warranted.
1. Officers should consider appropriate factors when enforcing laws of speed, including time of day, traffic flow, weather conditions and location. [CALEA 61.1.5c]
 2. Officers should consider appropriate factors when enforcing hazardous violations, including degree of the hazardous act, accident history of the location, current trends of traffic in the area, and any directed patrol programming. [CALEA 61.1.5d]

3. Officers should consider factors when enforcing violations of equipment requirements, as specified within the California Vehicle Code and other statutes; approximate influence of the hazard to other traffic, and the approximate influence of the hazard to the operator and passenger(s).
[CALEA 61.1.5f]
 4. Public carriers shall be examined thoroughly and appropriate laws enforced through citations, or, when necessary arrest, to ensure that programming for the safety of passengers is supported. [CALEA 61.1.5g]
 5. Other non-hazardous violations will be enforced depending on the seriousness of the offense and trends/patterns observed in violations.
[CALEA 61.1.5h]
 6. In cases of multiple violations, officers shall list the most serious offense first and additional violations below on a citation. In no case shall more than one citation for traffic law violations and equipment be issued to a violator during a single investigation. A citation continuation sheet may be used if multiple violations are to be cited and don't fit on a citation.
[CALEA 61.1.5i]
 7. Laws and regulations that have recently been enacted will be provided the prescribed "grace" periods, and educational steps to inform motorists shall be taken when appropriate. Grace period duration will be determined by legislation or the Department's local DA's Office.
[CALEA 61.1.5j]
 8. Violations resulting in traffic collisions will be enforced as noted in General Order 4-5, Traffic Collision Investigation. [CALEA 61.1.5k]
 9. Pedestrian, skateboarding and bicycle violations are a priority on campus due to the high number of pedestrians walking through campus. Bicyclists may be cited for any Vehicle Code violations observed. This will include stop sign and red light violations. [CALEA 61.1.5l]
 10. Off-road vehicle violations will be enforced as noted in applicable State codes. Interior campus roadways are considered as roadways and off-road vehicles may not utilize them without having proper registration.
[CALEA 61.1.5e]
- B. Officers shall enforce all violations of the California Vehicle Code and appropriate related statutes uniformly, and without prejudice as to the race, color, creed or sex of the suspected violator. The following categories of violators may require some additional considerations.
1. California is a member of the Driver License Agreement, which is an interstate tracking system for the sharing and reporting of all traffic violations from any state. Out-of-state drivers shall be evaluated as to their license status based upon the DLA information. Out of country drivers are covered under CVC 12502-12505. [CALEA 61.1.3a]
 2. Juvenile violators shall be addressed in the same manner as adults. However, any violation that is either a felony or misdemeanor shall require a Juvenile Petition to accompany the report. [CALEA 61.1.3b]
 3. Foreign diplomats shall never be taken into custody; however, when a violation is so severe that a warning is not appropriate, an officer may issue a citation. Refer to G.O. 3-10. The officer shall notify his/her

- supervisor as soon as possible under such circumstances. Refer to CVC 12502(a)(3). [CALEA 61.1.3d]
4. Members of the legislature of the State of California, and members of the legislature of other states shall be provided appropriate discretion. Officers are reminded however that no legislator within the State of California is exempt from the laws of the State of California. [CALEA 61.1.3c]
 5. Other “vehicles” such as bicyclists, pedestrians, and operators of mopeds and animals shall comply with the laws applicable to each of their particular cases. Officers shall employ proper discretion to each of these, with adherence to current direct patrol programming to those violators who are in violation of campus directives in accordance with CVC 21113(a).
 6. Military personnel who are not in the course of performing their duties shall be given the same considerations as any other violator. On duty military personnel shall only be contacted when the violation is of significant concern to the officer, and that activity shall be communicated to the violator’s commanding officer. [CALEA 61.1.3e]

C. Traffic Law Enforcement Practices

1. Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties. [CALEA 61.1.6a]
 - a. Area patrol involves traffic enforcement within an officer’s assigned area of responsibility.
 - b. Line patrol involves traffic enforcement along and concentrating on a particular section of roadway.
 - c. Directed patrol specifies enforcement efforts in an area or at a specific location, depending on the nature of the violation being concentrated on (e.g. jaywalking (CVC 21955), crossing Nutwood between State College Bl. and Titan)
2. Stationary observation, either covert or overt, may be used as a technique to make observations about the flow of traffic in a particular location. [CALEA 61.1.6b]
 - a. 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 other drivers of the need for compliance with traffic laws.
 - b. Enforcement which requires the use of a covert location is less well accepted by the motoring public, but may, at times, be the only way to resolve a particular concern.
3. Unmarked vehicles shall not be used for the primary use of traffic enforcement per CVC 40800(a). Officers may make traffic enforcement stops for vehicle code violations while driving these vehicles but good judgment should be used. [CALEA 61.1.6c]

IV. Use of Vehicle Checkpoints

A. Vehicle Checkpoints should only be use to [CALEA 61.1.6d]:

1. Perform vehicle equipment checks
2. Perform sobriety checks
3. Search for wanted felons or fugitives who have been reported as both possibly within the region of the university and considered armed and dangerous.

B. Vehicle checkpoints will be authorized by the on-duty Watch Commander, and will be performed via [CALEA 61.1.6d]:

1. The use of traffic cones, flares and/or personnel who will designate the area affected.
2. Officers shall wear traffic safety vests at all times while directing traffic or in the roadway controlling traffic.
3. Safe area routing will be designated so that cars can leave the affected area when appropriate.
4. Specific criteria will be developed prior to the function, and that criteria will be consistently applied throughout the checkpoint/roadblock. As an example, two appropriate standards would be:
 - a. All vehicles will be visually checked
 - b. All vehicles procedurally checked in sequence by number (as in every fifth vehicle)

V. Vehicle/ Traffic Stops

A. Stopping the traffic violator: The following steps in stopping and approaching a violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic artery, the urgency to stop the violator, and the existing volume of traffic may require adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist. [CALEA 61.1.7a]

1. A traffic stop begins when an officer has positioned his/her vehicle behind the traffic violator's vehicle.
2. Then, the officer will notify the dispatcher of the location of the traffic stop and the license number, make, model and color of the vehicle.
3. The officer should anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample space, appropriate lighting, and should avoid stops on hills, curves, intersections, bridges and private driveways and business locations

- which have limited options of mobility for the officer, and parking for the officer and violator.
4. The officer should signal for the violator to stop through the use of the emergency lights, and if necessary, siren.
 5. Violator will be directed to the right side of roadway, close to the curb.
 6. 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. The officer should use the public address system to communicate with the violator under these conditions.
 7. 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, and additional two-feet to the left to allow the officer some room and protection from the roadway traffic.
 8. The officer should exit from the patrol vehicle after checking for traffic from the left rear and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants.
 9. The officer should approach from the rear of the violator's car, looking into the rear seat area, stopping at a point to the rear of the trailing edge of the driver's door. This is a desired position, for an officer can maintain better view of the interior of the vehicle, and still minimize the direct exposure to the violator or any occupant.
 10. In cases where the vehicle is occupied in both the front and back seats, the officer should approach to a point near the leading edge of the front door, remaining alert for unusual activity. Many vehicles are compact enough that an officer can maintain better position with the area described in Item #9. Officers are reminded to adjust to each vehicle, and to consider making adjustments throughout the contact with the violator if activity warrants.
 11. If a second officer arrives to serve as a backup, the assisting officer shall assume a position on the opposite side of the violator's vehicle, away from the investigating officer. Officers are reminded that in each of these conditions, an initial officer may choose to make an initial approach to the passenger side to speak with the violator. If this is the case, all guidelines are merely reversed, or are opposite of the positions described (i.e., from driver's door to front passenger's door, etc.).
 12. At night, the procedure is basically the same, with the addition of exercising caution in selecting an appropriate place for the traffic stop.
 - a. After the stop, headlamps should be brought to low beam to lessen the illumination of the officer(s), and to reduce hazard to oncoming traffic.

- b. The officer shall utilize additional lighting in a manner that provides the best lighting of the interior of the violator vehicle. Officers shall also utilize their flashlights to light darkened areas of the interior of the violator vehicle with their non-weapon side hand.
- B. Stopping unknown risk or suspected/known high-risk individuals: Additional caution shall be employed in vehicle stops when the risk is unknown or when one or more occupants of a vehicle are suspected to be armed and/or dangerous. When a vehicle driven by an unknown risk or suspected high-risk individual is located by a Police Officer, he/she will notify the dispatcher immediately of their location, and give a thorough description of the vehicle and its occupants. The following procedures should be used to begin and complete the stop.
- [CALEA 61.1.6b,c]
1. The officer will plan to stop the suspect vehicle in a location that represents minimal danger to other citizens.
 2. The officer will make every effort to avoid initiating the stop until support units have arrived and are in position to assist immediately.
 3. When support officers are positioned, and conditions are favorable, the officer shall signal the violator to stop, utilizing all emergency equipment to warn other traffic.
 4. As the violator begins to stop, the officer will turn off the siren and turn on the public address system of their patrol vehicle.
 5. The officer will position the unit approximately two-car lengths behind the violator's vehicle, and offset to the left approximately 4-5 feet. All lighting will be turned on to illuminate the interior of the violator vehicle and place the occupants of the vehicle at a disadvantage.
 6. The first assisting unit shall place their vehicle to the right of the primary officer, about 6 feet away, and the same distance from the violator vehicle. Additional units shall respond to either behind the first two officers, or as directed by the primary officer.
 7. The primary officer will be in command of the violator vehicle, and shall be the sole speaker to the occupants, through the public address system.
 8. Additional officers, when available, shall assume cuff, search and arrest responsibilities by stationing themselves at the interior doors of the two lead units.
 9. The primary officer shall command the occupants to exit the vehicle one at a time, beginning with the driver, and each occupant should exit from the driver door.

10. When all occupants known have exited the vehicle, a canine unit will be employed, if available, to make the initial search. If no canine unit is available, additional commands will be made to the vehicle on the assumption an additional occupant is concealed in the passenger compartment. Upon a reasonable number of these commands, and a lack of activity to suggest other occupants, at least two officers shall approach the vehicle from opposite sides to confirm the vehicle is now unoccupied.
 11. Officers shall approach the vehicle in a defense-ready posture, with weapons drawn, and shall consider the vehicle as occupied until they have searched it. Officers shall employ proper positioning to avoid “crossfire” situations during these approaches.
- C. Approaching the violator/Officer-violator relations: Once the officer has stopped the vehicle and approaches to a point where communications can begin, the following guidelines should be followed in terms of officer/violator relationships [CALEA 61.1.8]:
1. Remain alert for the unexpected, but avoid obvious apprehension.
 2. Be absolutely certain the observations are accurate and that the traffic violation was clear.
 3. Present a professional image in dress, grooming, language, bearing and emotional stability.
 4. Greet the violator with an appropriate title and in a manner that conveys courtesy.
 5. Ask for the violator’s driver’s license, registration, and proof of insurance.
 6. If no license is available, attempt to identify the violator via another document.
 8. Allow the driver to discuss the violation. Avoid arguing with the violator, or language that can be perceived as abusive.
 9. Complete the action chosen for this violator (citation or verbal warning).
 10. If issuing a citation, explain the citation fully to the violator. The citation will indicate:
 - a. The location and date for court appearance. [CALEA 61.1.4a]
 - b. If the violation is correctable without required court appearance [CALEA 61.1.4b]
 - c. Clear instructions as to whether the violator is allowed to enter a plea and/or pay the fine by mail. [CALEA 61.1.4c]
 - d. Instructions for the violator on contesting or not contesting the violation.
 - e. If booking is required the officer will check the appropriate box and explain to the violator fingerprinting and photographing are required prior to court date. [CALEA 61.1.4d]
 11. Obtain a signature from the violator for the citation, and deliver a copy of the citation, and their documents to them. A thumbprint is also required if the violation is a misdemeanor.

12. Assist the violator to safely re-enter the flow of traffic.

VI. Special Violation Consideration

A. Suspended or Revoked Driver's License [CALEA 61.1.5b]

1. When an officer has stopped a vehicle and the driver is found to have either a suspended or revoked license as described in CVC Section 14601 et al, the officer will arrest the violator at the scene via the use of a citation.
2. The vehicle shall be impounded in accordance with CVC Section 22651(p) and a 30-day hold will be placed on the vehicle pursuant to CVC Section 14602.6.
3. If official notice of the suspension is required to be provided to the driver, the officer shall complete DMV form DL 310. If a driver is suspended/revoked and service is needed the driver should be cited for CVC 12500(a). The vehicle should be stored per CVC 22651(p).
4. Additional or alternate actions as requested by the district attorney's office shall be performed as requested. These specific steps shall be included as an appendix to this General Order. Also see General Order 4-8, Driving with Suspended or Revoked License.

B. Driver Deficiency--During routine traffic law enforcement activities, officers frequently encounter persons who they suspect are incompetent, physically or mentally disabled or having other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle. In all such cases, in addition to the enforcement action by the officer, the officer will notify the California Department of Motor Vehicles of these findings or suspicions with a Request for Driver Re-Examination. [CALEA 61.1.12]

1. The officer will complete a DMV 412 report, "Request for Re-Examination of Driver" Form.
2. The officer shall provide a copy (pink) to the driver.
3. The officer shall attach any applicable report(s) to the original (white copy) and send the complete request to the Department of Motor Vehicles.
4. One copy (canary) shall be submitted to the records division.

C. Driving Under the Influence of Alcohol/Drugs (DUI)--The arrest of an individual for driving under the influence of alcohol/drugs differs significantly from other traffic law violations. Any person who operates a motor vehicle while under the influence of alcohol and/or drugs or any other self-administered intoxicant(s) poses an unpredictable hazard to law abiding motorists; therefore, each officer of this Department will make an intensified effort to remove this type of driver from the campus community. The Department has established a proactive alcohol education and enforcement program that has as its goal the reduction of collisions and injuries related to those collisions involving alcohol and drugs. [CALEA 61.1.5a]

1. All officers will receive training in the detection and prosecution of DUI cases. This will be accomplished by [CALEA 61.1.10]:
 - a. Training as provided by an accredited basic academy.
 - b. Training as part of a concentrated curriculum in the field of DUI investigations.
 - c. Training provided by the District Attorney.
 - d. Training provided via California POST video training.
 - e. Training provided as part of a field-training program for newly hired officers.
 - f. Training provided as part of ongoing roll-call briefing.
 2. Officers will be assigned on regular patrols to cover the locations where analyses have shown a significant number of violations and/or accidents that have occurred involving impaired drivers. [CALEA 61.1.10]
 3. Officers will employ roadside checkpoints, either on-campus as part of an alcohol awareness program, or, in cooperation with allied agencies and/or California Highway Patrol, to deter drinking and driving. [CALEA 61.1.10]
 4. The Department will include drinking and driving focus in alcohol awareness programming in new student orientations, new employee orientations, defensive-driving training and special event security demonstrations and programs. [CALEA 61.1.10]
 5. The Department will participate in programming sponsored by the California Department of Transportation and organizations such as Mothers Against Drunk Driving (MADD) and Students Against Drunk Driving (SADD), to promote safe alternatives to drinking and driving. [CALEA 61.1.10]
- D. DUI Enforcement Procedures--Driving under the influence of alcohol and/or drugs has been interpreted by various courts to mean that the ability to operate a motor vehicle is reduced, impaired or compromised by the consumption of alcoholic beverages or other drugs or intoxicants. Driving under the influence (DUI) 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 drinking establishments 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. [CALEA 61.1.11, 61.1.5a]
1. 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 some form of impairment:
 - a. Sitting through a green light.
 - b. Crossing lanes regularly / “weaving” between lanes.
 - c. Traveling at an extremely slow speed.
 - d. Traveling at an excessive speed.

- e. Disregarding stoplights, stop signs or other signals.
2. When an officer observes a driver whose actions are similar to the above, or are not consistent with sound driving practices, a traffic stop should be made to conduct a DUI investigation.
3. Officers shall use extreme caution, and remain alert when stopping a suspected impaired driver. Keep in mind that alcohol or drugs affect judgement and may result in erratic and dangerous behavior.
4. Officers are also reminded that such driving behavior is not a certain case of driving while intoxicated, rather, the behavior could in fact represent several possibilities, and the investigating officer must remain open to any of those possibilities, which could include:
 - a. Physical injury.
 - b. A medical distress such as a diabetic or epileptic seizure.
 - c. The driver being distracted because of another occupant, inattention to the road, shifting load in the passenger compartment, or an animal.
 - d. Vehicle failure.
5. Follow the procedures set forth earlier in this General Order for stopping traffic violators.
6. The officer should have the driver exit the vehicle, and accompany the officer to a safe location where the driver can stand, preferably on the sidewalk.
7. Officers should complete the Department field sobriety examination form, which shall include a brief interview of the driver's activity immediately prior to the traffic stop, the officer's observations of the driver's physical condition, and the evaluation of the driver's performance of demonstrated standardized field sobriety tests (SFST).
8. Officers should utilize the Preliminary Alcohol Screening Device (PAS) to obtain an approximate blood/alcohol level after completing all of the SFST components.
 - a. The results of the field tests and driving behavior should be collectively weighed in the decision to make an arrest, however the suspect driver may refuse one or more of these tests. If so, the officer may arrest on the basis of observations of driving behavior and demeanor.
 - b. The suspect driver, whose dexterity performance is unacceptable yet the chemical test reveals no alcohol consumption, should be carefully observed for signs of drug use or abuse.
 - c. The officer may also arrest in this case on the basis of observations driving behavior and dexterity alone.
 - d. Officers should record complete field notes on their observations of DUI suspects, and it is the recommendation of the Department

that the officer record these observations directly to the Department DUI form whenever possible.

9. All DUI suspects who are placed under arrest for any violation of CVC 23152, 23153 or another related offense shall be handcuffed and searched prior to being placed into a police unit for transportation.
10. Vehicles operated by an arrestee should be towed from the scene, and a comprehensive inventory of the vehicle completed at the time of towing.
11. Every driver arrested for driving under the influence will be advised of their choice of either a blood or breath test in accordance with CVC 23612 (A)(2)(A), and the penalties for refusal to submit to a test as indicated in CVC 23612(a)(1)(D).
 - a. Breath tests will be conducted by a certified operator of the AlcoSensor or similar device, in a certified facility.
 - b. Blood tests shall be performed in a medically approved manner, and by a certified and licensed technician, nurse, or physician who is approved by the court for this purpose.
 - 1) A certified Phlebotomist will be called to respond to a location where a blood sample can be safely/legally obtained from the arrested subject.
 - 2) The arresting officer will complete the accompanying labels and forms, and verify those to make sure that they correspond to the recording of the technician drawing the sample. Furthermore, the officer shall:
 - a) Be present at time of blood draw so the officer may testify in court to chain of custody and that it was completed in a medically approved fashion
 - b) Record the withdrawal within his report (i.e., time, technician, location)
 - 3) The violator will be provided information as to where to call to obtain the results of the analysis, and whom he/she must coordinate a private analysis of the sample with a receipt indicating the vial(s) number(s) and the phone numbers for these services will be provided to the violator. (This will usually be the Orange County Sheriff's Department Lab).
 - 4) If the officer suspects that drugs are a part, or the primary source of the violator's intoxication, the officer should order a blood sample, again, in accordance with current case law, and in a medically approved manner.
12. An officer will complete an Admin Per Se form and:
 - a. Complete all necessary information, including the "refusal section" if applicable.
 - b. Obtain thumbprints on all necessary pages.
 - c. Present the "pink" copy to the arrested person(s)

- d. Make copies of the white pages and turn them in with the report, along with the yellow copy.
- e. Mail the original white pages to the DMV Driver Safety Office with the arrestee's driver license attached, if in possession.

13. Refusals:

For DUI arrests, if a violator does not consent to a chemical test after having been advised of the law, the officer may seek a "McNeely warrant" per 1524(a)(13) PC, with approval from the on-duty Watch Commander, in the manner approved by the OCDA. The Officer should then complete the Admin Per Se chemical test refusal section of the Admin Per Se form.

A McNeely warrant does not apply to cases where DUI charges are not sought (IE...11550 HS, 647(F) CPC). These arrests may have a blood draw forced by a trained phlebotomist, with on-duty Watch Commander approval.

Once the Warrant has been served and a blood sample retained, the requesting officer shall get the signature of the issuing judge during business hours on the following day.

14. The officer will release the suspect under the following conditions:
 - a. When the subject has been delivered to the custody of another law enforcement agency.
 - b. When the subject has attained a level of sobriety that provides him with the ability to care for his own safety.
 - c. A sober adult is willing to take custody of the arrestee.
 - 1) This option should be used at the discretion of the on-duty Watch Commander keeping in mind holding facility restrictions.
 - 2) The officer shall complete a "cite and release admonishment" form.
15. The officer will then complete all necessary forms to record the detailed account of the arrest. This will include:
 - a. A crime report face sheet (page 1).
 - b. A DUI/Field Sobriety Examination Report.
 - c. A Drug Influence Report, if applicable.
 - d. A narrative of the chronological events of the arrest.
 - e. A traffic collision report, if applicable (Any case involving a DUI offense, or criminal offense involving alcohol and/or drugs while driving shall be completed upon a CHP 555 Investigation form).
 - f. Appropriate forms in support of the chosen chemical test, or
 - g. Appropriate forms in support of a documented refusal being reported to the court and the Department of Motor Vehicles.

VII. Preparation and Processing of Traffic Citations, Arrest Reports and Other Supplemental Reports.

- A. A “Notice to Appear” (citation) shall be completed for all violations of traffic laws charged by members of this Department. Unless traffic violations are being charged by complaint via traffic collision report. To facilitate the accountability and auditing of the citations (Notice to Appear) and all processed citations, as approved by the Judicial Council of California, will:
- a. Be kept in the Department’s Police Department records management system (RIMS) [CALEA 82.3.4b,c]
 - b. Will be issued through the department issued e-citation mobile device, which allow officers to capture data for transmittal to traffic and criminal court. [CALEA 82.3.4a,b]
 - c. At the beginning of each officer’s shift an e-citation kit will be issued with approval from the on duty Watch Commander and returned to the department at the end of shift.
 - d. The appropriate Command staff will conduct a periodic check of the “E-Citation Log” to ensure that is complete with the following information: date issued, assigned officer, and signature of on duty Watch Commander. [CALEA 82.3.4a,b]
 - e. Citations voided by an officer are to be noted in the e-citation software program. [CALEA 82.3.4b]
 - f. Should any citation equipment within the e-citation kit, become lost, stolen or inadvertently damaged, the officer shall notify the Watch Commander immediately. The Watch Commander shall send a memo to the appropriate Command Staff outlining the circumstances and action taken. [CALEA 82.3.4b]
- B. Completing the “Notice to Appear”
1. Complete the date, time, and day of week of the violation
 2. Complete the name, address, and date of birth and driver’s license information of the suspected violator
 3. Complete all necessary vehicle information
 4. Complete the requested information regarding evidence of insurance
 5. Write in the violation. Officers are reminded to include the number of and source code of the violation, as well as a brief narrative of the offense. For example, a stop sign violation could be recorded as: “CVC 22450—Failure to stop for posted stop sign”
 6. Record relevant speed, location, weather, traffic and road condition information that was observed at the time of the violation.
 7. The officer shall sign his or her name legibly.
 8. Indicate an appropriate date, night court date, time and location. Juvenile offenders shall be referred to the juvenile court (s).
 9. Present the citation to the violator, explaining the offense, and explaining that his or her signature is
 10. Not an admission of guilt; and
 11. Only a promise to appear on or before the date listed.

12. If the violator signs the citation, remove the violator's copy and give it, and the driver's license, registration and insurance back to the driver, and then assist the driver in re entering traffic safely.
13. If the driver refuses to sign the citation, advise the driver that failure to do so requires an immediate arrest and if possible, delivery to a magistrate. If the violator still refuses, the officer shall request a supervisor to review the requirements with the violator. If the violator then refuses, the officer will take the violator into custody as set within this General Order.
14. In cases of arrest for refusal to sign the Notice to Appear, the vehicle will be towed, or can be released to a licensed driver at the discretion of the officer.
15. Daily, the on duty Watch Commander via the electronic citation software system, shall review for citations for completeness and approve for Records processing. Once approved, it will be processed and delivered to the court.
16. Officers shall record the details of the traffic stop by either verbally recording details of the stop or entering an electronic file within the e-citation system for future reference should the citation be contested.

C. Arrest Reports

1. Will be completed for any offense where the violator is either:
 - a. Taken into physical custody, or
 - b. Cited and released from the scene for an offense that the officer could have taken physical custody of the violator.
2. The report will contain all applicable documents and forms, including:
 - a. The investigating officer's report
 - b. Any supplemental reports.
 - c. Any investigative reports or forms.
 - d. Any evidence logs or records.
 - e. Copies of any other documents.
 - f. All criminal history, records check and license teletypes.
3. Upon completion, the report will be delivered to the on duty Watch Commander, prior to the completion of the officer's end of duty.
4. The Watch Commander will review the report for accuracy, neatness and completeness, and once approved, deliver the report to records for processing.

VIII. Parking Enforcement

- A. Parking enforcement is performed by employees of Parking and Transportation Services.

- B. Police Department employees who observe a parking violation will contact a parking enforcement officer who will respond and cite the vehicle utilizing an auto cite.

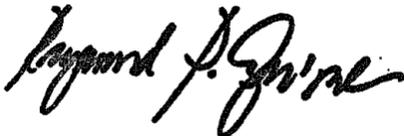
IX. Selective Traffic Enforcement

- A. The goal of selective traffic enforcement is to reduce traffic collisions.
- B. This can be accomplished through the assignment of personnel and equipment to areas that have been identified as concerns or possible hazards as the result of analysis of collision data or complaints.
- C. The objective is to direct enforcement efforts towards violations, not only in proportion to the frequency of their occurrence in traffic collision situations but also in terms of traffic-related needs as identified by the community.
- D. This Department's selective traffic enforcement program will include:
 - 1. All traffic collisions occurring on campus will be compiled and reviewed to determine if there are any areas of concern. [CALEA 61.1.1a]
 - 2. A compilation and review of traffic enforcement activities data to determine if there are identifiable patterns. [CALEA 61.1.1b]
 - 3. Comparison of the collision data and enforcement activities data to determine if enforcement is occurring where accidents are occurring. [CALEA 61.1.1c]
 - 4. Implementing selective enforcement techniques and procedures at identified problem locations such as crosswalks or intersections. [CALEA 61.1.1d]
 - 5. Assigning traffic enforcement personnel to patrol problem areas to monitor traffic and take appropriate enforcement action for observed violations. [CALEA 61.1.1e]
 - 6. Evaluating selective enforcement activities to determine the number of violations cited and any effect on the reduction of accidents or complaints. [CALEA 61.1.1f]

REVIEWED BY:

G.Dack

APPROVED:



Raymund Aguirre
Chief of Police

