

<p style="text-align: center;">East Haven Police Department</p> 	Type of Directive: Policies & Procedures		No. 426.3
	Subject/Title: Traffic Enforcement	Issue Date: April 24, 2018	
		Effective Date: June 11, 2018	
	Issuing Authority: Honorable Board of Police Commissioners	Review Date: Annually	
References/Attachments: Policies and Procedures #: 304, 409, 449 Connecticut General Statutes § 14-227a and 14-217 United States Department of State Office of Foreign Missions		Rescinds: 426.2	Amends: N/A

I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding traffic enforcement.

II. POLICY

- A. The East Haven Police Department shall enforce traffic laws and regulations in a fair and equitable manner in an effort to increase voluntary compliance with motor vehicle laws, deter dangerous motor vehicle operation and promote roadway safety.

III. DEFINITIONS

- A. **Arrest:** The circumstance when a person has been placed under formal arrest, or there is a restraint on a person's freedom of movement of the degree associated with a formal arrest and a reasonable person, in view of all the circumstances, would have believed that he or she was not free to leave.
- B. **Infraction:** A violation of the General Connecticut Statute in which the penalty is a monetary fine.
- C. **Misdemeanor Summons Complaint:** A written order to appear in court to answer for an offense for which a person may be sentenced to a term of imprisonment of not more than one year.
- D. **Verbal Warning:** A caution by word of mouth issued by an officer for a violation of the Connecticut General Statutes.

- E. Written Warning: A written notice issued by an officer for a violation of the Connecticut General Statutes.

IV. GENERAL GUIDELINES AND CONSIDERATIONS

- A. Traffic enforcement involves all police activities related to the observation, detection, and apprehension of traffic law violators. All sworn employees will be observant for traffic violations and will take the appropriate enforcement action when substantial violations are observed. Traffic enforcement activities may be either proactive or reactive as the result of an observed violation, citizen complaint, traffic collision analysis, or selective enforcement measures. Enforcement action can be made through a physical arrest, misdemeanor summons complaint, juvenile summons, infraction ticket, written warning, or verbal warning. Each situation will require that the officer evaluate the violation and determine the most appropriate type of enforcement action. Enforcement will be made in a courteous, civil, and impartial manner.

V. PROCEDURES

- A. Uniform Traffic Law Enforcement

- 1. All enforcement will be accomplished in a courteous, fair, and impartial manner using one of the following methods.
 - a. Custodial Arrest.
 - b. Verbal Warning.
 - c. Written Warning.
 - d. Infraction.
 - e. Misdemeanor Summons Complaint.
 - f. Juvenile Summons Complaint (when applicable).
 - g. See also Policies & Procedures #409 - Motor Vehicle Stops.
- 2. Special Traffic Violation Processing
 - a. Out-of-State Traffic Violators
 - 1) Non-residents of Connecticut issued an infraction complaint, who are residents of a state that is part of a reciprocal agreement with Connecticut, shall not be required to post a bond.
 - 2) Non-Residents of Connecticut from non-reciprocal states issued an infraction complaint can be required to post a cash bond or a guaranteed bail bond equivalent to the total of the fine, fees or costs established in the fee schedule.
 - 3) See the Drivers License Compact (DLC) and Non-Resident Violator Compact (NRVC) for information on reciprocal agreements.

- a) Connecticut is party to both compacts. The American Association of Motor Vehicle Administrators at <http://www.aamva.org/Drivers-License-Compacts/> provides a list of member states for both compacts.
- b. Non-residents of the Town of East Haven
 - 1) Traffic violations committed by non-residents of the Town shall be handled in a courteous, fair, and impartial manner using at least one of the enforcement methods described in this Directive.
- c. Juveniles
 - 1) When traffic violations are committed by juveniles under the age of sixteen (16), the enforcing officer may temporarily detain the juvenile for the offense and release the juvenile to the custody of a parent/guardian or another proper person.
 - 2) If an officer elects to cite a juvenile for a traffic violation, the enforcing officer may issue an Infraction, when applicable, or a Juvenile Summons pursuant to law.
 - a) Refer to the Connecticut Judicial Branch for guidance as to whether the traffic violation shall be handled as an adult and/or juvenile offense.
 - b) The current guide is available on the Connecticut Judicial Branch website: http://jud.ct.gov/external/news/Adult_vs_Juvenile_charges.pdf
- d. Elected Local, State and Federal Officials
 - 1) Traffic violations shall be handled in the same manner as any other motorist as no immunity exists regarding criminal and/or motor vehicle laws.
- e. Foreign Diplomats and Consular Officials
 - 1) The United States Department of State has issued guidelines regarding the police role of matters involving foreign mission personnel and the privileges and immunities to which each is entitled.
 - 2) Identity cards are issued by the U.S. Department of State, U.S. Mission to the United Nations, and the American Institute in Taiwan. An identity card issued by the aforementioned authority contains the bearer's name, title, mission, city and state, date of birth, identification number, expiration date, and the U.S. Department of State seal.
 - 3) While the aforementioned form of identification is generally relied upon, newly arrive members of diplomatic and consular staff may not yet have their U.S. Department of State-issued identity card.
 - 4) In all cases, officers shall verify the immunity status with the U.S. Department of State as representatives are available 24-hours daily via telephone. The contact information for the U.S. Department of State is attached to this Directive.

- 5) According to the U.S. Department of State, officers may issue a traffic citation or warning to a mission member or dependent who has a valid identification indicating immunity since the issuance of a traffic citation does not constitute an arrest or detention.
 - a) The facts of the case shall be documented in an incident report.
 - b) A copy of the citation and any other documentation regarding the incident shall be forwarded to the U.S. Department of State as soon as feasible.
- f. Military Personnel
 - 1) Traffic violations shall be handled in the same manner as any other motorist as no immunity exists regarding criminal and motor vehicle laws.
 - 2) When a physical arrest is made, the on-duty supervisor will notify the arrestee's commanding officer. This does not apply to the issuance of a traffic citation.
 - 3) In the case of traffic collision causing injury requiring hospitalization or death to armed forces personnel, the on-duty supervisor shall notify the liaison officer. This case will also apply to civilian employees of the armed forces while acting within the scope of their employment.
 - 4) In any situation where U.S. government equipment is seized, towed or confiscated, the appropriate government agency will be notified. Armed forces personnel, if assigned in this state, may have an out-of- state driver's license or vehicle registration.
3. Traffic Citation Accountability
 - a. The Head of the Records Division shall ensure that an adequate supply of citation forms are available. Upon requesting and receiving a new supply of citation forms the Head of the Records Division shall do the following.
 - 1) Verify the number by physical count and compare that to the invoice.
 - 2) Create a record for each book using the first and last numbers.
 - b. Distribution.
 - 1) Citation books will be issued by a supervisor or the Head of the Records Division as needed.
 - 2) Officers will request citation books from their supervisors.
 - 3) The officer shall fill out the receipt and return it to a supervisor.
4. Voiding Citations
 - a. All citations are to be accounted for, and citations can be voided at the officer's discretion prior to the end of the officer's tour of duty.

- b. Citations that need to be voided after the end of an officer's tour of duty, must be approved by a supervisor and for a justifiable reason such as the citation was issued in error, lack of probable cause, victim of identity theft, computer system failure, etc.
 - c. When voiding a citation, the officer/employee shall document in the Law Enforcement Administration System (LEAS) the reason for the void and which supervisor approved the void, if applicable.
 - d. All paper copies of voided citations shall be submitted to the Records Division.
5. Speed Measuring Devices
- a. The speed measuring devices used by the Department shall be in compliance with Connecticut General Statutes. Only Department issued and properly calibrated speed detection systems are authorized for use by the Department.
 - b. Operational Procedures
 - 1) The speed measuring devices have operating manuals that must be followed when operating these devices.
 - c. Proper Care and Maintenance.
 - 1) Each officer is responsible for ensuring that the required components of the speed-measuring device are present, appear to be functional, and are not damaged. If the device needs to be repaired or needs a replacement part, the officer will notify the Head of the Administrative and Training Division.
 - d. Programmed Maintenance.
 - 1) The Administrative and Training Division will ensure that each speed-measuring device is calibrated and tested every six months. The calibration sheets will be kept with each speed-measuring device and in a file maintained by the Administrative and Training Division.
 - e. Operator Training and Certification.
 - 1) Only certified officers will operate the speed measuring devices.

B. DUI Enforcement Program

- 1. Drivers impaired by alcohol and/or drugs represent a serious threat to the lives and safety of persons using the streets of the town. A comprehensive countermeasures program, involving education, enforcement, adjudication, treatment and public support, is essential to long-term success in preventing DUI and enforcing the DUI laws. Patrol officers must be alert for signs of alcohol and/or drug impairment in all contacts with motorists. After conducting an initial examination at the scene of the traffic contact, and upon determining the probable cause to arrest is present, the officer will affect a physical arrest of the subject.
 - a. Chemical test(s) will be offered in accordance with Connecticut General Statute § 14-227a.

2. Handling DUI Incidents.
 - a. Detection
 - 1) All officers shall attempt to locate and take enforcement action against all persons operating a motor vehicle while under the influence of alcohol or drugs in the Town of East Haven. If elements of the DUI arrest are evident, as established in Connecticut General Statute § 14-227a, officers shall make a custodial arrest of the subject.
 - 2) Detection should include the following steps.
 - a) Recognize and identify specific driving behaviors that signify the driver may be intoxicated by alcohol and/or drugs.
 - b) Note any motor vehicle violations.
 - c) Advise the dispatcher of the location and request assistance if necessary.
 - d) Approach the vehicle with caution. Obtain the operator's operator license.
 - e) Recognize; identify specific actions, attitudes and characteristics commonly manifested by impaired drivers during face-to-face contact.
 - f) Request that the subject exit the vehicle and move to safe location to conduct the Standardized Field Sobriety Tests.
 - g) Formulate appropriate arrest decision based on evidence accumulated.
 - b. Processing at the Department.
 - 1) The subject will be interviewed at this point.
 - 2) The subject will be asked to submit to a chemical analysis. There will be two tests not less than ten (10) minutes apart. The testing officer may, at his/her discretion, elect to use a breath or urine test.
 - 3) When necessary, a Drug Recognition Expert (DRE) may be utilized to detect subjects who operate motor vehicles while under the influence of drugs in accordance with Policies and Procedures # 449 – Drug Recognition Expert.
3. Sobriety Checkpoints
 - a. The Department will employ the use of sobriety checkpoints in an effort to apprehend violators and to deter potential violators.
 - b. Sobriety checkpoints may be employed on public roadways chosen for traffic volume, past violation arrests, alcohol-related accidents, special events in the area, or other reasons that may from time to time require special enforcement by this department.

- c. Sobriety checkpoints are a special operation and require careful planning, sight selection and manpower availability to ensure a safe and efficient operation that meets the objective of the Department.
- d. Sobriety checkpoints will be manned by a minimum of one supervisor and four patrol officers. All officers will be equipped with high visibility uniforms or vests, as well as clipboards and necessary forms. Officers involved in sobriety checkpoints shall be trained in the detection of operators who are impaired/under the influence of alcohol, drugs, or both, and in the use and interpretation of the Standardized Field Sobriety Tests.
- e. The location of the sobriety checkpoint shall be determined by the volume of traffic, area lighting and suitable facilities to direct the traffic from the traveled portion of the road into a parking area or other suitable spot. In considering a location for a sobriety checkpoint, prior arrest/accident activity may also be considered.
- f. The sobriety checkpoint shall be set up using traffic cones to create a traffic lane, directing vehicles to the point where officers will make contact with the operator of the vehicle. An officer will be assigned to monitor and direct all traffic into the checkpoint traffic lane. At least two officers will be designated as screening officers and will make contact with the operators of the vehicles entering the checkpoint. All vehicles coming into the checkpoint will be screened. The screening officer will explain to the operator the purpose of the checkpoint and will at all times maintain a courteous attitude toward the operator. During the screening, the officer will be alert to the obvious signs of alcohol/drug impairment or influence, such as associated with the drinking of alcoholic beverages. If there are no readily observed signs of impairment/influence, the operator will be allowed to proceed without further delay. If such readily observed signs of impairment/influence are found to exist with the operator, the operator will be detained for further field sobriety testing. If further sobriety testing results in the officer finding probable cause to arrest the operator for driving while under the influence of alcohol and/or drugs, the operator will be arrested and charged with the appropriate statute. The operator will be transported to police headquarters and processed according to department policy.
- g. During the checkpoint activities one officer will be assigned as a “chase officer”, with a marked patrol unit. This officer will be responsible for stopping any vehicle that fails to stop for the checkpoint. On-duty officers may be called to assist checkpoint officers if the need arises.
- h. It must be remembered that while the courts have allowed the use of sobriety checkpoints as a means of detecting operators who are under the influence by alcohol or drugs, they have also ruled that random stops without probable cause are prohibited. Further testing of individual operators must be done only after a reasonable suspicion of impairment or influence has been established. Arrest

following further testing must have the same probable cause standard as any other investigation.

- i. Supervisor responsibility
 - 1) Supervisors assigned to sobriety checkpoints are responsible to ensure that the checkpoint is set up in a safe location, and that officers present are working in a safe manner to ensure the safety of the officers and motorists entering the checkpoint. The supervisors will keep a count of the total number of vehicles stopped and number of violations detected. This record will become part of the after action report that is completed.
- C. Operation with Suspended or Revoked License.
 1. Operators with suspended/revoked licenses should be arrested for that offense and any other violations that were observed or discovered. The vehicle should be towed if no licensed operator is available to operate the motor vehicle.
- D. Speeding Violations
 1. Officers should use discretion based upon the totality of the circumstances as to the type of enforcement action that should be taken.
- E. Off-Road Vehicles
 1. Off-road vehicles are not permitted on public roadways unless they are properly registered and insured and in compliance with the Connecticut General Statutes.
- F. Equipment Violations
 1. Officers will consider the nature of the equipment defect and overall condition of the vehicle. Many equipment violations are not known to the operator and will be corrected when brought to the operator's attention.
- G. Commercial Motor Vehicles and Public Carriers
 1. Public carrier and commercial vehicle violations will be considered in the same manner as private vehicles. Officers should consider the type of vehicle and that the cargo on board may create a significantly more hazardous situation than a car under similar conditions.
- H. Multiple Violations
 1. Officers may use discretion in multiple violations and may cite as many as is appropriate, but should include the initial offense.
- I. Newly Enacted Laws and Regulations
 1. Typically, grace periods are established during which warnings are appropriate.
 2. After the grace period, officers will use their discretion dependent upon the nature of the violation.
- J. Referral of Drivers for Re-examination
 1. Routine enforcement, accident reporting and investigation activities frequently lead to the discovery of drivers who have suspected incompetency, through physical or

mental disability, disease or other condition, which might prevent the person from exercising reasonable and ordinary care over a motor vehicle.

2. Officers detecting such a person will complete the appropriate forms to request a re-examination by the Commissioner of Motor Vehicles (CGS § 14-217-1).
3. The request for re-examination will be made on form N-105.
4. The physical or mental condition must be described.
5. Form N-105 and a memorandum must be accompanied by copies of all other related reports and submitted to the Records Unit prior to being sent to the Commissioner of Motor Vehicles.

K. Violations Resulting in Traffic Collisions

1. Officers will take appropriate enforcement action when fault has been determined in an accident investigation.

L. Pedestrian and Bicycle Enforcement

1. Officers will take appropriate enforcement action when pedestrian and bicycle violations are observed.

M. Hazardous Violations

1. Officers will take appropriate enforcement action when a violation that poses a direct hazard to the safe and efficient flow of traffic is observed. The enforcement action of the officer should be consistent with the severity of the violation.

N. Non-Hazardous Violations

1. Enforcement action against non-hazardous violations will be guided by the discretion of the officer.

O. Parking Enforcement

1. It shall be the policy of the Department to issue parking tickets in those areas that have been posted or under conditions that constitutes a violation of Town ordinances or State parking regulations. When enforcing parking violations, particularly in residential areas, the officer should first attempt to correct a parking violation. If compliance is not achieved, a parking ticket may be issued.

P. Traffic Citation Maintenance

1. The Department uses the e-Ticket Software Program, which allows officers to complete citations electronically in which a copy of the citation is printed and provided to the offender.
2. Citation booklets, however, will be made available to officers via their shift supervisor or the Head of the Records Division on an as-needed basis.
3. Officers are accountable for the citation booklets that have been issued to them.

- a. If a citation booklet is lost or stolen, the officer shall immediately notify an on-duty supervisor. The officer shall write and submit an incident report explaining the circumstances of the loss.
4. The issuance of e-Tickets is maintained and accounted for electronically in LEAS.
5. Citation booklets will be stored and secured in the supply room of the Department.

Q. Emergency Medical Escorts of Civilian Vehicles

1. The Department shall not provide escorts to civilian vehicles except in the most extreme exigent situations. In most situations the officer should request emergency medical services respond to the location.

R. Correction of Roadway Hazards.

1. Hazardous roadway conditions include the following:
 - a. Defects in the roadway (potholes, dangerous shoulders, etc.)
 - b. Lack of, or defects in, highway safety features (obscured centerline, etc.), or improper, damaged or visually obstructed traffic control and information sign(s).
 - c. Street Light out.
 - d. Natural or man-made obstructions (fallen rocks, trees, litter, debris, water, and electrical wires).
 - e. Ice or heavy snow accumulation on roadway.
 - f. Vehicles parked or abandoned in or near the roadway.
2. The following procedure shall be utilized in reporting and correcting hazardous roadway conditions.
 - a. When a hazard is located and the officer believes it requires immediate attention the dispatcher shall be notified of the condition and identify the assistance needed and any specific equipment needed, if known. The officer shall protect bystanders and vehicles from the hazard.
 - b. When a hazard is located and the officer does not believe the threat needs immediate action, the officer shall notify East Haven Public Safety Communication Center (EHPSCC) personnel. EHPSCC personnel will make the appropriate notifications. If the officer can correct the hazard safely, it should be done.

S. Manual Traffic Direction Locations

1. Officers will perform manual direction of traffic as needed. Manual direction will be used in situations where traffic control signals or devices are not present, inadequate due to traffic flow, or malfunctioning.

2. Emergency conditions may dictate the manual control of traffic.
3. Clear hand signals shall be used. Hands and arms will be kept in a position to be clearly visible to motorists and pedestrians. Signals shall be given in such a manner that persons they are signaling to stop recognize the signal before others are allowed to proceed.
 - a. Sworn personnel will take into consideration bad weather, darkness, bright sunlight or flashing cruiser lights that might obscure motorists' vision.
4. Reflective Outerwear: An Occupational Safety and Health Administration (OSHA) approved reflective vest, jacket or uniform shall be worn in situations where officers are required to manually direct vehicular traffic.
 - a. Exceptions to this policy would be during an emergency situation when it would not be possible to wear the vest.
5. Temporary Traffic Control Devices: Generally, temporary traffic control devices will be used only at special events at the discretion of the shift supervisor. Portable and temporary devices may be used during emergency situations.

T. Special Event Traffic Control Plan

1. Special events are any activities that may involve large amounts of vehicular and/or pedestrian traffic. Special events may include parades, fairs, picketing, road maintenance or any large public gathering.
2. The Head of the Patrol Division shall prepare a plan to provide for traffic direction and control during these events. The plan shall be prepared and should address the following areas.
 - a. The number of officers required to provide adequate traffic and pedestrian and/or crowd control.
 - b. Evaluation of need for on-street parking restrictions.
 - c. The routes and/or detour(s) shall be carefully planned to allow for normal and emergency activities to proceed with minimal disruption.
3. The media will be supplied with information pertaining to the event at the earliest possible time.
4. Supervisors shall ensure that officers are provided adequate relief during the course of the event.

U. Critical Incidents

1. Officers shall control traffic at critical incident scenes under the direction of a supervisor.
2. Traffic direction and control will be provided at critical scenes to include the following:

- a. Prohibit unwanted traffic from entering the scene.
- b. Assist traffic within the established perimeter to leave the area.

V. Fire Scene Traffic Control

1. Officers shall control traffic at fire scenes. Officers shall control surrounding areas to see if they are impacted by detours and assist with traffic where needed.
2. Private vehicles driven by volunteer firefighters shall not be parked in the fire zone and are to be parked in a manner so as not to obstruct emergency vehicles and equipment.

W. Traffic Control during Adverse Conditions

1. Officers may be required to perform traffic direction and control duties when adverse/hazardous road or weather conditions exist. Adverse conditions may be a result of an accident or the following:
 - a. Inclement weather; snow; ice on roadway; flooding
 - b. Accidental hazards; downed trees, downed power lines, debris in roadway
2. When adverse conditions exist, officers shall notify the EHPSCC of such conditions, and it shall be determined by a supervisor what traffic control measures should be taken including manual control or the use of temporary traffic control devices (i.e. temporary stop signs, traffic cones, etc.). Such measures shall be implemented if deemed necessary.
3. EHPSCC personnel will be responsible for ensuring contact with the Director of Public Works, the State Department of Transportation and/or the appropriate utility company.

X. Traffic Control at Collision Scenes

1. Officers must consider a number of factors when controlling traffic at a collision scene including, but not limited to the following:
 - a. Road width, traffic volume, and surrounding environment.
 - b. Due to hazards such as oils, fuels, hazardous materials, and debris, flares should be avoided near spills.
 - c. Multiple officers may be needed and a supervisor should coordinate them. This situation may occur when routing traffic around large collisions, routing traffic on the wrong side of the road, during fog, at night, and near collisions on curves or hills.
 - d. Officers should use the appropriate warning equipment.
 - e. Coordination with other emergency vehicle crews and tow trucks.

- f. An analysis of the need to create detours.
- g. Officers should always attempt to keep the traffic flowing without presenting further dangers. Traffic backup may create other collisions.
- h. Officers should never route traffic onto the opposite side of the road unless there is adequate personnel to ensure safety.

Y. Manual Operation of Traffic Control Lights

- 1. In the case of special events and/or malfunctions, officers may change the traffic control lights to flash or manually operate the traffic control lights. Once the event has passed or the malfunction is repaired, the light will be put back to normal operation.
- 2. Malfunctioning traffic lights will be reported to the Connecticut Department of Transportation or East Haven Public Works for repair.

Z. Motorized Escorts

- 1. Generally, the Department does not provide escorts in the following circumstances.
 - a. Civilian vehicles during medical emergencies, but will summon emergency medical services and render first aid, except under EXTREME circumstances, and only with the approval of a supervisor.
 - b. Funerals, with the approval of the Chief of Police or his/her designee.
 - 1) When so approved, officers will provide traffic control for the funeral procession as directed by shift commander, with emphasis on major intersections, and stopping bystander vehicles, allowing the procession to continue.
 - c. Escorts for dignitaries, oversized loads, and hazardous cargo will be referred to the Head of the Patrol Division, who shall assign officers for traffic control and/or security as needed.
 - d. Officers shall notify a supervisor if they believe additional officers may be needed to safely escort the procession and deploy where necessary, if manpower permits.

ALL FOREIGN MISSIONS AND THEIR PERSONNEL (Other than United Nations or TECRO/TECO)	
During Business Hours (Monday-Friday, 9am-5pm EST)	
Verify immunity status	202-647-1985 202-647-1727
Diplomatic motor vehicle registration and driver's licensing inquiries	202-895-3521 ofmdmvinfo@state.gov

Report traffic incidents/accidents/citations	202-895-3521 ofmdmvenforcement@state.gov
All citations and reports <i>Traffic</i> Office of Foreign Missions	202-895-3646 (fax) ofmdmvenforcement@state.gov
<i>Criminal/misdemeanor (non-traffic)</i> Office of the Chief of Protocol DSS-Protective Liaison	202-647-1198 (fax) 202-895-3613 (fax)
After Hours	
Diplomatic Security Command Center	571-345-3146 866-217-2089

MISSIONS AND SECRETARIAT TO THE UNITED NATIONS AND THEIR PERSONNEL	
During Business Hours (Monday-Friday, 9am-5pm EST)	
Verify immunity status and law enforcement inquiries	212-415-4168 212-415-4407 212-415-4300
Diplomatic motor vehicle registration and driver's licensing inquiries	202-895-3521 ofmdmvinfo@state.gov
After Hours	
USUN-Communications Section	212-415-4444

TECRO/TECO AND THEIR PERSONNEL	
During Business Hours (Monday-Friday, 9am-5pm EST)	
Verify immunity status and law enforcement inquiries	703-525-8474
Diplomatic motor vehicle registration and driver's licensing inquiries	202-895-3521 ofmdmvinfo@state.gov
After Hours	
Diplomatic Security Command Center	571-415-3146 866-217-2089