

Keith Porch, Chief of Police

//K. Porch//

GENERAL ORDER 61
TRAFFIC
EFFECTIVE DATE: May 1, 2019
SUMMARY OF REVISIONS:

INDEX OF STANDARDS

61.1 TRAFFIC ENFORCEMENT

- 61.1.1 SELECTIVE TRAFFIC ENFORCEMENT
- 61.1.2 PROCEDURES FOR ENFORCEMENT ACTION **(LE1)**
- 61.1.3 PROCEDURES FOR SPECIAL PERSONS **(LE1)**
- 61.1.4 INFORMATION TO RELAY TO VIOLATORS **(LE1)**
- 61.1.5 UNIFORM ENFORCEMENT POLICIES **(LE1)**
- 61.1.6 VISIBLE TRAFFIC ENFORCEMENT
- 61.1.7 STOPPING & APPROACHING VIOLATORS **(LE1)**
- 61.1.8 USE OF SPEED-MEASURING DEVICES
- 61.1.9 ALCOHOL ENFORCEMENT COUNTER MEASURES **(LE1)**
- 61.1.10 PROCEDURES FOR OMVI ARRESTS
- 61.1.11 REFERRING DRIVERS FOR REEXAMINATION
- 61.1.12 PARKING ENFORCEMENT
- 61.1.13 OFFICER CONDUCT & VIOLATOR CONTACTS

61.2 TRAFFIC CRASH INVESTIGATION

- 61.2.1 CRASH REPORTS/INVESTIGATIONS
- 61.2.2 CRASH SCENE RESPONSIBILITIES
- 61.2.3 FOLLOW-UP ACTIVITIES

61.3 TRAFFIC DIRECTION AND CONTROL

- 61.3.1 TRAFFIC ENGINEERING ACTIVITIES
- 61.3.2 PROCEDURES FOR TRAFFIC DIRECTION AND CONTROL **(LE1)**
- 61.3.3 ESCORT SERVICES **(LE1)**
- 61.3.4 N/A

INDEX OF STANDARDS (CONTINUED...)

61.4 ANCILLARY SERVICES

61.4.1 ASSISTANCE TO HIGHWAY USERS (LE1)

61.4.2 HAZARDOUS HIGHWAY CONDITIONS (LE1)

61.4.3 REMOVAL AND TOWING OF VEHICLES (LE1)

61.4.4 TRAFFIC SAFETY EDUCATIONAL MATERIALS

PURPOSE: This section of the General Orders contains policy and procedure addressing how this agency handles its traffic related responsibilities. It specifically addresses traffic enforcement, arrests for traffic violations, court appearance requirements, uniform enforcement policies, and standard practices. This chapter also addresses procedures outlining how officers should approach traffic violators, proper use of speed measuring devices as well as procedures for dealing with impaired drivers. Finally, the topics of traffic crash investigation and traffic direction and control are addressed.

61.1 TRAFFIC ENFORCEMENT

61.1.1 SELECTIVE TRAFFIC ENFORCEMENT

A. The agency will ensure that a **monthly review of traffic crashes** is conducted which will be based on geographic, temporal and causative factors. The responsibility for ensuring that the review is completed rests with the Community Services Bureau Commander and will normally be conducted by clerical staff.

– The review of traffic crashes will include location of crashes; date, time, day of the week, contributing factors, and injuries.

B. The agency will ensure that a **periodic review of enforcement activities** occurs, which will be based on enforcement activity records.

– The review of traffic activities will include a study of traffic stops by day of week, time of day and by percentage occurring in targeted locations. The review also includes a study of traffic citations by day of week, time of day and by percentage occurring in targeted locations.

C. Agency Community Services Bureau supervisors and personnel will use monthly traffic crash and traffic data to measure effectiveness of traffic enforcement and to plan future efforts.

D. The agency's **selective traffic enforcement strategy** will include assigning officers to areas of greatest potential and actual need as identified by review of traffic crash, enforcement and complaint information.

– The review of traffic crashes should result in a **consolidated summary** of identifying high hazard areas, violations contributing to crashes, and the predominant times when crashes occur. This review will be shared with Patrol for targeted patrol.

- The Community Services Bureau, patrol supervisor or Traffic Section supervisor may assign officers to **designated areas** for traffic purposes based upon traffic crash, enforcement and complaint review.

- Officers assigned to conduct traffic shall be trained in the use of radar and/or other speed measuring devices, i.e.: laser.

- Officers assigned to **OVI enforcement** shall be trained in the detection, apprehension, and prosecution of impaired drivers and in the use of associated equipment, such as breath testing instruments.

- The agency may use **specially identified patrol vehicles** exclusively for traffic enforcement, i.e.: motorcycles and/or bicycles.

E. Traffic Section personnel and/or patrol section personnel who have traffic responsibilities shall be **deployed to areas of greatest potential and actual need** as identified by review of traffic crash, enforcement and complaint information.

- The Community Services Bureau, patrol supervisor or Traffic Section supervisor may assign officers to **designated areas** for traffic enforcement based upon traffic crash, enforcement and complaint review.

F. A **monthly evaluation of traffic activities** will be conducted by the Community Services Bureau Commander and the other Community Services Bureau supervisors. This evaluation will be conducted either in a monthly meeting or through a written evaluation.

- The evaluations should attempt to **ascertain the effectiveness** of selective traffic law enforcement efforts and will include a comparison of work output to work outcome.

G. **Complaints received from the public regarding traffic-related issues** will be forwarded to the Traffic Section for follow-up.

- The complaint taker will **obtain as much information as possible** concerning the complaint, such as the time(s) and day(s) of the reported incidents, the type(s) of vehicle(s) involved, the complainant's name, address, and phone number, (if the complainant is willing to provide that additional information) and the location of the complaint.

- If the complaint needs **immediate follow-up**, i.e. caller wishes to be contacted immediately or the incident is occurring or just occurred, communications will dispatch an officer to investigate the issue or concern.

61.1.2 PROCEDURES FOR ENFORCEMENT ACTION (LE1)

All sworn officers shall take **appropriate enforcement action** for each violation of the law witnessed or reported to them. Enforcement action does not provide an officer the privilege to scold, belittle, berate or otherwise verbally abuse a traffic violator. All enforcement actions will be accomplished in a firm, fair, impartial and courteous manner using a written warning, a citation or physical arrest, as outlined below.

A. Officers will **normally affect the physical arrest** of any person in violation of those driving laws pertaining to driving while intoxicated or driving under the influence of alcohol or drugs; fleeing and

eluding, traffic offenses committed in the commission of other crimes; and other violations or circumstances which may be required by the agency and/or the court.

– The decision to affect an arrest shall be based upon sound legal principles as opposed to peripheral issues such as the violator's "attitude".

B. The **issuance of a traffic citation** is appropriate in the majority of cases for violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations, parking violations and operating unsafe vehicles.

– The officer shall ask the operator of a motor vehicle for proof of insurance and shall indicate on the citation(s) if proof is shown to the officer.

– Any violator who is issued (or will be issued) a citation **who cannot present proof of insurance** shall be advised of the requirements for providing proof of insurance to the court of jurisdiction.

– **Valid proofs of insurance** include: insurance policy in effect on the date and at the time of the violation; insurance identification card; surety bond of \$30,000; a BMV certificate of bond; a BMV certificate indicating a bond on deposit; or a BMV certificate of self-insurance.

C. A **warning** (verbal or written) is a proper alternative to arrest or citation by officers in response to a minor or inadvertent traffic infraction committed in those areas where traffic issues are minimal.

61.1.3 PROCEDURES FOR SPECIAL PERSONS (LE1)

The following procedures apply to certain classes of traffic law violators that require special processing, such as nonresidents of the agency's service area; juveniles; legislators; foreign diplomats/consular officials; and military personnel.

A. A minor misdemeanor traffic citation may be issued to a violator whose **signature shall act as a bond** for the violation. (Ohio Revised Code §2935.26, 2935.27)

– Mitigating circumstances may arise that would dictate another form of bond, including a reasonable belief that the offender will not appear in court or pay for the citation, that the offender cannot provide for his/her own safety, that the offender refuses to offer satisfactory evidence of his/her identity, that the offender refuses to sign the citation or that the offender has previously failed to appear. (Ohio Revised Code §2935.26 (A))

– **Non-residents of the State of Ohio** who are residents of member states of the Non-Resident Violator Compact may also sign their citation(s) as personal recognizance. Violators shall be advised that failure to comply with the terms of the citation(s) will result in suspension of their license in their home state.

– Violator compact states include: Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, D.C., West Virginia, and Wyoming.

– **Normal arrest/bonding procedures** shall apply for violations of laws other than minor misdemeanors committed by non-residents.

B. Juveniles who have committed a minor misdemeanor traffic violation will not normally be placed in custody but will be issued a traffic citation.

– Juveniles may be taken into **custody for serious traffic offenses**, such as OVI, vehicular homicide, fleeing and eluding, etc.

– In all cases when a juvenile is taken into custody, the officer is responsible for **notifying the juvenile's parent or guardian** as soon as practical.

– All other directives dealing with juveniles shall be applicable to juvenile traffic violators.

C. Officers will be familiar with those individuals who are privileged from arrest and under what circumstances these individuals are privileged from arrest.

– Senators and Representatives of the **Sectioned States (Legislators)** during their attendance at the session of their respective Houses, and in going to and returning from the same, except in matters of treason, felony, and breach of the peace. (Sectioned States Constitution Article I §6)

– Senators and Representatives of the **State of Ohio** (Legislators) during their attendance at the session of their respective Houses, and in going to and returning from the same, except in matters of treason, felony, and breach of the peace. (Ohio Constitution Article II §12)

– Additionally, the executive secretary of the House, the legislative clerk of the House, clerks, sergeants at arms, doorkeepers, and messengers of the Senate and House of Representatives. (Ohio Revised Code §2331.11 (A))

– Electors, while going to, returning from, or in attendance at elections. (Ohio Revised Code §2331.11 (B))

– This section grants immunity from detention or arrest, but would **not preclude the issuance of a citation**.

D. Sworn personnel may issue traffic citations to persons who enjoy Diplomatic or Consular Immunity.

– If the person who enjoys Diplomatic or Consular Immunity refuses to sign the citation, officer should write “refused” on the signature line.

– Sworn personnel who are faced with an arrest situation involving a person asserting Diplomatic or Consular Immunity should attempt to establish immunity and contact the shift supervisor. If the person possesses Diplomatic or Consular Immunity, he/she should not be arrested.

– Indicators of Diplomatic or Consular Immunity, include, but are not limited to:

– Department of State Identification Card

– Foreign Diplomatic Passports and U.S. Diplomatic Visas

- Diplomatic License Plates, Registrations, and Drivers License
- Tax Exemption Cards
- **The Department of State can be contacted 24 hours a day to verify the status of Diplomatic or Consular Immunity.** (202-663-2555)
 - While persons enjoying Diplomatic or Consular Immunity may be prohibited from being arrested, detained or prosecuted, sworn personnel may take action to protect public safety or prevent the commission of a serious crime.
 - If a person who enjoys Diplomatic or Consular Immunity is alleged to have committed a crime, the investigating officer should forward copies of all reports associated with the incident to the Department of State through supervisory personnel.
 - If sworn personnel have established probable cause to arrest or detain a person who they suspect of a serious traffic violation (for example O.V.I.) and the officer has also established the person enjoys Diplomatic or Consular Immunity arrest or detention, the officer should:
 - Contact the shift supervisor.
 - Arrange for a ride for the suspect or transport the suspect to a safe location. The suspect vehicle should not be impounded, but it may be moved or towed to a safe location.
 - Issue the appropriate citation(s).
 - Incidents such as these should be documented on standard report forms and copies should be forwarded through the supervisor to the Department of State.

Additional Information on this topic can be found in Diplomatic and Consular Immunity guidance for Law Enforcement and Judicial Authorities published by the Sectioned States Department of State which is located in the Communication Center.

Additional information on this subject(s) can be found at:
<http://www.state.gov/m/ds/immunities/c9118.htm> (see G.O. 1.1.4)

E. If an officer has cause to come in contact with an "AWOL" or investigates a traffic collision involving a **member of the armed forces** (which include Regular members of the Army, Navy, Air Force, Marine Corps, and Coast Guard and reservists who are on active duty or any civilian employee acting within the scope of their employment), officers shall adhere to the following procedures.

- If a member of the armed forces is **AWOL**, the on duty supervisor shall notify the liaison officer of the nearest Armed Forces investigative headquarters division.
- The liaison officer of the nearest Armed Forces investigative headquarters division shall also be notified when armed forces personnel are involved in a **traffic crash** and are either killed or injured to the extent that they require hospitalization.

61.1.4 INFORMATION TO RELAY TO VIOLATORS (LE1)

A. Any citation(s) issued to a traffic violator shall clearly indicate the **court date and court time** assigned to the violator.

B. Any citation(s) issued to a traffic violator **shall clearly indicate whether or not a court appearance is mandatory.**

– Unless otherwise specified, **minor misdemeanor traffic charges and any moving M-4 traffic violation should not require a court appearance.**

C. Any citation(s) issued to a traffic violator shall clearly indicate whether the defendant may be allowed to **enter a plea and/or pay the fine** by mail or at a traffic violations bureau.

– The issuing officer shall complete the proper section(s) of the citation(s) indicating the address and phone number of the Violations Bureau and any other information necessary to allow the violator to dispose of the violation without appearing in court.

– The issuing officer should advise the operator that failure to appear or pay a waiver may result in the forfeiture and cancellation of their license for one year in Ohio and/or in any of the states that are members of the interstate violator's compact.

– Violator compact states include: Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, D.C., West Virginia, and Wyoming.

D. The **defendant's copy** of any traffic citation(s) shall be completed by the officer prior to being presented to the violator.

– The officer shall ask the operator of a motor vehicle **for proof of insurance** and shall indicate on the citation(s) if proof is shown to the officer. (ORC §4509.101)

– Any violator who is issued (or will be issued) a citation **who cannot present proof of insurance** shall be advised of the requirements for providing proof of insurance to the court of jurisdiction.

– **Valid proofs of insurance** include: insurance policy in effect on the date and at the time of the violation; insurance identification card; surety bond of \$30,000; a BMV certificate of bond; a BMV certificate indicating a bond on deposit; or a BMV certificate of self-insurance.

– The officer shall **explain the citation(s)** to the violator and shall point out the court date and time; the indication(s) that an appearance is mandatory, if applicable; the information indicating if a plea may be entered and how to dispose of the violation by mail or the location for the violator to appear in court and/or how to contact the Clerk of Courts office.

61.1.5 UNIFORM ENFORCEMENT POLICIES (LE1)

The main emphasis of traffic enforcement by this agency should be focused on **moving violations that contribute to traffic crashes** and addressing other traffic safety concerns. The decision to warn or cite a violator will ultimately rely on an officer's judgment based on the conditions and circumstances at the

time of the violation. Adherence to a set policy is not to be substituted for common sense or human understanding.

A. The agency will adopt the following **uniform policies regarding OVI** countermeasures and enforcement.

- The agency will take steps to train and equip its officers to **detect and apprehend** the drug/alcohol-impaired driver.
- Officers will normally be required to file charges on drug/alcohol-impaired drivers.
- Officers should also file a **charge that establishes the probable cause** for the initial contact with the violator.
- Any violator testing over the "**per se**" **alcohol limit** shall be additionally charged with this offense.
- Any violator refusing a breath test with a prior OVI conviction in Ohio shall be additionally charged with this offense.
- Any officer confronted with a case of **physical control** of a vehicle shall file appropriate charges.

B. This agency will adopt the following uniform policies regarding enforcement of laws regarding **operation of a vehicle after driving privileges have been suspended or revoked**:

- Officers frequently encounter drivers who are **unable to produce a valid operator's license** and who may be under suspension or revocation. In such cases, an officer may take enforcement action for cases of driving under suspension or revocation based on a LEADS printout alone (summons, citation, etc.).
- Officers who issue a citation for operating a vehicle while under license suspension or revocation **must obtain a copy of the LEADS printout** and attach it to the court's copy of the citation.
- Officers should also file a **charge that establishes the probable cause** for the initial contact with the violator.

C. This agency will adopt the following uniform policies concerning **moving (speed) enforcement**.

- Officers may normally issue written warnings for speed violations up to and including **nine miles per hour over the speed limit**.
- A violator exceeding the speed limit by **ten to fourteen miles per hour** may be warned or cited, dependant on the road conditions and circumstances surrounding the violation.
- Officers will normally issue a citation when a violator's speed exceeds the speed limit by **fifteen or more miles per hour**.
- This agency will adopt a policy of **aggressive enforcement of hazardous moving traffic violations**, particularly in high hazard and high crash experience locations.
- Hazardous moving traffic violations include, but are not limited to:

- Reckless operation
 - Drag racing
 - Fleeing and eluding
 - Failure to obey a law enforcement officer
 - OVI
- This agency will adopt the following uniform enforcement policies for the enforcement of **off-road vehicle violations**:
- Officers will normally **remove any off-road vehicle** that is being operated on a public roadway if the vehicle poses a danger to the operator and/or other motorists. If the vehicle is removed a citation will normally be issued for appropriate violations.
- Upon complaints from citizens regarding **excessive noise** and trespassing officers will attempt to identify violators and will normally issue a warning for a first-time violation.
- In cases of **property damage**, officers will normally issue a citation for on-view violations.
- Consideration shall be given to the **type of violation**, the area of occurrence, the time of occurrence, the volume of traffic, and whether the violator was aware of the law or statute applicable to the infraction (e.g. improper right turn on red).
- This agency will adopt the following uniform enforcement policies for **non-hazardous violations**.
- **Non-hazardous violations** are defined as violations of laws or ordinances affecting the use or protection of streets or highways, but not enacted primarily to regulate safe movement of vehicles and pedestrians (e.g. registration violations, use of occupant safety devices).
- When a vehicle is stopped for a non-hazardous violation the officer **may issue a warning or citation** dependant upon the circumstances of the violation, past driving record of the violator, etc.

D. This agency will adopt a uniform enforcement policy for **equipment violations**:

- It is the policy of this agency to normally issue a warning for equipment violations. The main intent of this warning is to educate the traffic violator and for the equipment violation to be corrected.
- If a documented warning to the traffic violator is on file with this agency and it is specifically related to the equipment violation, an officer may issue a traffic citation for that violation.
- If the equipment violation is the only probable cause violation for the initial traffic stop which results in a subsequent charge requiring a probable cause citation, an officer may issue a traffic citation for that violation.

E. This agency will adopt a uniform enforcement policy for the enforcement of **public carrier and commercial vehicle violations**:

- Based on traffic analysis of high crash or high complaint locations involving public carriers or commercial vehicles officers may be **directed to focus enforcement** in those areas.

– Drivers of public carriers and/or commercial vehicles that **commit violations that are identified through traffic analysis as hazardous** will normally receive a citation.

– Consideration shall be given to the **type of violation**, the area of occurrence, the time of occurrence, and the volume of traffic.

F. Officers of this agency who are issuing a citation out of a traffic stop **will not issue an additional equipment charge** unless otherwise specified under this policy or approved by a supervisor. Officers are discouraged from issuing multiple citations (more than two) from a single stop without supervisor approval.

G. This agency will adopt a policy regarding the enforcement of newly enacted laws or regulations.

– Unless otherwise authorized by the Chief of Police there will be no grace period for enforcement of newly enacted laws or regulations.

H. This agency will adopt the following uniform enforcement policies for investigating violations resulting in **traffic crashes**:

– If the reporting/investigating officer of a traffic crash can identify an **at fault party** or parties through examination of evidence, witness statements, admissions, or other investigation and probable cause exists that a traffic law or laws have been violated, the officer shall take enforcement action (citation or arrest) against that party.

– **More than one person** involved in the crash may have contributed to the collision and therefore, more than one person may be cited/arrested as a result of the crash reporting/ investigation process.

– **Any deviation from this policy** must be based on clearly articulated facts and must be fully and clearly explained in the body of the traffic crash and/or supplemental report.

– Before taking any enforcement action, the officer must **establish all elements of the violation**.

– Elements that the **officer has not personally witnessed** must be established through investigation.

I. This agency will adopt the following uniform enforcement policies for **pedestrian and bicycle violations**:

– The scope of enforcement actions should be **in proportion to the pedestrian and/or bicycle crash frequency and severity** as determined through crash record analysis.

– Prior to any substantial increase in pedestrian and/or bicycle enforcement, sufficient **publicity and community awareness** campaigns may be conducted by the agency.

– Officers should be less tolerant with **adult offenders who should be aware** of the hazards inherent in the unsafe operation of bicycles and, conversely, more lenient in the enforcement of the law and more instructive in the response to youthful offenders, who may not be fully aware of their responsibility in the safe operation of bicycles.

61.1.6 VISIBLE TRAFFIC ENFORCEMENT

A. Based on the principle that the most effective deterrent to traffic law violations is visible patrol in a marked vehicle, and in the interest of maintaining a posture of prevention, traffic law enforcement activities will normally be conducted through visible traffic patrol.

- Visible traffic patrol will be **directed to high crash and high complaint locations** based on the results of traffic review.
- Visible traffic patrol will be directed to address **neighborhood traffic issues** and/or concerns.
- This agency is committed to using visible traffic enforcement to support **public traffic safety campaigns** (i.e.: Speed, OVI and Seatbelt safety campaigns).

B. In those areas where stationary observation is necessary to maximize the effectiveness of a selective enforcement effort, officers shall park in a **visible location** and in such a manner that traffic flow is not impeded.

- Officers will **not routinely utilize covert methods** of traffic enforcement. This does not include the use of Stealth Stat for traffic analysis.

C. Unmarked vehicles will not normally be used in any manner for traffic law enforcement.

- Traffic officers shall be in **marked cruisers and shall be in full uniform** when enforcing traffic regulations.

D. This agency will **not normally conduct roadside safety checks** of motor vehicles.

- This does not preclude agency members from participating in a **regional enforcement effort** involving roadside safety checks.
- This also does not preclude the use of OVI checkpoints.

61.1.7 STOPPING & APPROACHING VIOLATORS (LE1)

The following procedures for stopping and approaching traffic law violators and or persons using vehicles in or leaving the scene of a crime will be adopted by this agency to safeguard officers and the public:

A. Unknown Risk Stops (Unknown potential for felonious assault):

- Some examples of unknown risk stops include suspicious vehicle/persons, OVI suspect, misdemeanor warrants, tinted windows, and nighttime stops.
- After the officer has identified the violator and has safely taken a position behind the violator, prior to actually beginning the stop, the **officer should notify the communications center** of:
 - The intended location of the stop
 - License number and/or description
 - Color of the vehicle

- Vehicle make and model
 - Number of occupants.
- The officer should **plan a location** to stop the violator with the intention of providing lighting, adequate space for the violator and the officer, and safety from other roadway traffic.
 - The officer should signal the violator with the **cruiser's emergency lights** and, if necessary, sounding the horn, siren, or using the public address system.
 - If traffic is heavy, the officer should **assist the violator to the right side of the roadway** by blocking traffic to provide a safe lane of travel for the violator.
 - If the violator stops abruptly, the officer should **attempt to instruct the violator to move** his/her vehicle to a safer location, possibly by using the public address system.
 - The officer should, in any case, **position the cruiser** in such a manner as to provide protection for the violator's vehicle, to provide maximum visibility for other users of the highway, and to provide safety and cover for the officer.
 - Any time an officer suspects **furtive conduct** or feels that he/she will need assistance, the officer should ask for a "back-up" and should plan to stop the vehicle after assistance has arrived and/or wait at their vehicle for cover until the back-up vehicle is in position.
 - If the officer chooses to **approach the vehicle**, it should be done in a manner that will allow him/her to keep visual contact with the occupant(s) of the vehicle.
 - When **operating as a two officer unit**, the second officer should be responsible for communications and for providing cover and back-up to the initiating officer.
 - Although the **spotlight and take-down** lights should not be used to actually stop a violator, they can be effectively used after the violator is stopped to illuminate the violator's vehicle and provide a safe environment for the officer.

B. High Risk Stops (likely potential for felonious assault):

- After the officer has identified the violator and has safely taken a position behind the violator, prior to actually beginning the stop, the **officer should notify the communications center** of:
 - The intended location of the stop
 - License number and/or description
 - Color of the vehicle
 - Vehicle make and model
 - Number of occupants.
- The officer will keep the suspect vehicle in view and **request sufficient assistance** to make the stop. The officer will not attempt to stop the suspect vehicle until support units are available and in position.
- The officer will plan to stop the vehicle in a **location that presents maximum safety** to the officer(s) (lighting, cover, "pinning in" the suspect vehicle while allowing access to support units, etc.) and presents minimal danger to the public.

- When units are **in position, the officer will initiate the stop**, utilizing all available emergency lights, spot lights, "take-down" lights, high-beams, etc.; utilizing the horn or siren if necessary; and positioning the cruiser in a manner to provide maximum protection to the officer.

- The **backup officer** will normally position his/her vehicle to the right of the initiating officer's vehicle and provide cover and assistance as needed.

- When the vehicle is stopped, the initiating officer may use the public address system to **relay instructions** to the occupant(s) of the vehicle and should have the occupants exit the vehicle one at a time.

- Each occupant shall be **ordered away from the vehicle** and shall be directed toward the ground or toward an awaiting support unit, who will be responsible for searching and securing the suspect.

- The officers at the scene should make sure they do not get within other **officer's line of fire**.

C. Low Risk Traffic Stops (unlikely potential for felonious assault):

- After the officer has identified the violator and has safely taken a position behind the violator, prior to actually beginning the stop, the **officer should notify the communications center** of:

- The intended location of the stop
- License number and/or description
- Color of the vehicle
- Vehicle make and model
- Number of occupants.

- The officer should **plan a location** to stop the violator with the intention of providing lighting, adequate space for the violator and the officer, and safety from other roadway traffic.

- The officer should signal the violator with the **cruiser's emergency lights** and, if necessary, sounding the horn, siren, or using the public addresses system.

- If traffic is heavy, the officer should **assist the violator to the right side of the roadway** by blocking traffic to provide a safe lane of travel for the violator.

- If the violator stops abruptly, the officer should **attempt to instruct the violator to move** his/her vehicle to a safer location, possibly by using the public address system.

- The officer should, in any case, **position the cruiser** in such a manner as to provide protection for the violator's vehicle, to provide maximum visibility for other users of the highway, and to provide safety and cover for the officer.

- The officer should **approach the vehicle** in a manner that will allow him/her to keep visual contact with the occupant(s) of the vehicle.

- When **operating as a two officer unit**, the second officer should be responsible for communications and for providing cover and back-up to the initiating officer.

- Although the **spotlight and take-down** lights should not be used to actually stop a violator, they can be effectively used after the violator is stopped to illuminate the violator's vehicle and provide a safe environment for the officer.

- Any time an officer suspects **furtive conduct** or feels that he/she will need assistance, the officer should ask for a "back-up" and should plan to stop the vehicle after assistance has arrived and/or wait at their vehicle for cover until the back-up vehicle is in position.

- **Exceptions include** but are not limited to transport situations for violators who are placed under arrest or who are being transported for bond, for stranded motorists, or for persons involved in motor vehicle crashes who are seated in the vehicle, either due to lack of transportation, safety issues or for the convenience of obtaining statements.

61.1.8 USE OF SPEED MEASURING DEVICES

A. Equipment specifications for speed measuring devices shall meet or exceed National Highway Traffic Safety Administration standards. The speed measuring devices used by this agency are:

- Radar devices
- Laser devices

B. Officers having radar units in their vehicles or operating radar units shall use the following procedures:

- The radar counter unit and the radar antenna will be mounted in each cruiser or motorcycle according to manufacturer's specifications.

- Tuning forks shall be stored together in a secure location within the vehicle that is easily accessible.

- The radar operator will check the radar unit for **calibration** prior to beginning his/her patrol duties and after any citation is issued for a speed violation.

- The operator shall use the **manufacturer's recommended practices**, to include internal and external calibration checks of the instrument.

Officers having **laser units in their vehicles** or operating laser units shall use the following procedures:

- Laser unit will be kept for officer's use in an **accessible, convenient location** inside police headquarters.

- The laser operator will check the laser unit for **calibration** prior to beginning his/her patrol duties.

- If the laser is utilized to issue a citation during the shift, the laser operator will check the laser unit for calibration at the end of the shift.

- The operator shall use the **manufacturer's recommended practices**, to include internal and external calibration checks of the instrument.

C. The radar and/or laser operator will be responsible for the **care and upkeep** of speed measuring devices, including taking the unit out of service if it does not meet calibration checks or otherwise appears to be inoperable.

- The operator shall indicate the **nature of the problem or defect** and place the defective unit out of service and notify the Traffic Section.

D. Maintenance shall be routinely performed at least once a year on speed measuring devices and shall be performed more frequently, as needed. The Community Services Bureau Commander or his/her designee will be responsible for keeping **maintenance and calibration records** for the speed measuring devices on file.

E. Radar and/or laser training for any member of this agency shall consist of at least forty (40) hours of classroom and practical training at the Ohio State Highway Patrol Academy or equivalent.

- The training certificate shall serve as proof of certification in the use of radar and/or laser.

61.1.9 ALCOHOL ENFORCEMENT COUNTERMEASURES

The agency will take measures to **train officers in the detection, apprehension, and prosecution** of the drug/ alcohol impaired driver and in the use of breath-testing equipment as soon as practical and based on the officers current shift assignment, e.g. NHTSA standardized field sobriety testing.

- Officers will normally be required to **file charges** on drug/alcohol-impaired drivers.

- Officers should also file a charge that establishes the probable cause for the initial contact with the violator.

- Any violator testing over the "**per se**" **alcohol limit** shall be additionally charged with this offense.

- Any violator refusing a test with a prior OVI conviction in Ohio shall be additionally charged with this offense.

- Any officer confronted with a case of "**physical control**" of a vehicle shall file appropriate charges.

Enforcement should be concentrated in areas and during days, dates, and time periods that have **statistically indicated a high crash rate** and should be concentrated on routes that would usually be traveled by the impaired driver.

This agency will normally participate in regional **OVI enforcement campaigns**.

61.1.10 PROCEDURES FOR OVI ARRESTS (LE1)

An officer's observations are crucial in detecting the drug/alcohol-impaired driver and in establishing the **probable cause** upon which an arrest decision is made.

Actions Prior to Initiating a Vehicle Stop for Suspected OVI

- Officers should **recognize and identify specific driving behaviors** that often indicate a driver is impaired.
- Officers **should recognize and identify other behaviors** occurring during vehicle stops that provide further indications that the driver is impaired.
- An officer must **ensure that he/she has established reasonable suspicion** that a driver is impaired or that they have committed a traffic violation prior to initiating a vehicle stop. It is then the officer's responsibility to ensure that he/she gathers evidence that establishes probable cause that the driver is impaired prior to affecting an arrest.

Actions After Stopping a Vehicle for Suspected OVI

- Once the vehicle is stopped, the officer will **not allow the driver to move the vehicle** until the officer determines if the driver is fit to drive.
- Officers should **approach the vehicle with caution**; obtain an operator's license, registration, proof of insurance, and other appropriate documents and interview the driver and occupants.
- The officer should **note any behavior(s)** that led him/her to believe a driver is impaired and should include these notes as a part of his/her arrest report, in addition to listing any probable cause offense(s) in accompanying arrest paperwork.
- If the officer believes **reasonable suspicion exists** that a driver is impaired, the driver should be requested to exit the vehicle for further investigation.
 - If the vehicle **was not observed in motion**, the officer should determine if probable cause exists to charge the driver with OVI or physical control.
 - The driver should be directed to a **safe location** to conduct the field sobriety tests.
 - The officer should select and administer **appropriate field sobriety** tests to assess impairment, e.g. horizontal gaze nystagmus if properly trained, walk-and-turn test, one-leg stand, etc.
 - The officer will formulate an **appropriate arrest decision** if probable cause exists based on the evidence accumulated from all the previous steps.

Actions After Arrest

- The driver suspected of operating, or being in physical control of a vehicle while under the influence of alcohol and/or drugs shall be **handcuffed and searched** prior to being placed in a cruiser or prisoner transport van.
- The arresting officer is responsible for making arrangements to **secure the vehicle and property** and arrange for the transportation or safety of any passengers. (See General Order 61.4.3).
- The arrestee will be **transported to the police division** headquarters for testing and processing.

– During transport, the officer should contact the communications center to allow them time to **conduct a driving record and wants/warrants check** on the subject. The officer should obtain a copy of the driving record after arriving at headquarters.

– Any second or subsequent OVI offenses shall normally be cited to appear in the municipal court, scheduling the initial hearing for the next Wednesday following the violation.

– Prior to **conducting in custody interrogations** officers must read and show them their Miranda rights. An interrogation may proceed if they have waived their Miranda rights. If an arrestee requests an attorney no further questioning may occur without an attorney present.

For any arrest for OVI or OVUAC officers must adhere to the following procedures:

– The officer will **complete the BMV Form 2255** including a listing of the probable cause violation or action; indication(s) of impairment, including significant clues or cues on field sobriety tests; and other indications of impairment (e.g. odor of an alcoholic beverage on or about the defendant's person, fumbling for license, etc.).

– The BMV Form 2255 shall be forwarded to records immediately after an arrest for OVI or OVUAC. It is the arresting officer's responsibility to ensure that this occurs.

– Offer the requested test

– Complete an **alcohol influence report**

– Complete a NIBRS arrest report.

– Complete **citations for OMVI, OMVUAC** and any probable cause violation citations

– Complete the **divided attention skills evaluation**

– Complete a **statement of facts**

Conducting Breath and/or Urine Tests

– Prior to administering a breath test or requesting a urine test the officer will read the applicable portions of the **Implied Consent Form** in the presence of a qualified witness and will have the subject read a copy of the form along with the officer.

– Prior to any in-custody interrogation the officer will read and show **Miranda rights** and will have the subject read a copy of the form along with the officer, if possible. Prior to the interrogation the subject must waive their Miranda rights. If the subject invokes his/her right to an attorney no questioning shall occur without the subject's attorney present.

– Defendants **shall not be deprived of counsel** as provided in Ohio Revised Code section 2935.20. This is **not to be construed in such a manner as to prohibit the officer from requesting a blood, breath, or urine sample** within a three-hour limit, regardless of the presence of counsel.

– An officer qualified to **perform a test** will conduct the chemical test specified in accordance with Ohio Department of Health requirements, including completion of all test report forms required by Ohio Department of Health administrative rules.

– Normally, a **breath test will be the test** offered to any driver arrested for OVI or OVUAC. Tests will be conducted in accordance with the training officers received through the Ohio Department of Health. This does not preclude an officer requesting a urine or blood test as well. Urine samples shall be collected by an officer of the same sex as the arrestee.

61.1.11 REFERRING DRIVERS FOR REEXAMINATION

Officers who **detect a person who appears to be incompetent**, physically or mentally disabled, or suffering from disease or other conditions that prevent him/her from exercising reasonable and ordinary control over a motor vehicle, will complete appropriate forms to request a reexamination by the Bureau of Motor Vehicles.

- A request for reexamination will be submitted on Ohio Bureau of Motor Vehicles BMV 2308.
- The officer shall inform the driver that a request for license reexamination is being submitted and that the driver will receive notification from the Bureau of Motor Vehicles.

61.1.12 PARKING ENFORCEMENT

All existing parking regulations will be **enforced reasonably and impartially** with the following goals in mind:

- Preventing the disruption of normal traffic flow
- Allowing for emergency vehicle access
- Allowing for adequate handicapped parking access to commercial buildings
- Allowing reasonable access to commercial and shopping areas

Officers will normally limit enforcement of parking regulations to **warning or citation** of vehicles keeping in mind the above-listed goals.

- Vehicles parked illegally on private property will be handled with a 72-hour form.

61.1.13 OFFICER CONDUCT & VIOLATOR CONTACTS

It is imperative that officers take proper enforcement action and attempt to **favorably alter** the violator's future driving habits. The following procedures will be used to minimize conflict between the officer and the violator and facilitate a professional process:

- The officer initiating a traffic stop will present a **professional image** in dress, grooming, language, bearing, and emotional stability.
- The officer will be absolutely certain that the observations of the traffic violation were accurate, without reservation. If there is any doubt, an officer should not make contact, and will not take enforcement action.
- Officers from this agency should adhere to the following procedures when conducting traffic stops:

- Officers should **greet the violator** with an appropriate title and in a courteous manner.
- Officers should identify themselves by **rank, name and agency**.
- Officers should **explain the reason for the traffic stop**.
- Officers will **inform the violator what traffic law he/she has violated** and the intended enforcement action; the violator should not be kept in suspense and should ask the violator for any **justification for the violation**.
- Officers **should allow the violator to discuss the violation** but the officer will not argue, berate, or otherwise verbally abuse the violator.
- Officers will **ask the violator for his/her operator's license**, vehicle registration, proof of insurance and any other necessary documents related to the traffic violation.
- Officers will **check the driver for signs of physical impairment**, emotional distress, and alcohol and/or drug abuse and shall take appropriate measures based on his/her assessment of the driver
- Officers will **present the citation(s) to the violator** and explain the citation(s) to ensure the violator understands what he/she must do in response to the citation(s), when and where to appear in court, if necessary, and the officer will return the violator's license, registration, and any other documents previously requested.
- After the conclusion of the traffic stop, the **officer will not follow the violator**, unless this is extremely impractical.
- Officers will notify the PSCC of the reason for stop and the race, sex, and age of the violator.

61.2 TRAFFIC CRASH INVESTIGATION

61.2.1 CRASH REPORTS/INVESTIGATIONS

The following definitions will be used throughout the following sections.

Traffic crash investigation refers to the collection of factual information identifying and describing people, roads, and vehicles involved; describing the results of the crash in terms of danger to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and, sometimes, an attempt to specify the peculiar combination of factors required to produce that particular crash.

Traffic crash reporting refers to basic data collection to identify and classify a traffic crash and the persons, vehicles, time/location, and planned movements involved, and possible contributing factors such as traffic law violations.

Enforcement policies for officers investigating or reporting crashes are addressed in G.O. 61.1.5(k).

A. In response to any death or injury crash, the following procedures will apply.

Death or Life-Threatening Injury

When it is evident that a **fatal crash or a crash involving life-threatening injuries has occurred**, officers will notify their immediate supervisor, and will request notification of all other personnel who have a responsibility at the scene, including notification to the County Coroner.

– Officers will also ensure that notification of next of kin as provided by Ohio Revised Code 4501.80 is made. It is the responsibility of the investigating officer to ensure notification has been accomplished and to document that notification (date, time, person(s) notified) on the incident report, case report, crash report, or supplemental report.

– Officers shall also complete the Fatal Accident Checklist.

Fatal or life-threatening injury crashes will be investigated by an officer trained in **technical crash investigation**.

– A technical crash investigator shall be summoned to the scene of all fatal or life-threatening injury crashes and the shift supervisor will have the option of calling out a technical crash investigator when, in the supervisor's judgment, technical expertise will be necessary for the complete investigation of the crash.

The first officers on the scene of a fatal or life-threatening crash will ensure as soon as possible that **medical assistance is responding** or has been summoned.

The first arriving officers will attempt to **identify the body (bodies)**. Officers are encouraged to obtain an operator's license, registration, insurance card or other form of identification.

– The identity of the body (bodies) will not be released to the public until proper notification of next of kin.

– If identification involves handling personal property or valuables, it shall be done in the presence of witnesses, which shall be documented in the written report.

– Any property or valuable released to another person or agency will be properly receipted by the officer through the crime lab or documented in a supplement.

If the party is **transported to the hospital**, the investigating officer should contact the hospital to determine if they have or are going to make contact with the next of kin.

An investigative hold will be placed on any vehicle involved in the fatal or life-threatening injury crash, which will be properly impounded to permit a later, more thorough examination of the vehicle(s).

Officers shall make special note of any **female party involved in a motor vehicle crash** that is or claims to be pregnant and shall record details of any visible or claimed injuries, which shall be documented in the basic report.

– If the life of a **fetus is terminated** as a proximate result of the crash, this fact shall be reported on an OH-1 with additional details included on an OH-2, if necessary, and shall include appropriate documentation from the coroner's office.

Officers are required to take appropriate photographs of the vehicles and crash scene at any fatal or life-threatening injury crash scene.

A **written statement will be requested** from any involved party, if possible, in a fatal or life-threatening injury crash.

Less Serious Injuries

– The first responding officers should as soon as possible **assess and inquire** of the involved parties whether or not they have been injured. Officers will then ensure that medical assistance is summoned, if needed or requested.

If a person is **transported to a medical facility** from a crash involving less serious injuries the following procedures will apply:

– If the injured person is a juvenile, the reporting officer will attempt to make contact with a parent or guardian.

– The vehicle and/or valuables belonging to an injured party will be secured by officers on the scene either through impound or according to the wishes of the injured party.

– Any vehicles involved in a crash that are disabled will be secured by officers on the scene either through impound or according to the wishes of the injured party.

– Photographs of the crash scene should be taken.

– The reporting officer will follow up with the injured person as soon as practical to conclude any follow-up investigation.

A **written statement will be requested** from any involved party, if possible, in a less serious injury crash.

B. The following procedures governing **property damage crashes** will apply:

– Crashes involving only property damage **will not normally require a technical crash investigation.**

– Any vehicles involved in a crash that are disabled will be secured by officers on the scene either through impound or according to the wishes of the involved party.

A **written statement will be requested** from any involved party, if possible, in a property damage crash.

C. The following procedures governing **hit-and-run crashes** will apply:

– Upon determining that a crash is a hit-and-run, officers **will attempt to obtain the best possible description** of the hit-and-run vehicle, the driver, and/or passengers, and the direction of travel and will immediately relay this information to the communications center to be broadcast to other field units and law enforcement agencies.

- If a license number is received in the description, the communications operator or officer will **check LEADS/NCIC** for possible further description and wants/warrants checks on the vehicle/registered owner.

- If the hit-and-run **involves any injury**, the supervisor will coordinate efforts by the agency to search for the vehicle.

- Officers at the scene will attempt to **locate, photograph, collect, and preserve** all physical evidence which may be useful in identification of the missing vehicle, including, but not limited to, blood, hair, soil, fabric, automotive parts and accessories, and paint.

- Officers will obtain statements from witnesses at the scene and, in more serious crashes, may **conduct an area canvass** to locate and identify other witnesses who may have information relating to the hit and run crash. Officers may be assigned to canvass garages, service stations, and check public parking lots in an effort to locate the vehicle.

- All information collected related to the hit-and-run crashes involving death or serious injury will be given to **officers in roll-call** briefings and to other agencies.

- The agency may use **news media resources** to seek additional leads to solve the hit-and-run crash.

- When a Hit-and-Run investigation cannot be completed at the shift level, and referral to the Traffic Section is necessary, the investigating officer shall complete the Hit-and-Run Accident Follow-up Request Form

- Officers will arrange for an interview with the owner/operator to help determine the identity of the driver at the time of the crash.

D. The following procedures governing **crashes involving alcohol and/or drug impaired drivers** will apply:

- Officers will continually be aware of the fact that driver impairment due to alcohol and/or drugs is a factor in many collisions. They will be **alert for cues or evidence** of such impairment when carrying out crash reporting or investigation duties and will take appropriate enforcement action when sufficient evidence is obtained.

- All officers who are assigned to the patrol section will be **trained in the detection** and apprehension of drivers under the influence of alcohol and/or drugs.

E. The following procedures governing **crashes involving hazardous materials** will apply:

- Investigation/reporting will only proceed once the proper agencies have **secured the hazardous material(s)** and declared the scene safe for police personnel to enter.

- Crashes involving hazardous materials will be **investigated**, maintaining the primary objectives of officer safety, the safety of persons/property that may be affected by the hazardous material(s), and the containment of the area and the hazardous material(s).

– **Officer safety** is of primary importance in all situations, particularly when toxic chemicals and/or life hazards may exist; therefore, officers will consider their own safety before attempting to rescue victims and will only enter a hazardous environment only under extraordinary circumstances.

F. The following procedures governing **crashes occurring on private property** will apply:

– **Injury, fatal or hit-and-run accidents** occurring on private property will be fully reported and investigated, using all standard state forms, as described above in G.O. 61.2.1(a) and (c).

F. The following procedures governing **crashes involving late notification that prevent investigation** will apply:

– Officers will only complete this type of report or investigation **if the reporting party has sufficient information** to accurately complete a report, including but not limited to information about other driver(s) and vehicle(s) involved in the crash.

– If information indicates that officers would not necessarily have been directed to respond to a scene, e.g. **minor damage**, the person providing late notification will be informed of his/her obligations and options concerning a crash report, namely their option to submit a State BMV-3303 if the other party was not covered by insurance, and the agency will make a record of this decision.

– If available information indicates an officer would have been sent to the scene if notification was timely, the **crash will be assigned** to an officer for follow-up.

– The assigned officer will check with records personnel to determine if the crash **was previously reported** by another party.

– The assigned officer will **contact all involved parties**, if possible, to confirm the available information and/or to identify discrepancies.

– If the available information indicates that an **investigation is warranted**, one will be conducted, including an examination of the alleged scene and examination (where feasible) of the vehicle(s) allegedly involved.

– If the available information indicated that **only a report would have been written** if notification had been timely, a report will be written as accurately as possible.

– Notations will be made on any of the above reports concerning the alleged date and time of the original occurrence and the **date and time the crash was reported**.

H. The following procedures governing **crashes involving city vehicles and/or property** will apply:

All accidents involving city-owned equipment shall be recorded on an OH-1 crash report.

– If any **traffic crash occurs outside the City of Mansfield**, the proper authorities shall be contacted immediately to conduct an accident investigation and the involved employee shall request a copy of the report.

– If the **traffic crash occurs within a reasonable distance of the City**, a supervisory officer is to be notified. The supervisory officer shall personally go to the scene.

- It is the responsibility of the **shift supervisor to contact the appropriate Bureau Commander** in all cases of serious accidents involving City owned property (extensive damage, injury, or fatality).

- Regardless of weather conditions, a report will be taken for any crash involving a city-owned vehicle. (Refer to 61.1.5(k))

- All crashes involving city vehicles who may be “at fault” shall be forwarded to the Traffic Section for legal review by the Law Director’s office BEFORE any citation is issued.

I. During periods of **extreme weather conditions** that may result in an unusually high number of crashes being reported, the following procedures will apply:

- At the discretion of the shift supervisor he/she will notify the communications section that **only personal injury crashes or property damage crashes that are blocking** a public roadway will warrant a police response during the period of severe weather.

- Upon being notified of this procedure, communications personnel will **assess each future call** regarding reported crashes as follows:

- If the crash being reported involves injury, property damage that is blocking a public roadway, or if the caller is unsure of the seriousness of the crash, an officer will be dispatched to the scene.

- If the crash involves **property damage only and the caller is an involved party**, the communications dispatcher will advise the caller to exchange information with the other driver(s) (name, phone, DOB, SSN, OLN, vehicle and insurance information). The communications dispatcher will advise the caller that any party who wishes to file a police report may do so at a future date, preferably within 3 days of the crash, by reporting to police headquarters.

- If the **crash involves property damage only and the caller is not an involved party**, a communications dispatcher will dispatch an officer to the scene. The officer will confirm the seriousness of the crash, assess the situation, and take the crash report or advise the drivers of their options to exchange information or file a report at a later time. (See preceding section.)

- When **responding to the subsequent request for a crash report** which was originally deferred due to severe weather, the responsibilities of the officer are to take a crash report if the driver desires to file a report and he/she has basic information on the other persons in the crash (which may be as little as a name and phone number of the other party) and to collect information and complete the crash report as otherwise outlined in this General Order.

61.2.2 CRASH SCENE RESPONSIBILITIES

A. The first officer on the scene of a crash will take charge of the scene upon arrival and will not surrender charge of the scene unless directed to do so by a supervisor.

- Although officers will retain control of the scene, the **care and control of injured persons** will be left to authorized EMS/rescue personnel upon their arrival.

- Officers may make recommendations for placement of EMS/rescue vehicles to protect the scene, injured persons, and workers/investigators, while still maintaining, if possible, a reasonable flow of traffic.

- Officers of this agency will cooperate with officers of other law enforcement agencies of concurrent jurisdiction that may respond to the scene.

- Normally, the first officer responding to the scene or a supervisor will retain charge until the completion of operations, although control of the scene **may be released to other officers** with special investigative skills appropriate to the crash if they are called to the scene.

- If an **officer is involved in a crash**, the officer will exercise control over the crash scene only until the arrival of an investigating officer.

B. The first officer to arrive at the scene of a crash shall determine if there are any injuries, and if so, may **administer emergency medical care** and/or provide basic life support if possible.

- The first officer on the scene will summon or confirm **response of medical and/or rescue personnel** to the scene, and assist in getting seriously injured persons removed to medical facilities as soon as practical.

- Officers will **check injured persons** to identify the most seriously injured or fatalities.

- Officers will inquire of any parties involved in a crash **if they have been injured**.

- Officers will only **transport injured persons** under extraordinary circumstances, and only with the approval of supervisory personnel.

- At a crash scene, **actions to deal with injuries** or the threat to safety will take precedence over reporting or investigative activities.

- The first officer shall **summon any additional equipment** and/or personnel necessary to stabilize or clear the scene, including wreckers, equipment to repair/replace damaged city property, etc.

C. This agency will **coordinate crash scene responsibilities** with other agencies that respond to and/or provide assistance for medical, fire, and/or hazardous material emergencies and will maintain control of the perimeter of a crash scene to lessen the congestion, allow response of additional emergency equipment, and regulate access.

Fire

If **fire** is a potential at the scene of a crash, officers will summon the fire department, take appropriate action to stabilize the conditions by providing protection to the scene, isolate the immediate area, remove persons from the vicinity of the hazard (if possible), and suppress the hazard (if possible).

- Officers will attempt to **eliminate the possibility of sparks** or other ignition sources from smoking, flares, electricity or any other sources, to the maximum extent possible.

- If **fire exists**, officers will summon the fire department, rescue persons in the vicinity of the fire (if possible), and extinguish the fire (if possible).

- Depending on the extent or possibility of fire, officers will **evacuate and isolate the surrounding area** until the fire is suppressed.
- Officers will carefully control the **movement of vehicles** within the vicinity of the fire or potential hazard area, detouring traffic if necessary.

Hazardous Materials

Hazardous materials are defined as any element, compound, or combination thereof, which is flammable, corrosive, detonable, toxic, radioactive, an oxidizer, an etiological agent, or is highly reactive and which, because of handling, storing, processing, and packaging may have detrimental effects upon operating and emergency personnel, the public, equipment, and/or the environment.

- The **safety of officers and the general public** is of paramount importance and will outweigh all other factors when dealing with hazardous materials incidents.

- Officer safety is of primary importance in all situations, particularly when toxic chemicals and/or life hazards may exist; therefore, officers will consider their own safety before attempting to rescue victims and will only enter a hazardous environment under very unusual circumstances.

- Through training and information, including copies of the U. S. Department of Transportation Emergency Response Guidebook, officers will **attempt to identify the material(s)** involved, relay this information to the local fire department, and then isolate and protect the scene.

- If an officer determines from a safe distance (three tenths of a mile or greater) that a hazardous material may be involved, the **officer will not enter the area**, but will immediately relay information about the incident and possible identification of the material(s) to the communications center.

- If an officer is on the scene and **comes in contact with suspected hazardous material**, the officer should immediately retreat to a safe distance (approximately three tenths of a mile or greater) and immediately notify the communications center of the nature of the suspected material, if known.

- Once an officer has determined that there is a possibility of hazardous materials being present, the officer shall take immediate measures, after ensuring the communications center has been given a **preliminary identification** of the material(s), to establish a perimeter of at least three tenths of a mile surrounding the incident.

- After establishing a perimeter, the officer shall **begin preparations for evacuation** of the area, to begin upon notification by the responding fire department.

- The officer or supervisor in charge of the crash scene, which includes all the area inside the perimeter, **shall cooperate and work in conjunction with the on-scene commander from the fire department** until such time as the fire department declares the emergency unfounded and/or under control.

- The supervisor in charge of the crash scene should **contact the Community Services Bureau Commander** to keep him/her updated as to the status of the hazardous material, will advise the Commander of the location of the command post, and ascertain what additional

manpower/equipment may be needed to secure the perimeter and/or evacuate the area. (See also General Order 46)

- Investigation/reporting responsibilities will only proceed once the proper agencies have **secured the hazardous material(s)** and declared the scene safe for police personnel to enter.

D. Once the crash scene is secure and the injured have been attended to, officers should immediately begin **collecting information** relating to the investigation/report including:

- **Identification and preliminary statements** and/or interviews from involved drivers and witnesses.

- Officers will question drivers and witnesses **separately and individually** concerning the crash and should request them to refrain from discussing the crash among themselves.

- A driver involved in a crash who has **been arrested** shall be advised of his/her Miranda rights prior to any questions regarding the crash.

- When questioning drivers, officers should be **alert for signs of drug/alcohol**, physical or emotional impairment which may have contributed to the crash.

- The officer should make a **field examination of vehicle components** for failure or damage, will match vehicle damage to the damage of other vehicles, other objects, and to marks on the road and will make appropriate records.

- Officers who note **faulty equipment** that warrants a more thorough investigation should place a hold on the vehicle for further examination by qualified personnel, particularly if the faulty equipment may have contributed to the crash.

- Officers shall carefully note if the **damaged area(s)** on the vehicle coincide with other evidence and statements as to how the crash occurred and should note areas of contact and induced damage to each vehicle.

- The officer will examine/record the **effects of the crash on the roadway**, including tire marks, gouges, scuffs, etc. The officer should also note the road and weather conditions at the time of the crash.

- On all life-threatening injury or fatal accidents the officer will take **measurements**, as required, such as position of vehicles, debris, vehicle damage areas, view obstructions, etc. This will usually be accomplished by a member of the division's Traffic Accident Investigation team.

- The officer will take **photographs of the final positions** of the vehicles, damage to the vehicles, results of the crash on the roadway, damage to property, etc., as appropriate.

- Photographs should be taken of crashes involving fatalities, injuries, municipal property or mitigating circumstances. Photographs should be taken to document **short-lived evidence**, which may be included in diagrams.

- The officer will **collect/preserve evidence** as necessary for life-threatening injury, hit/skip and fatal accidents. Debris which may be of evidentiary value should be collected before it is disturbed or removed from the scene.

– The officer will be certain that **information is exchanged** among involved drivers/ property owners, on form 2015-1. (Exchange of Information Form)

E. The first responding officer to a crash scene will be responsible for using the patrol vehicle's overhead lights, flares (if appropriate), and other warning devices, as necessary, to **protect the scene** and to alert approaching traffic. Scene protection is especially important if crash victims, vehicles, or debris are in the roadway.

– Depending on the severity of the traffic crash, **Streets and Utilities may be requested to assist with traffic control.**

– The officer will be alert to **actual or potential fire hazards**, hazardous materials, and other hazards and will take actions to lessen the hazard(s), which may include summoning additional fire/EMS/rescue personnel.

– If a serious crash will require **extended investigation** and/or closing of the scene, officers should consider closing the roadway and/or rerouting traffic using signs, barricades, traffic personnel, etc.

– Officers will conduct **crash scene traffic direction** and control activities, as necessary, to protect the scene, clear the roadway, promote the safe and efficient movement of traffic in the vicinity, and prevent additional collisions.

– Officers will arrange for the **prompt and safe removal** from the scene of all vehicles and debris, keeping in mind the need to deal with injuries, hazards, and the need to obtain and preserve evidence.

– If it is evident that a crash only involves property damage, officers will direct motorists involved in the crash to **immediately remove their vehicles** from the roadway, unless it is impossible or impractical.

– Once the scene is cleared of vehicles, debris, etc., officers will arrange for the **prompt removal and/or disposal of warning devices**, such as flares, which were used to protect the scene.

F. Officers will be alert to prevent **tampering of evidence or property** at crash scenes, particularly when emotions are extreme, where parties are injured, or when a victim is deceased.

– When officers are required to **handle victims' personal property**, it, shall be done, whenever possible, in the presence of witnesses, and their information noted..

– **Property left at the scene**, due to a driver being incapacitated or deceased, submitted to the Crime Lab for safe keeping.

– When it is necessary to **release a victim's property** to another person or agency, officers will receipt the transfer of the property.

– An inventory is not required for an **"owner's request"** tow of a damaged/disabled vehicle.

G. At least two officers will **respond to any reported injury or fatal crash.**

- Officers responding to injury and/or fatal crashes will respond using **emergency lights, headlights and siren** unless otherwise ordered not to by a Division supervisor.

- Officers using emergency lights, headlights and siren will **advise the communications center** when responding to the scene of an injury or fatal crash.

- Upon determination by first responding officers that the crash involves a fatality or any injuries **medical assistance** will be summoned.

- Upon determination by first responding officers that the crash involves a fatality or life-threatening injuries the shift **supervisor will be notified** immediately or as soon as practical.

- **Specialized personnel** shall be directed to the scene as provided in General Order 61.2.1 in cases of life-threatening injury or fatal crashes.

- Responding officers should take appropriate measures **to protect the victims and the crash scene** based on the following priorities:

- Protection of the lives of all victims and involved parties

- Protection of all property, including vehicles, short-lived evidence and valuables

- Restoring normal traffic flow to the crash area

At least one officer will respond to the scene of any reported **hit-and-run crash**.

- Upon arrival to any hit-and-run crash the responding officer will attempt to **determine the description of the responsible vehicle** and/or driver and communicate that information to other officers and/or other area agencies.

At least two officers will respond to any crash reported to involve an **alcohol or drug-impaired driver**.

- At least one officer will respond to any reported crash involving **publicly-owned vehicles** and/or property.

- The on-duty shift patrol supervisor will be notified as soon as practical of any crash involving a **City of Mansfield owned vehicle**.

At least two officers will respond to any crash reported to involve hazardous materials.

- Officers responding to crashes involving hazardous materials will maintain **the primary objectives of officer safety**, the safety of persons/property that may be affected by the hazardous material(s), and the containment of the area and the hazardous material(s).

- Officers responding to crashes involving hazardous materials will **establish a perimeter** of at least 1/3 of a mile (1,760 feet) upwind and uphill/upstream from the hazard.

- Upon determination by first responding officers that the crash involves a hazardous material the shift **supervisor will be notified** immediately or as soon as practical.

- At least two officers will respond to any crash reported to involve a **disturbance between parties** involved in the crash or any bystanders.
- At least two officers will respond to any crash reported to involve **major traffic congestion** as a result of the crash.
- Responding officers should take appropriate measures **to protect the victims and the crash scene** based on the following priorities:
 - Protection of the lives of all victims and involved parties
 - Protection of all property, including vehicles, short-lived evidence and valuables
 - Restoring normal traffic flow to the crash area

At least one officer will respond to any reported crash in which **vehicles are damaged to the extent that towing is required.**

61.2.3 FOLLOW-UP ACTIVITIES

The agency will normally conduct **specific follow-up procedures** to an accident investigation only in support of on-going or anticipated criminal prosecution.

- The investigating officer will be allowed **ample time and resources** to gather any data necessary for the complete and thorough investigation of a crash involving a life-threatening or fatal injury, or a hit/skip.
- Officers may be required to **obtain/record formal statements** from witnesses.
- In fatal or life-threatening injury crashes, a **crash reconstruction** may be required by the prosecuting attorney, in which case officers will assist in any manner possible with data, personal expertise, and other resources.
- Investigators will be required to **prepare formal reports** to support criminal charges that result from a crash.

Follow-up investigation will not normally be performed in support of **civil litigation**, unless such litigation involves this agency, e.g. cruiser involved in a crash.

Expert and technical assistance may be used in crash investigation when the investigation exceeds the scope and nature of the knowledge, skills, and/or abilities of trained personnel within the agency.

- **Paid professional assistance** will normally be sought only when prosecution for serious criminal charges is pending and when other resources within the agency and within other law enforcement or government agencies is not sufficient to establish complete investigative conclusions.

61.3 TRAFFIC DIRECTION AND CONTROL

61.3.1 TRAFFIC ENGINEERING ACTIVITIES

A. This agency will normally **record, investigate and follow-up** on all citizens complaints or suggestions, and will correct the problem if possible or refer the complaint or suggestion to the City engineer. To accomplish this, the agency will assist in collecting and making information available to the City Engineer concerning Traffic and crash data that is related to specific engineering problems, traffic surveys and studies to study trends and relationships, and special reports regarding use of traffic control devices, ordinances, or other engineering solutions.

– **Review of high-incident crash locations** in support of Selective Traffic Enforcement Programs may also examine the possible contribution of engineering problems to the crash patterns.

B. After the agency transmits data to the City Engineer, it shall be the responsibility of the City Engineer to transmit relevant data to **regional planning and engineering** authorities. The agency will participate in local and regional transportation system management planning through the City Engineer.

61.3.2 PROCEDURES FOR TRAFFIC DIRECTION AND CONTROL (LE1)

A. Officers shall utilize the procedures outlined below regarding **protection and routing of traffic at crash scenes**.

– Officers should always consider the use of flares (if no fire hazard or other contra-indication exists), **traffic cones, reflectors, or other temporary aids** to assist in temporary detours of traffic.

– Officers should consider the use of **detour signs, barricades, and other more permanent measures** if it is apparent the roadway will have to be closed for some period of time for investigation or due to obstructions. The Street Department may be contacted to assist with the deployment of these devices.

– More permanent measures, **such as road closures**, will only be taken upon approval of a shift supervisor or higher rank.

B. Sworn personnel will at all times give proper consideration to their own safety while carrying out manual traffic direction and control during periods of adverse road and weather conditions and will **employ uniform procedures** (signals, gestures, etc.) to assist driver and pedestrian recognition and response to their direction, making sure that their presence and purpose are well demonstrated to drivers and pedestrians as follows:

– Personnel will position themselves so that they can be clearly seen by all, usually in the center of an intersection or street.

– Personnel should stand facing or with back to stopped traffic, and with the side toward traffic being directed to move. Officers are required to wear reflective vests or coats while directing traffic.

– **Officers will adhere to the following standards for traffic direction and control:**

– To **stop traffic**, the officer should extend the arm and index finger and look directly at the person to be stopped until that person is aware or it can be reasonably assumed is aware of the officer's gesture, then the pointing hand is raised at the wrist so that the palm is toward the person to be stopped and held in this position until the person comes to a stop.

– If **traffic is to be stopped from both directions**, the procedure is repeated for traffic coming from the other direction while maintaining the raised arm and palm toward traffic already stopped.

– To **start traffic**, the officer should stand with shoulder and side toward the traffic to be started, extend the arm and index finger toward and look directly at the person to be started until that person is aware or it can be reasonably assumed is aware of the officer's gesture, then, with the palm up, the pointing arm is swung from the elbow through a vertical semi-circle and the gesture repeated until traffic begins to move.

– If traffic is to be **started from both directions**, the procedure is repeated for traffic coming from the other direction.

– Although **right turning drivers** will usually effect their turns without the necessity of manual traffic control, when directing a right turn does become necessary, the officer should point the index finger at and look at the driver, then swing the extended and index finger in the direction of the intended turn.

– **Left turning drivers** should not be directed to turn while the officer is directing other traffic to proceed.

– The officer should either direct opposing vehicles to start while avoiding left turn gestures directed at turning drivers, direct them to proceed only when there is a gap in oncoming traffic, or stop and hold oncoming drivers and then direct the left turning driver to proceed.

– To **motion the left turning driver on**, the officer should point at the turning driver with left index finger and arm extended while looking at the driver, then swing the arm and index finger in the direction the driver intends to go.

– Officers should **use the whistle** and hand signals to get the attention of drivers and pedestrians only to direct movements, but should not use the whistle continuously, as it will lose its effect.

– **One long blast** on the whistle indicates a stop signal.

– **Two short blasts** indicate a signal to start.

– **Several short blasts** may be used to get the attention of a driver or pedestrian who does not respond to a given signal.

– Directions given **using a flashlight or flare** need to be exaggerated because of poor visibility.

– To **stop traffic**, the flashlight beam or flare should be swung across the path of oncoming traffic.

– For **other traffic movements**, exaggerate the movements indicated above, using the flashlight or flare as an extension of the index finger and arm.

C. The agency will provide **high-visibility, reflective outerwear** to all sworn personnel. Personnel will wear such high-visibility, reflective outerwear, in addition to the full prescribed uniform including hat, whenever conducting manual traffic direction and control.

D. Temporary traffic control devices will only be used with specific prior approval of supervisory or command personnel.

- As soon as practical following the end of the need for the temporary traffic control device, they should be removed or deactivated.

- Portable or **temporary stop signs** should only be used as temporary traffic control devices during emergencies.

E. Personnel conducting manual traffic direction and control due to **unforeseen circumstances**, such as traffic crashes or other emergencies, will wear high-visibility outerwear, provided that it is available to them, and provided that conditions do not make it impractical to put on the outerwear before beginning traffic direction and control.

F. This agency will continue to maintain a close working relationship with the Mansfield Fire Department and will continue to cooperate with them in **developing and implementing plans** and procedures for providing traffic direction and control support to rescue/EMS/fire ground operations.

- The basic task of this agency's personnel engaged in traffic direction and control services at these scenes will be to **maintain access to and egress from the scene** by fire and other emergency vehicles.

61.3.3 ESCORT SERVICES (LE1)

A. Escorts to be provided by the agency will normally be processed well in advance to plan for needed personnel and equipment.

- Escorts may often be requested by **outside law enforcement agencies**, such as the FBI or Secret Service for public officials or dignitaries. This agency will cooperate to the fullest extent with other law enforcement/government agencies in providing escort services for any legitimate law enforcement or governmental function.

- **Emergency requests** for escorts for public officials and/or dignitaries by other law enforcement agencies will be handled by the shift supervisor.

- Escorts requested for **non-government functions** will be forwarded through the agency's special duty coordinator and reviewed by the Community Services Bureau Commander. Normally, these requests will only be granted for functions where an escort is necessary to ensure public safety.

- Upon request by a **business depositing a large sum of cash**, an escort officer may follow the depositor to the designated facility and standby until the deposit is safely accomplished. This can normally be handled by available on-duty patrol personnel, with the shift supervisor's approval.

- Escorts of **oversize loads** and/or hazardous cargo are governed by ICC and PUCO/ODOT regulations and will not normally involve the services of this agency.

B. Emergency escorts will normally **not be provided for non-government functions**. This agency will also not provide escorts for other emergency vehicles responding on calls.

- Normally Division personnel will not provide for the escort of civilian vehicles for medical emergencies.

- If aid is needed immediately, EMS shall be requested at the scene and/or the driver shall be directed to the nearest medical facility.

61.3.4 N/A

61.4 ANCILLARY SERVICES

61.4.1 MOTORIST ASSISTANCE (LE1)

A. To perform their **basic duty of promoting safety**, preventing crime, and protecting human life, officers will diligently patrol their service area to offer assistance when and where it is needed.

- Since saving lives, aiding the injured, locating lost persons, keeping the peace, and providing for other miscellaneous needs are basic services provided by this agency, the **agency will respond to calls** for service and render such aid or advice as is called for by the situation.

- On many occasions, a **disabled vehicle may need to be promptly removed** from the highway.

- Officers will **not use their patrol vehicles** to push or pull a disabled vehicle.

- After ensuring that assistance is available, officers may transport stranded motorists to the nearest convenient location where assistance may be obtained.

- Officers will provide information and directions upon request.

B. When encountering a stranded motorist, officers may render assistance in seeking help.

Whenever a highway user requires a **wrecker, roadside service** or repair and there is no immediate need for removal, the officer will first ask if that party has a preference of facilities or services.

- If the person has no preference, the officer will advise the communications technician to contact a **local wrecker** or service organization. Wreckers will be contacted using a rotating list of available companies kept on file in the communications center.

C. Once an officer **provides assistance to a stranded motorist**, as provided above, the officer will ensure that any aid or assistance requested by the party or by the officer arrives.

- If aid **does not arrive** while the officer is on the scene, the officer will place appropriate warning devices, if necessary, and will return at frequent intervals to ensure the motorist is attended to.

D. Officers will not normally respond to reports of requests for emergency assistance for **first aid, medical assistance, or fire fighting**.

- Officers shall respond, however, if they are **significantly closer** shall only provide such aid or assistance as necessary until the appropriate emergency equipment and personnel arrive.
- Officers receiving first-hand reports of such requests **shall forward all available information** to a communications dispatcher so appropriate services may be dispatched.

61.4.2 HAZARDOUS ROADWAY CONDITIONS (LE1)

Upon discovery of a **hazardous roadway or weather conditions** officers will make appropriate notifications, requesting the agency responsible for correcting the hazard.

– Hazardous conditions include **debris in the roadway; defects in the roadway itself**; defects in highway safety features (impact attenuation devices, reflectors, etc.); improper, visually-obstructed, or down or damaged mechanical traffic control devices and/or traffic control and informational signs; lack of or defective roadway lighting systems; and other roadside hazards, including vehicles parked or abandoned on or near the roadway.

When an officer **identifies a hazard** and determines that the hazard requires immediate correction, the officer will immediately notify a communications technician of this situation, identifying assistance or special equipment required.

– The officer will **protect the scene** and will direct traffic or take any other action necessary to correct the situation until aid arrives.

In the case of **inclement weather**, the street maintenance supervisor shall be notified via a communications dispatcher, at which time the maintenance supervisor shall be responsible for notifying the appropriate/necessary personnel.

When a hazard is detected that **does not represent an imminent hazard** but does need corrective action, the officer will notify the communications center about the situation. The communications dispatcher receiving the information will notify the appropriate City division for repairs.

61.4.3 REMOVAL AND TOWING OF VEHICLES (LE1)

A. Codified Ordinances of Mansfield specify under what circumstances an **abandoned vehicle** may legally be removed.

B. The following procedures apply to the **removal of vehicles upon public streets** or right-of-way and private property:

– An officer may remove **any vehicle that is left unattended** upon any street, bridge or causeway and is so illegally parked so as to constitute a hazard or obstruction to the normal movement of traffic, or so as to unreasonably interfere with the street cleaning or snow removal operations

– An officer may remove any vehicle that **has been stolen** or operated without the consent of the owner and is located upon either public or private property

- An officer may remove any vehicle that **displays illegal license plates** or fails to display the current lawfully required plates and is located upon any public street or other property open to the public for purposes of vehicular travel or parking

- An officer may remove any vehicle that **has been used in or connected with the commission of a felony** and is located upon either public or private property

- An officer may remove any vehicle that **has been damaged or wrecked** so as to be inoperable or violates equipment provisions of (the) Traffic Code whereby its continued operation would constitute a condition hazardous to life, limb, or property, and is located upon any public street or other property open to the public for purposes of vehicular travel or parking

- An officer may remove any vehicle **left unattended either on public or private property** due to the removal of an ill, injured, or arrested operator

- An officer may remove any vehicle that **has been operated by any person who has failed to stop** in case of an accident and is located on public property

- An officer may remove any vehicle that **has been operated by any person who is driving without a lawful license** or while his license has been suspended or revoked and is located upon a public street or other property open to the public for purposes of vehicular travel or parking

- Parking Complaints

- Any vehicle found causing a hazard on the roadway shall be removed immediately.

- Vehicles in violation may be ticketed and officers are to make reasonable attempts to contact the owner of person having control when time permits to request its removal. Such violations may include parking areas reserved for the handicapped pursuant to COM 351.04.

- Officers at their discretion may place either a 24 hour violation or expired plate notice on the windshield; however, this is not a requirement prior to issuing a violation and towing the vehicle.

- Abandoned Junk Vehicles

- All abandoned junk vehicles will be handled by Traffic Section, and pursuant to ORC §4513.63.

Prior to impounding a vehicle, reasonable attempts to notify the owner will be made with those attempts being documented. For **all vehicle impounds the officer will complete a tow sheet** noting the reason the vehicle was impounded.

- The officer will take care to note on the tow sheet the following information:

- The date and time of the impound

- The reason for the impound

- Any damage to the vehicle

- A listing of property and valuables in the vehicle. Any inventory search of a vehicle conducted will include a documented inventory search of the contents of the vehicle, including closed containers and the contents of the trunk. The inventory search shall include such articles as briefcases, boxes, etc. if reasonable access can be gained to the article and/or to the trunk of the vehicle. This shall not be interpreted to mean that an officer may forcibly open containers but shall be interpreted to mean that an officer should inquire of the owner or custodian of the container to provide access, e.g. key to the container or trunk, combination to a lock, etc.

- The name and address of the registered owner, tag number, and VIN

- The name and address of the driver

- The name of the tow company

- The location where the vehicle will be taken

- The officer will ensure that the tow driver signs the impound form and takes a copy prior to removing the vehicle.

- The communications dispatcher **will contact the next available tow** on the agency's rotating call out list to have the vehicle removed to that firm's storage lot, then shall notify the officer which company will be responding and an estimated time of arrival.

Stolen motor vehicles may be impounded as evidence and will be brought to either the Mansfield Division of Police for processing as evidence or to the impound lot of the towing company.

- If a stolen recovered vehicle is not being held as evidence, then the owner should be contacted to pick up vehicle.

- If an owner requests to have their vehicle processed, then the owner shall be advised that if a Crime Lab Technician is not available, then all associated towing and storage costs are their responsibility.

- If the stolen vehicle is **stolen from another agency's jurisdiction**, the officer will contact that agency first to determine what actions they wish our agency to take, e.g. stand-by for their officer/wrecker to arrive, impound the vehicle to our station to process, release to registered owner, etc.

- If the stolen vehicle is to be **impounded by our agency**, the officer will fill out an incident report detailing the circumstances under which the agency came into contact with the vehicle, e.g. abandoned, driver arrested, etc., then the officer will then fill out an impound form.

- If the stolen vehicle has been **reported stolen from this agency's jurisdiction** the officer will contact the on-duty supervisor to determine whether or not to impound the vehicle for processing or contact an owner for release. The officer should then complete a supplemental investigation report detailing the circumstances surrounding the recovery of the stolen vehicle.

- Recovered vehicles shall be removed from LEADS by communications personnel.

Officers who arrest the driver of a motor vehicle will be guided by the following procedures in disposing of the vehicle.

– If the driver is **arrested for a felony offense**, the officer will include a notation in the report or make an addendum to the offense/arrest report indicating the vehicle was impounded, may fill out an impound form, and will request the communications dispatcher to request a wrecker to impound the vehicle.

– If the driver is **arrested for a misdemeanor** or a traffic offense, and his/her vehicle is legally parked the legal operator or owner may give his/her consent to leave the vehicle at the scene. The vehicle should be secured as well as possible and the driver/owner will be advised he/she is assuming all risks associated with leaving the vehicle at the scene, rather than impounding it.

– If the vehicle is a **traffic hazard, illegally parked, or on private property** not owned by the driver/owner of the vehicle without consent, the vehicle will be towed.

– In any other circumstance where the **vehicle cannot be released** in a timely manner to another person legally allowed to take control, the vehicle will be impounded.

C. The agency will **maintain a file of copies of all vehicle impounds**, which will include the date, time, and location of impound, the impounding officer's name, the reason the vehicle was impounded, the name of the towing service, and the location of the vehicle after impound.

– Any documentation concerning **attempts to contact the registered owner** will be included in this file.

– If a vehicle is towed due to an arrest or impounded due to the driver being cited, **a fee shall be assessed** and must be paid prior to the time the vehicle is released.

– If a vehicle is towed at the request of this agency, then the towing process shall follow the City of Mansfield's Towing Agreement:

– The Communication Center will contact the on-call wrecker service to respond to the scene.

– The on-call wrecker service will be based on a weekly rotation of wrecker companies.

– The responding wrecker service shall respond to the scene within twenty-five (25) minutes.

– Fees charged shall be in accordance with the current towing agreement.

– Officers requesting the tow will complete a vehicle tow form and provide the owner/driver, if present, a yellow copy of the tow form. The pink copy of the tow form shall be given to the tow company driver. The forms will be completed any time a vehicle is being towed and the owner/driver is not present.

– The original vehicle tow form will be turned into the shift supervisor for review along with a LEADS print out attached.

– A clerical and/or Records employee will enter the information into the Records Management System (RMS) database then forward the form to the Traffic Section for filing and retention.

- The Traffic Section will enter the information into a traffic database which tracks releases and disposals of all towed vehicles.

- Release of vehicles

- The owners of towed vehicles may obtain release of their vehicles by presenting the proper paper work to the towing company that towed their vehicle.

- All evidence or forfeiture vehicles will only be released by the Traffic Section.

- Any vehicles not picked up by the owner will be disposed of according to ORC §4513.60, ORC §4513.61, ORC §4513.63.

- The Traffic Section will notify the last known owner of a vehicle that their vehicle has been towed and how to obtain release of their vehicles.

61.4.4 TRAFFIC SAFETY EDUCATIONAL MATERIALS

Since the ultimate goal of the agency is to achieve **voluntary compliance with traffic laws** the agency will prepare and make available traffic safety educational materials that support enforcement efforts and enhance public understanding of traffic safety programs.

- The **Neighborhood Impact Section Supervisor**, in conjunction with the Traffic Section Supervisor will be responsible for coordinating the agency's efforts in traffic safety education with schools, courts, public and private agencies.

CROSS REFERENCE TO STANDARDS AND POLICIES: General Order 55.2.6, General Order 84.1.1 G

CROSS REFERENCE TO FORMS: BMV 2255, Alcohol Influence Report form, U10-100, Vehicle impound form, Supplemental Investigation form, Offense report