



## Abilene Police Department Operating Procedures

Subject:

*Traffic Enforcement and Investigation*

Issued:

07/07/2019

TBP:

7.22, 7.28

Number:

**E-15**

### **Uniform Citations (7.28)**

The issuance of traffic citations is a valid and necessary part of law enforcement. In order to gain voluntary compliance with traffic laws and present a consistent method of violator contact, officers are encouraged to use the following steps in issuing traffic citations:

- A. Greet the violator and identify yourself;
- B. Provide the driver with the reason for the traffic stop and explanation of the offense;
- C. Identify the driver and evaluate the conditions of both the driver and the vehicle;
- D. If a citation is to be issued, advise the violator that one will be issued;
- E. Issue the citation;
- F. Explain exactly what the violator is required to do regarding the citation and appearance dates for Municipal Court and
- G. Close the contact with the violator.

Violators should be given the opportunity to sign a citation if:

- A. The violator has valid acceptable identification.
- B. A valid local address is given.

A violator should not generally be arrested just because he refuses to sign a citation. A supervisor should first approve such an arrest.

When any citation is issued while Municipal Court is in session and the officer chooses to require the offender to post bond, the offender should be escorted to Municipal Court first.


### **Citation Security and Accountability (7.22)**

The court administrator shall serve as the manager of the citation tracking system. The court administrator is responsible for issuing, accounting and storing of citation books. The court administrator is responsible for the maintenance of the program which will be used to track the status of every citation.

Patrol officers are responsible for the care, control and proper legal completion of all citations.

Supervisors are responsible for ensuring compliance with departmental policy by inspecting citations for legibility, completeness and legality. Citations shall be issued from Municipal Court.

Citations stored at the LEC shall be stored in a secured location accessible only to supervisors. Any supervisor may issue a citation book. The supervisor will sign out paper citations on a written log to include the citation numbers, officer's name and identification number.

	<b>Abilene Police Department Operating Procedures</b>		
	Subject: <i>Traffic Enforcement and Investigation</i>	Issued: 07/07/2019	TBP: 7.22, 7.28

**Audit Procedures (7.22)**

At the request of the city auditor, the court administrator will print a docket report containing randomly selected citations and their status. Annually, an audit will be conducted in compliance with city policy and state law. The Chief’s designee shall conduct an annual audit on all citations issued from the LEC.

**Traffic Law Enforcement; General Concepts (7.28)**

This policy identifies the reasons for aggressive traffic law enforcement and establishes a reasonable tolerance for enforcement.

Traffic law enforcement should be viewed as an integral part of visible, alert patrol tactics and a very useful component of police officers’ duties. Officers are encouraged to focus traffic law enforcement efforts at times and places where they can reduce motor vehicle accidents. They should attempt to stop all persons who commit hazardous moving violations in accordance with the Department’s Tolerance Policy. Persons who commit non-hazardous violations should also be contacted to encourage voluntary compliance with the law. Traffic law enforcement is the responsibility of every uniformed officer regardless of rank or assignment. In compliance with Texas law, Texas peace officers have the authority and discretion to enforce traffic laws by issuing a warning/citation or arresting the violator.

**Traffic Enforcement Tolerance Guidelines**

The Tolerance Policy portion of this document is provided to aid officers in traffic enforcement by establishing specific enforcement guidelines to ensure fairness and uniformity throughout the community. In general, enforcement action should be based on:

- A. Evidence, past experience, training and common sense;
- B. Seriousness of the violation, degree of the violation and conditions or circumstances surrounding the situation and
- C. Conditions under which a violation is committed may aggravate its seriousness and warrant a citation where a warning would otherwise suffice. Examples of aggravating conditions include:
  - 1. Adverse weather,
  - 2. Heavy traffic flow,
  - 3. Road conditions,
  - 4. Vehicle condition (size, load, age, maintenance),
  - 5. Multiple violations and
  - 6. Restricted visibility.

	<b>Abilene Police Department Operating Procedures</b>		
	Subject: <i>Traffic Enforcement and Investigation</i>	Issued: 07/07/2019	TBP: 7.22, 7.28

**Citation Issuance (TBP 7.28)**

The issuance of citations is based on an officer’s discretion. A maximum of three (3) violations should be issued to a single violator unless there are extenuating circumstances. Officers should use the following guidelines to base their decisions on issuing citations:

- A. In any speed zone, except a school zone, allow at least seven (7) mph in excess of the specific speed limit before citing.
- B. Allow at least ten (10) mph in excess of the specified speed limit when pacing a vehicle.
- C. In any posted operational school zone allow at least five (5) mph over the specified speed limit.
- D. Child restraint citations should be issued when a violation occurs.
- E. Unless an accident occurs, a general warning should be issued for a three (3) day period after the installation of new signs, signals and devices.
- F. When a person fails to display a driver’s license and they have sufficient identification to validate their identity.
- G. Any time the violator cannot provide evidence of financial responsibility, the driver should be cited.
- H. If the violation is the cause of a collision or if there is evidence of repeated willful violation.
- I. When the party to be cited is a current City of Abilene Employee, it shall be issued through the Justice Courts, not through Municipal Court.

**Selected Traffic Enforcement Program (STEP)**

Texas Department of Transportation (TXDOT) grants require that any agency participating in the STEP gran program have established written STEP guidelines and procedures. These guidelines are established by TXDOT and approved by the Chief of Police.

**STEP Manager**

The STEP grant manager is designated by the Chief of Police and will be responsible for:

- A. The application process of the STEP grant.
- B. The management of the grant once awarded; to include compliance with the performance measures and target numbers for the grant.
- C. The closing of the grant once the grant period has ended.



## Abilene Police Department Operating Procedures

Subject:

*Traffic Enforcement and Investigation*

Issued:

07/07/2019

TBP:

7.22, 7.28

Number:

**E-15**

### **Officer Selection to work STEP**

Officers who wish to be considered to work any STEP related assignments will reply to correspondence from the STEP manager, which will be done through electronic communication. The STEP manager will evaluate the officer's performance from previous STEP assignments. If no previous assignments have been completed, the STEP manager will evaluate the officer's overall job performance prior to allowing the officer to work a STEP assignment.

### **Restrictions for Officers**

Officers will be held to the same restrictions pertaining to overtime and extra work assignments for total allowable hours worked when working a STEP assignment. Officers will not be allowed to exceed the maximum allowable hours in a pay period.

### **Overtime Status**

Overtime status is determined by the City of Abilene and will be calculated based on the City's existing policy.

### **Supervision of Officers working STEP**

Officers working a STEP assignment will be supervised in the field by on-duty supervision at the time of the STEP assignment. All paperwork generated by STEP assignments will be turned in to on-duty supervision.

### **Officer Responsibilities**

Each officer working a STEP assignment will be responsible for the following:

- A. Signing out a vehicle and obtaining a call sign from dispatch for the STEP assignment.
- B. Complete a STEP worksheet provided by the STEP manager.
- C. Complete written warnings/citations/arrests for each contact made during the STEP assignment.
- D. Turn in all paperwork resulting from STEP assignments to on-duty supervision.
- E. Turn in the STEP worksheet to the STEP manager.
- F. Properly document their shift hours via City of Abilene payroll system.

### **Approval of STEP grant hours worked**

Each officer who documents hours via the City payroll system generated by STEP assignments will have such time approved by their currently assigned supervision.