

St. Joseph, Missouri Police Department



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SUBJECT: TRAFFIC DIRECTION AND CONTROL		
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I. POLICY

The St. Joseph Police Department shall conduct activities which aid in the safe and expeditious flow of vehicular and pedestrian traffic. This will be done through traffic enforcement, motorist education, traffic control/direction, and cooperation with area transportation system managers and personnel.

II. TRAFFIC ENFORCEMENT PROCEDURES

Traffic laws will be consistently enforced to reduce traffic collisions, educate motorists, and provide safe and effective avenues of travel.

A. APPROPRIATE ENFORCEMENT ACTIONS:

1. Enforcement Options: Officers shall take action consistent with applicable laws whenever a violation is detected. This includes provable violations determined as the result of a crash investigation as well as officer observed violations. Appropriate enforcement action, consistent with the intent of this directive, may range from:
 - a. Issuance of a verbal warning;
 - b. Issuance of a written warning;
 - c. Issuance of a Missouri Uniform Traffic Ticket (MUTT) or parking ticket;
 - d. Arrest
2. Qualitative Enforcement: Emphasis shall be placed on qualitative enforcement efforts. Proper enforcement action must be commensurate with applicable laws and this directive, and take into account the degree and severity of the violation committed, as well as the conditional factors of the violation. Such factors include:
 - a. Interference with other traffic; the primary purpose of any traffic enforcement program is to facilitate the safe and efficient flow of traffic.
 - a1. This is accomplished by creating traffic and parking ordinances which prevent vehicles from interfering with one another as they travel over the streets of the city.

- a2. The most serious and obvious act of interference is the traffic crash, and interference declines from there to causing mere inconvenience.
- a3. The degree of interference should be a primary determining factor as to what type of enforcement action is taken.
- b. Mitigation factors; Mitigating factors are those which lessen the severity of the violation. Mitigating factors include, but are not limited to:
 - b1. Lack of traffic;
 - b2. Lack of immediate danger in the violation;
 - b3. Emergency situations, or any other factor that makes the violation less of a hazard or interference.
 - b4. Inadvertent nature of the violation (examples might include a short period of time after expiration of a registration or very slight damage in a vehicular accident with other mitigating factors);
- c. Enhancement factors; an enhancement factor is one which makes the violation more hazardous. Enhancement factors include, but are not limited to:
 - c1. Heavy or congested traffic;
 - c2. School zones;
 - c3. Hazardous weather or road conditions;
 - c4. Areas with a large amount of pedestrian traffic.
 - c5. Construction zones.
- d. Education of the violator; Education of the violator through the use of verbal or written warnings should be considered when the driver has inadvertently violated a minor regulation and the officer feels that giving a warning would be a learning experience for the violator. Examples may include;
 - d1. A motorist unfamiliar with the area.
 - d2. Newly enacted laws/ordinances, or changes to traffic control devices or street layout.

B. DEPARTMENTAL GUIDELINES

1. Low/No Tolerance Violations: The St. Joseph Police Department recognizes that some violations, by their nature, create greater risks to persons and property. Violations of these kinds should receive strict enforcement. Examples include;
 - a. DWI,
 - b. Careless and/or Reckless Driving,
 - c. Child safety seat/seat belt violations, and
 - d. Helmet law violations.
2. Hazardous Moving Violations (HMGVs): Other hazardous moving violations (speeding, stop sign violations, etc.) shall be consistently enforced based on the conditional factors noted above.
3. Equipment/Non-Hazardous Violations: Officers taking enforcement actions based on equipment and non-hazardous violations should give strong consideration to mitigating factors and educational opportunities. The violator's knowledge (or lack thereof) of the infraction, the time frame involved (such as in license or registration expiration) and/or

driver history may factor into what action will best serve to educate and promote compliance.

4. Arrests for Traffic Violations: Arrests will not be made for traffic-only violations without supervisory approval except for those involving;

- a. DWI,
- b. Careless/Reckless Driving,
- c. Driving while Suspended/Revoked,
- d. No Operators License
- e. Leaving the Scene of an Accident.

Summonses for these violations may be issued in place of a physical custody arrest when appropriate.

5. Visible Enforcement: Traffic enforcement shall normally be conducted with marked vehicles. Enforcement from inconspicuous parking locations or using an unmarked vehicle may be utilized for selective enforcement activities.

C. TRAFFIC STOP PROCEDURES

1. Stop and Approach: Officers making traffic stops must be aware of the potential threat involved in any traffic stop. In order to minimize conflict between the officer and the violator and facilitate a uniform, professional process, officers shall conduct vehicle stops, approaches, and violator interviews in a manner consistent with Department training dealing with stopping and approaching vehicles. Training shall include procedures for traffic, unknown-risk and high-risk car stops, and when to use the Mobile Video Recorder (See GO9903 Section 6.1).

2. Relation with the Public: In many cases, the traffic stop is the only contact that a citizen has with this Department. Officers should be aware of this and strive to make each contact positive and educational, leaving the violator with the impression that the officer performed a necessary task in a polite, professional manner.

3. Information: When enforcement action is taken, the officer shall provide information to the motorist relative to the action(s) taken.

- a. Officers shall ensure that the motorist fully understands the rights and requirements imposed as a result of an arrest, summons, or warning.
- b. Court information cards should be provided (when applicable) to supplement information provided on the Missouri Uniform Traffic Ticket and verbally by the officer.

D. SPECIAL CIRCUMSTANCES

1. Foreign diplomats/Consular Notification:

- a. Foreign diplomats and consular officers are granted certain extraordinary privileges and immunities by the United States Government under the provisions of the 1978 Diplomatic Relations Act (22 U.S.C.254).
- b. Those granted immunity may be stopped and a traffic citation may be issued as long as the detention does not continue for any longer than is necessary to verify the person's claim of immunity. The State Department Diplomatic Security Service

Command Center (202) 647-7277 is available at all times for assistance in verification of diplomatic status and direction in more serious cases.

c. An Officer contacting an individual claiming diplomatic immunity in any situation shall notify the Shift Supervisor.

d. Members must comply with all provisions as mandated by the U.S. Dept. of State in regards to the notification of consular of all foreign nationals arrested or detained.

2. Members of Congress:

a. Members of the United States Congress may not be detained for the issuance of a summons while they are in transit to or from the Congress of the United States.

b. If a member of Congress is stopped for a traffic violation, they should be identified and released. The Officer may obtain a warrant for the member of Congress for the violation and/or make arrangements to serve the summons at a time when the member of congress is not in transit to or from congress or on official business.

3. Senators and Representatives:

a. Missouri State Constitution Article III, Section 19, states Senators and Representatives shall in all cases except treason, felony, or breach of the peace, be privileged from arrest during the session of the General Assembly and for 15 days before the commencement and after the termination of each session.

b. To ensure compliance, Officers should not issue traffic tickets or take into physical custody any person who identifies him or herself as a member of the Missouri Legislature, unless a Supervisor has first approved such citation or arrest. Verification of the identification of the person may be achieved by contacting the Missouri State Highway Patrol.

4. Military Personnel:

a. Military personnel, State Militia, Reserve or Guard, and United States Military Services personnel are in some cases exempt from certain civil process. Officers should take appropriate enforcement action (citation or arrest) as with any other case, regardless of questioned active military duty standing, and shall clearly state in all reports related to the incident the claim of military exemption.

b. EXCEPTION: Persons who display a valid U.S. Military Identification shall be exempt from those City Ordinances and State Statutes relating to expiration and renewal requirements of vehicle operators licenses, for the term of the identification and an additional 30 days.

5. Non-Resident and miscellaneous traffic-related violations: Non-resident, off-road, public carrier, commercial vehicle, pedestrian, bicycle, parking and other violations not specifically mentioned in this order will be enforced commensurate with applicable laws and the intent of this directive.

6. Driver Retest: Any officer having contact with a driver whom the officer believes is physically or mentally incompetent to operate a motor vehicle should complete the Driver's Condition Report form in addition to any other enforcement action taken. The completed form shall be mailed to the Missouri Department of Revenue.

7. Motorist Assists: Officers encountering stranded motorists shall stop and offer assistance when possible. Guidelines for assistance include:
 - a. Protecting the disabled vehicle and occupants from hazardous conditions.
 - b. Assisting in arranging for the transportation of the stranded vehicle and occupants. (see G.O. 0119 -Vehicle Tow Procedures)
 - c. Notifying emergency services when necessary.
 - d. Providing general assistance (directions, assistance in correcting minor vehicle problems, etc) as is practical.
 - e. Police vehicles shall not be used for towing, pushing, or jump-starting disabled vehicles.

8. Multiple Violations: When a violator has committed multiple violations, consideration should be given to issuing MUTTs for charges whose elements encompass multiple, lesser violations, e.g., careless or reckless driving.

E. SELECTIVE ENFORCEMENT: Selective enforcement efforts shall use the information available through traffic/enforcement reviews and other informational resources in an effort to reduce the number of traffic crashes and increase the safety and effectiveness of traffic flow.

1. Implementation: Traffic Unit Supervisors may establish selective enforcement locations and the recommended action to be taken based on a review of traffic data. The implementation of selective enforcement techniques and procedures will be accomplished by the following:
 - a. Directed enforcement locations
 - b. Stationary report writing locations
 - c. Directed enforcement/education (SMART trailers, speed checks, checkpoints, traffic measurement devices, etc)
 - d. Comparison of crash locations
 - e. Response to citizens' complaints

2. Selective Enforcement Locations: Selective enforcement locations of traffic and patrol officers should be based on:
 - a. Citizen or officer observations of potentially hazardous conditions
 - b. Areas of high crash occurrence
 - c. Areas of high traffic flow
 - d. Areas of increased pedestrian activity

3. Traffic Data Review:
 - a. Data pertinent to the causation of traffic incidents and the identification of potential hazards shall be compiled and reviewed
 - b. Data related to general and selective traffic enforcement activities will be compiled, reviewed, evaluated and compared with traffic collision data to ensure effectiveness.

4. Roadside Safety Checks
 - a. All sobriety, seatbelt, or other roadside checkpoints will be authorized by a Division Commander and/or the Chief of Police.
 - b. Each checkpoint will require a Special Order designating an OIC (Officer-in-Charge). The "OIC" shall plan, staff, and oversee checkpoint operations to ensure it conforms with procedures outlined in the SO for that enforcement activity.

III. TRAFFIC DIRECTION AND CONTROL PROCEDURES:

A. TRAFFIC CONTROL AND ENGINEERING: Crash investigations, citizen complaints and suggestions, and officers' observations may reveal engineering deficiencies which contribute to hazardous traffic conditions.

1. Officers receiving such information shall notify a Traffic Unit Supervisor.
2. Traffic Unit Supervisors or other designated personnel shall act as liaisons with the Public Works Department, State Highway Department, and local transportation management planning committees to assist in identifying traffic engineering deficiencies and providing collision and enforcement data as needed.
3. Officers shall take action to correct hazardous road conditions. Officers will directly intervene (remove debris, block hazards, etc) when practical. Officers who locate hazards including roadway defects, obstructed or malfunctioning traffic control devices, or other situations which create unsafe driving conditions will notify dispatch, who will then contact the appropriate agency. Conditions creating immediate and substantial danger to motorists require an officer to intervene until the hazardous condition is eliminated by the officer or the responsible agency, or he/she is relieved of that duty.

B. TRAFFIC DIRECTION:

1. Manual Traffic Direction Situations: Officers may manually direct traffic by hand direction or traffic control devices at locations and events which require other than ordinary traffic control. These may include:
 - a. Crashes;
 - b. Parades;
 - c. Gas line/hazardous material leaks;
 - d. Downed power lines;
 - e. Fire scenes;
 - f. Sporting/entertainment events;
 - g. Emergency weather conditions; and
 - h. Traffic control device repair.
2. Manual Direction Procedures: When manually directing traffic, officers shall:
 - a. Position themselves as conspicuously as possible.
 - b. When needed, position patrol vehicle/s with emergency lights activated, in a visible location that assists in traffic control.
 - c. Wear high-visibility traffic vest/clothing.
 - d. Use clear, uniform, hand or flashlight signals.
 - e. Use any temporary traffic control device (flares, cones, signs, etc.) necessary. Officers shall insure these items are removed upon completion of the manual control.

3. Traffic Direction and Control During Adverse Road And Weather Conditions: Temporary adversity due to weather and the associated road conditions may require temporary traffic control devices to warn motorists, or to close off certain areas.
 - a. The Shift Supervisor will obtain these devices (barricades, warning signs, lights, etc.) through the appropriate traffic authority.

4. Traffic Control at Construction Scenes: Adverse road conditions due to construction, maintenance, or road surface degradation may require traffic direction and control of a longer duration.
 - a. In such cases, the Patrol Division Commander or designee will coordinate with those responsible for the road condition to estimate the anticipated duration of the road condition and any special requirements.
 - b. Once established, the necessary traffic control devices and/or Department personnel will be allocated for traffic control.

5. Traffic Direction and Control at Critical Incidents Scenes
 - a. Officers shall assist in establishing and maintaining a safe perimeter around critical incidents when necessary.
 - b. Officers shall direct the traffic flow so as to prevent interference with the efforts of emergency personnel when necessary.

6. Police Escorts
 - a. Law enforcement vehicular escorts shall be provided on a priority basis as staffing and equipment allow, and at the direction of the Traffic Unit Supervisor or the Shift Supervisor.
 - b. All escorts that alter traffic flow by either speed or traffic control devices shall utilize a properly marked emergency vehicle and any emergency warning devices necessary to adequately and safely facilitate traffic flow.
 - c. Officers will utilize emergency warning lights when conducting multi-vehicle escorts, such as the escort of public officials, dignitaries, funerals, oversize vehicles, and hazardous or unusual cargo.
 - d. Audible warning (sirens) shall be used as appropriate when:
 - d1. At a congested or major intersections; or
 - d2. A vehicle or pedestrian appears to have not observed or yielded to the escort.
 - e. Speed of the escort will be dictated by the nature of the escort, and the ability of vehicles to remain in close proximity to the escorting vehicle. In all cases, the escorting officer shall ensure that the speed is reasonable and prudent.
 - f. Officers should utilize emergency medical services for the transport of civilian personnel in medical emergencies. When the situation dictates that an escort is provided for a civilian vehicle, a shift supervisor shall be notified of the circumstances as soon as is practical.

Chris Connally-Chief of Police Date