

# San Diego County Sheriff's Department

## Traffic Manual

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## Department Traffic Policy Committee

- 1.1 The Department Traffic Policy Committee will consist of the Traffic Coordinator and the Traffic Sergeant from each station that provides traffic investigation/enforcement services to a contract city.
- 1.2 The Committee shall be responsible for making recommendations to the bureau commanders to facilitate the coordination and standardization of traffic policies and procedures and training throughout the Department.
- 1.3 The Committee will act as an advisory board for proposed traffic programs in contract cities.
- 1.4 The Committee will convene as directed by the Traffic Coordinator, to review traffic policy and procedure, and related issues.
- 1.5 Traffic Sergeants on the Committee will serve on their respective contract cities' Traffic Advisory Committee. The Traffic Coordinator or designee will serve on the County's Traffic Advisory Committee.
- 1.6 Recognizing that traffic engineering, education and enforcement are integral to the successful operations of a Traffic Unit, it shall be the responsibility of the Traffic Sergeant to maintain close liaison with all concerned groups in this area.

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## Duties and Responsibilities

- 2.1 Station Commanders are responsible and accountable for the administration and management of traffic programs in cities within their command area that contractually receive full services law enforcement.
- 2.2 Every station with the responsibility of providing traffic law enforcement services shall have a Traffic Unit, supervised by a Traffic Sergeant, charged with meeting the goals and objectives of this Department and the cities it serves.
- 2.3 The Traffic Unit will have at its disposal the use of SWITRS and ARJIS to retrieve data information regarding high collision locations. This information will be used as a basis for traffic enforcement decisions and recommendations.
- 2.4 With supervisor approval, the Traffic Unit may, at the request of the contract cities, assist the traffic engineer and collect the data from traffic collisions or hazards; conduct special traffic surveys; analyze the data; and prepare reports recommending the efficient use of traffic control devices, new or revised laws or ordinances and engineering improvements.
- 2.5 During special events, the Traffic Unit may utilize temporary traffic control devices. These devices shall be used at the direction of the Traffic Sergeant, or their designee.
- 2.6 The Traffic Unit is responsible for planning analysis, inspection and coordination of traffic activities including:
  - (a) Technical collision investigation
  - (b) The operation and maintenance of speed measuring devices (Radars, Lasers etc.)
- 2.7 Speed measuring devices will be operated and maintained within the manufacturer's specifications. They will be calibrated prior to the beginning of the deputy's shift and used in conjunction with a visual observation to prevent testimonial discrepancies. Maintenance and calibration records will be kept and updated as required, and the maintenance program recommended by the radar manufacturer and Vehicle Code, will be adhered to.
- 2.8 The Traffic Unit usually has an obligation to enforce parking regulations for their service area. Specific cities may have parking enforcement officers who can assist in these responsibilities. Parking citations may be issued for the violations observed during routine patrol. Specific and chronic violations brought to the attention of the Traffic Unit will be addressed on a case-by-case basis. Vehicle, bicycle or foot patrol may be utilized in congested areas.
- 2.9 Traffic Units will act as a liaison with traffic safety groups, including law enforcement traffic safety councils.
- 2.10 The Traffic Unit is responsible for preparing a contingency plan for all special events occurring in their service area. The plan should contain, but not be limited to:
  - (a) Ingress and egress of vehicles and pedestrians

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- (b) Provisions for parking
  - (c) Spectator control
  - (d) Provisions for news media
  - (e) Alternate routes for through traffic
  - (f) Temporary traffic controls
  - (g) Emergency vehicle access
- 2.11 The Traffic Unit should have an active pedestrian and bicycle enforcement program. Funding for this can be augmented through grant funding.
- 2.12 Locations chosen for Traffic Enforcement should be based on the collision profiles. The primary purpose of Traffic Enforcement is enhancing safety, not producing revenue through fines or fees.
- 2.13 The station Traffic Unit or designee will address good bicycle and pedestrian safety practices at school presentations.
- 2.14 Collisions involving bicyclists and/or pedestrians will adhere to the reporting requirements of this manual.
- 2.15 The Traffic Unit will work in concert with their respective city's traffic engineer. Observations of roadway defects will immediately be relayed to that city. Collision diagrams can be used to provide a factual database upon which to base traffic engineering decisions or recommendations.
- 2.16 Collision diagrams should contain information regarding roadway surfaces, adjacent curves or other sight-distance problems, lighting and other factors that have influenced the participants.
- (a) Should any highway defect become apparent through diagram analysis, a report containing any recommendations will be prepared for the traffic engineer.
- 2.17 Each station Traffic Unit shall have a minimum of one designated traffic deputy serving as a Department Training Officer/Corporal.
- 2.18 The Station Commander shall select a Traffic Sergeant in compliance with San Diego Sheriff's Department Policy & Procedure section 3.19, Competitive Transfer/Requests Procedures. The Traffic Sergeant's primary responsibility is the supervision of the Traffic Unit. The Traffic Sergeant is responsible and accountable for the following:
- (a) Training and supervision of personnel.
  - (b) Maintaining methods of collecting, recording and evaluating traffic collision and enforcement data. This data may be the basis for a recommended selective enforcement program as well as for use in providing information to the public, city officials and other interested agencies. The selective enforcement program will be

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evaluated annually to ascertain its effectiveness in attaining the program's goals.

- (c) Preparing reports of traffic conditions as required by the Contract City.
- (d) Developing special programs, such as selective enforcement, and educational presentations.
- (e) The upkeep of all traffic related equipment.
- (f) Reviewing all traffic related reports.
- (g) Filing of complaints and their resolution.
- (h) Acting as a representative regarding traffic matters to the assigned Contract City. Traffic Sergeants may act as a member of the County Traffic Advisory Committee if assigned by the Traffic Coordinator.
- (i) Investigating complaints relating to traffic personnel/policies/procedures.
- (j) Conducting an ongoing review in each contract city to identify the specific locations where traffic control and parking control is needed to expedite the safe and efficient movement of vehicles and pedestrians.
- (k) Completing Cost Recovery reports to each contract city.

2.19 One traffic deputy or qualified department employee at each station should be designated as the Traffic Safety Officer. In conjunction with any other assignments, the Traffic Safety Officer is responsible for, but not limited to:

- (a) Coordinate and administer all elementary school safety patrols, supplying training and supervision as necessary.
- (b) Maintain a continuing school safety program of instruction for all grade levels.
- (c) Coordinating training aids needed to ensure an up- to-date safety program.
- (d) Establish pedestrian and bicycle enforcement programs.
- (e) Provide traffic safety presentations to community organizations that may desire them, such as:
  - 1. Senior citizens
  - 2. Municipal employees
  - 3. School bus drivers
  - 4. Military personnel
  - 5. Civic organizations

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6. School employees

7. City Council

### Collision Investigations

3.1 All motor vehicle collisions will be documented in compliance with the State Wide Integrated Traffic Records System (SWITRS) Collision Investigation Manual. This department requires the below listed additions.

(a) A collision shall be documented as an INVESTIGATION, when one or more of the following conditions apply:

1. A felony occurs as a result of or causes the collision
2. A public entity vehicle is involved. See P&P section 5.4, Collision involving Sheriff's Vehicles.
3. DUI related collisions

3.3 A collision shall be documented, at the minimum, as a REPORT when one or more of the following conditions apply:

- (a) A motor vehicle non-traffic (off highway) collision involves injury unless a supervisor determines that the collision should be documented as an investigation.
- (b) A motor vehicle traffic accident results in injury defined by SWITRS as Complaint of Pain.
- (c) A collision involves a "Late Reported" Injury, unless the Traffic Sergeant determines a collision should be documented as investigation. Excludes fatal accidents, which will be investigations.
- (d) When a collision occurs in which a driver has no valid driving privilege or insurance, a citation should be issued at the scene and the vehicle should be stored or impounded per the appropriate vehicle code authority section, provided no licensed driver is present to take control of the vehicle.
- (e) Involved parties request that a collision be documented, which is otherwise not included within the categories of INVESTIGATION or a REPORT, such as private property collision involving property damage only. In case of inclement weather or other emergency situations, the Traffic Sergeant of the concerned Station may waive the documentation of non-injury accidents.

3.4 Prosecution of driver in violation of Vehicle Code

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- (a) The investigating deputy may issue a citation to a driver involved in the collision when articulable facts support the allegation and the investigating deputy has met the requirements of Section 40600 V.C.

3.5 Cases submitted to DA or City Attorney's offices for prosecution will comply with the requirements for that jurisdiction.

3.6 Hit and Run Collisions:

- (a) All collisions involving violation of Section 20001 or 20002 V.C. shall be documented in a manner consistent with the department's minimum reporting policy.
- (b) Assignment of follow-up investigations will be the responsibility of the affected Traffic Sergeant.
- (c) Investigations will conform to the SWITRS investigative formats.
- (d) Cases will be closed or suspended in conformance to the departments' investigative formats.

3.7 Responsibility of Responding Personnel to Collision Scene:

- (a) Assess the collision scene and determine the need for immediate first aid if medical personnel are not present or the need for response by the Fire Department, Emergency Medical or Hazardous Materials if indicated.
- (b) Protection of the scene from disruption by other vehicles.
- (c) Determine extent of need for additional Sheriffs units for traffic control.
- (d) Notify other allied or adjacent police agencies if traffic problems may affect them.
- (e) Locate participants and witnesses and record their identities and/or observations.

3.8 Responsibility of Responding Collision Investigator(s):

- (a) Investigator of the collision assumes responsibility for the investigation unless otherwise directed by the Traffic Sergeant
- (b) Will conduct the investigation based upon, but not limited to the following:
  1. Locate and interview all parties involved, including drivers, passengers and witnesses.
  2. Examination of all available physical evidence including any markings or debris left in the roadway by the participants; position of vehicles and location/amount of damage or other property damage noted.
  3. Recording of any condition that may be a factor in the collision such as

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weather conditions; mechanical condition of involved vehicle(s); condition of roadway markings or traffic control devices.

- (c) Removal from the roadway of vehicles, persons and debris based upon assessment of type of investigation required.
- (d) When the roadway will be significantly restricted for an extended period of time, assistance for traffic diversion may be sought from the affected road maintenance agency.
- (e) When intricate or otherwise specialized evidence gathering techniques must be employed, such as crime lab or photography, the investigator may contact them for that assistance.
- (f) When it becomes necessary to tow any vehicle from the scene of the collision due to incapacitation of an involved driver all expectations of P&P section 6.36 Impound/Stored Vehicle Reporting shall be adhered to.
- (g) All Traffic Collision Investigations will be photographed. The primary investigator shall be responsible for assuring that scene conditions, vehicles and evidence are photographed. .
- (h) All photographs will be placed into Sheriff's Evidence at the respective station and will be processed through normal practice.

### 3.9 Sheriff's Traffic Accident Reconstruction Team (S.T.A.R.):

- (a) The Reconstruction Team shall be comprised of those Traffic Collision Investigators who have successfully completed both, the Advanced Accident Investigation and Reconstruction Investigation courses of instruction as recognized by P.O.S.T., and have demonstrated their competence in this discipline for no less than one year.
- (b) Traffic Sergeants shall choose qualifying members based on the above criteria.
- (c) Names of qualifying members shall be submitted by the Traffic Sergeants to the Traffic Coordinator, who shall be responsible for maintaining and publishing a current list of available names.
- (d) In the event that technical or accident reconstruction assistance is required, the affected Traffic Unit's Sergeant or the on scene-investigating deputy will make such a request through the Communications Center.

### 3.10 Collisions Involving Driving Under Influence (DUI):

- (a) SWITRS guidelines will apply in the investigation and documentation of these collisions unless Sheriff's Department policy and local judicial requirements take precedence.
- (b) All felony violations will be handled pursuant to Section 40301 V.C. as well as the other applicable sections of the Vehicle Code governing their individual use.

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- (c) Misdemeanor violations may be taken into custody in situations outlined in Section 40300.5 V.C. and 40300.6 V.C
- (d) Misdemeanor violators who are taken to a medical facility for treatment may be cited and assigned a court date, and then released if they are to be admitted for any reason per 849(b)(4) PC; "The person was arrested for driving under the influence of alcohol or drugs and the person is delivered to a hospital for medical treatment that prohibits immediate delivery before a magistrate."
- (e) The deputy must submit a crime report and an affidavit for an arrest warrant.
- (f) A refusal to provide a chemical test should be handled as outlined in 13353 V.C.
- (g) Documentation shall include a collision report and an arrest report with separate narratives.

### 3.11 Chemical Test Refusal- Forced Blood Draw:

- (a) Absent articulable exigent circumstances, or a valid 4th waiver, a search warrant must be obtained in order to conduct a forced blood draw. A deputy should consider the totality of the circumstances when determining whether to order a forced blood draw. A deputy should consider whether the seriousness of the offense and the need for the blood sample justifies the intrusiveness of a forced blood draw. A forced blood draw needs to meet the following criteria:
  - 1. The arresting deputy has probable cause to believe that the suspect's blood has evidence related to the prosecution
  - 2. Has obtained a search warrant or the suspect has a valid 4<sup>th</sup> waiver
  - 3. The blood is drawn in a medically approved manner
  - 4. If the suspect cannot, or will not, provide a voluntary sample, the suspect will be advised that a blood sample may be taken from the suspect against the suspect's will
- (b) 11550 H.S and 647(f) (drugs) P.C. no longer meet the requirements for forced blood draws on subjects without 4th waivers. D.U.I. is the misdemeanor charge where a forced blood draw can be conducted by obtaining a search warrant. 1524 P.C. was amended January 1, 2014 to allow for the issuance of a search warrant to authorize the blood draw from a person in a reasonable, medically approved manner when the sample constitutes evidence that tends to show that the person has driven a motor vehicle under the influence.

### 3.12 Traffic Sergeants Response:

- (a) Each Sheriff's Station Traffic Sergeant may be authorized a home garaged vehicle per P&P 5.2 to enable them to respond as necessary to collisions that involve fatalities, serious injury to one or more participants, probable felony prosecution cases and any

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collision involving sheriff's equipment or personnel

- (b) The Traffic Sergeant shall assess the need for extraordinary resource allocation for the complete investigation of the collision
- (c) The Traffic Sergeant shall have the responsibility of ensuring that all tasks are carried out and that there is proper coordination of the investigators
- (d) The Traffic Sergeant will notify the Station Commander, the Station Lieutenant and the Traffic Coordinator of any traffic collision involving Sheriff's Department personnel in which life threatening injury or fatality occurs

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## General Enforcement

### 4.1 Discretion with traffic law violations

- (a) The issuing/arresting deputy has sole discretion when dealing with a traffic violation. Their choice to prosecute or not is limited only by Vehicle Code requirements and Diplomatic Immunity as stated in P&P section 6.42, Diplomatic Immunity .

### 4.2 Preparation and processing traffic citations, arrest reports, and other supplemental reports, will conform to the guidelines set forth in P&P section 2.41, Departmental Reports.

### 4.3 Driving under the influence (DUI) of alcohol and/or drugs enforcement

- (a) Deputies assigned to DUI enforcement will have as their primary objective the identification and apprehension of intoxicated drivers. They will also vigorously enforce alcohol and marijuana or cannabis related Vehicle Code violations.
- (b) The supervisor of the traffic unit shall continually evaluate DUI collisions and direct the enforcement deputies to those routes and locations most frequently used by the intoxicated driver. The supervisor should selectively deploy sufficient manpower to effectively reduce DUI collisions.
- (c) The traffic sergeant shall utilize any training available to increase the effectiveness of the enforcement officers.
- (d) The DUI enforcement deputies will assist patrol deputies with related reports and processing of DUI offenders within the contract cities.

### 4.4 Driving under the influence (DUI) of alcohol and/or drugs procedures

- (a) If a deputy has reasonable cause to believe a driver is DUI and subsequently stops that driver, their safety is now the deputy's responsibility.
- (b) A field sobriety test should be administered to confirm the deputy's observations unless:
  - 1. The driver is intoxicated to a degree that he is unable to perform, or;
  - 2. The driver's degree of intoxication, coupled with existing roadway hazards, render the test unsafe
- (c) The arrestee must be transported to a location to perform the required chemical test (generally the nearest Sheriff's station).
- (d) The arrestee should be booked in a detention facility except:
  - 1. When admitted to a hospital and there is no danger of their release until the

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intoxication impairment is dissipated. The arrestee should be released on a promise to appear.

2. A juvenile, may be cited and released to their parents or other responsible relatives (Pursuant to P&P section 6.15, Permissive release of misdemeanor arrests).
  3. If an arrestee is not booked into a detention facility and not for reasons #1 and #2 mentioned above, supervisor approval shall be required.
- (e) The implied consent law pertaining to required chemical tests, or refusal of same, for arrested impaired drivers, the subsequent driver's license suspension review and hearing process, and necessary D.M.V. forms are required.
- (f) The Administrative Per Se Law authorizing the arresting officer to serve a notice of intended suspension on an arrested drinking driver, issue a temporary license, the impoundment of their CDL, the associated forms necessary and time frames required for transmittal of this information to D.M.V.

4.5 Only those deputies who have received specialized instruction and training will operate speed-measuring devices.

- (a) Enforcement will comply with applicable provisions of the Vehicle Code (40801 – 40805.)
- (b) The traffic unit will be responsible for maintaining updated records of all streets with speed and engineering surveys.

4.6 Determining driver status and verbal notice of license revocations (Form DL 310A)

- (a) Determine the nature of the revocation; the correct section (14601a, 14601.1a, 14601.2a or 14601.2b), must be charged and be consistent with the proof required codes.
- (b) If it is determined that the suspect's driver's license is suspended or revoked and no personal service has been made; the deputy shall:
  1. Complete a DL 310A form. Have the driver sign or record refusal and attach to the citation.
  2. Charge the correct suspension or revocation section and write on the face of the citation, under the charge "Verbally Advised."
  3. If the driver has a California driver's license, take same and write on the face of the citation "DL". Then attach the license to the form DL310A. (Note: California driver's license only.)
- (c) If it is determined that the suspect's driver's license is suspended or revoked and personal service has been made

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1. Physical custody and jail booking is an option that may be exercised. The deputy may also cite and release for appropriate 14601 V.C. section and impound vehicle per the appropriate impound authority
- 4.7 If a deputy determines that a driver they have lawfully encountered should no longer be afforded the privilege of driving in the state of California, The deputy should complete and submit DMV form DS427. These forms are generally used in cases of declining physical health or an inability to cognitively make the required decisions or judgements to safely operate a motor vehicle.

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## Selective Enforcement

5.1 The Station Commander or their designee will approve all Operational Plans for selective enforcement details. The Traffic Sergeant or their designee will coordinate the selective enforcement details.

5.2 Implementation and Review of Selective Enforcement

When determining where selective enforcement details will be utilized, the Traffic Sergeant of each contract city will take into account all accident reports and citations issued as well as enforcement requests.

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## Traffic Citations

6.1 The Sheriff's Department "Notice to Appear" serves as a short form Criminal Complaint for misdemeanors and infractions.

- (a) The purpose is to secure the traffic violator's appearance in court while allowing release from a temporary detention.
- (b) It will be used in conjunction with a formal arrest report when the suspect is transported to a Sheriff's Station for processing and subsequently released on a written promise to appear.
- (c) It will be used for violations of city traffic ordinances (use only applicable spaces).
- (d) No changes will be made after the citation is signed by the violator/defendant. If changes are required, the issuing deputy will complete the amendment/dismissal "Pat 3" form and attach to the citation.
- (e) A citation may be dismissed when:
  - 1. In the interest of justice, the issuing deputy determines the citation should be dismissed.
  - 2. The issuing deputy recommends in writing on a citation "amendment/dismissal request."
  - 3. The request states the reason for dismissal.

6.2 Maintaining of notice to appear citations for accountability and reference.

- (a) Each station will maintain an up-to-date logbook on all Notice to Appear citation books. This will be done for accountability and control.
- (b) The Administrative Sergeant, or designee, at each station will have the responsibility of maintaining such a logbook and ensuring that Notice to Appear cite books are available.

6.3 The issuing of the notice to appear books will use the following guidelines:

- (a) If a notice to appear is voided, all copies must be turned in and accounted for. The deputy will write the word "void" in bold letters across the length of the Notice to Appear, the reason for voiding the citation and then initial the cite.
- (b) If a notice to appear is lost, the deputy will complete a deputy's report explaining the circumstances regarding the loss. This report will be retained in station files.
- (c) If a notice to appear is stolen, the deputy will complete a crime report, which will be processed accordingly.

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6.4 The keeping and cross reference of Notice to Appear citations.

- (a) Notice to Appear citations are kept current plus two (2) years at each station. Hard copies of the citations are filed numerically.

6.5 Audit Procedures.

- (a) If an audit is conducted, the person doing the audit will have access to the station's copy of the notice to appear cites, the ARJIS system, and the logbooks where the Notice to Appear citations are signed for. This will include the files for lost or stolen citations.

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### Vehicle and Equipment

#### 7.1 Vehicle specifications to be as follows:

- (a) Automobile and motorcycle specifications will be as per department standards.

#### 7.2 Home garaging of vehicles:

- (a) The traffic Sergeant and the "on call" traffic investigators may be authorized to home garage a department vehicle per P&P Section 5.2, Vehicle coordination and usage.
  1. When deputies have their vehicles at home, they are expected to be "on-call" but are not considered to be on "standby" as set forth in the M.O.A.

#### 7.3 Equipment

- (a) Due to the special duties and responsibilities of a traffic unit, specialized and additional equipment is mandated and maintained by the contract city station. Each traffic vehicle will be supplied with the following items:
  1. Two (2) sets of electronic lighting devices or LED "flares" (pyrotechnic flares shall not be used)
  2. Camera
  3. Fire extinguisher, minimum ABC rating, 51b. charge
  4. Measuring wheel
  5. 50 to 100-ft. steel measuring tape
  6. Other equipment, such as radar, etc., which is furnished or obtained by agreements with the contract cities and the station Commanders or as furnished by the County through the department administration.

#### 7.4 Motorcycle use and deputy responsibility:

- (a) Motorcycle deputies may home garage their motorcycles at the discretion of the Station Commander. No deputy, other than assigned, will operate a Sheriff's Department motorcycle without the explicit permission of the Motor Sergeant.

#### 7.5 Motorcycle deputies will be responsible for daily upkeep and maintenance schedules for their vehicles and equipment.

- (a) Unless expressly authorized by the Motor Sergeant, when feasible the operator of the motorcycle will not:
  1. Engage in off road enforcement

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2. Ride during any inclement weather which significantly increases the probability of getting involved in a traffic collision.

### 7.6 Motorcycle Deputy Equipment

(a) Due to the duties and responsibilities of the Motorcycle Unit, specialized equipment is mandated. These are the only authorized uniforms for the Motorcycle Unit. Upon assignment to the Motorcycle Unit, each deputy shall be provided the following safety equipment::

1. Helmet – Department approved model and color scheme, DOT approved with radio headset. (Lifespan-2 years)
2. Jacket – black Mesh Kevlar motorcycle jacket with badge holder, zipper pockets, zipper sleeved, leather collar, with Sheriff patches and motor wing patches, (Lifespan- as needed)
3. Shirt – 2 L/S Department approved uniform safety shirts (Lifespan- 2 years)
4. 1 pair of road motorcycle boots (Lifespan – as needed)
5. 2 pairs Mesh Kevlar pants, green with sap pockets, reflective stripe and zippered calf. (Lifespan – as needed)
6. 1 pair gloves - black full finger motorcycle gloves (Lifespan as needed)
7. 1 pair gloves black, full finger, motorcycle gloves for cold weather. (Lifespan as needed)
8. 1 pair safety glasses safety style, sunglasses non-mirror, black or yellow metal framed. (Lifespan as needed)
9. 1 pair safety gasses safety style, clear lenses, black or yellow metal framed. (Lifespan as needed)

(b) Optional Motor Equipment:

1. Black patrol boots with the ability to be polished

(c) Due to equipment issued to Motorcycle deputies being exposed to the elements, deputies are expected to check, maintain, and identify equipment needing repair or replacement during their weekly motorcycle release time. Maintenance of the equipment issued to motorcycle deputies also includes firearms, CED devices, and any other department-issued equipment deployed with the deputies on their motorcycles.

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## Traffic Deputies Requirements and Training

- 8.1 Under general supervision and direction, the department will provide traffic enforcement services for contract operational areas.
- 8.2 A Sheriff's Traffic Deputy is the primary traffic enforcement unit in a contract municipality.
- 8.3 Duties include, but are not limited to:
- (a) Respond to all requests for traffic enforcement services in the contract service area.
  - (b) Assist in determining the special traffic needs of the area and will develop timely and appropriate solutions.
  - (c) Enforce traffic laws.
  - (d) Investigate traffic collisions and prepare the required forms and reports.
  - (e) Actively participate in community traffic safety awareness programs.
  - (f) Make public presentations.
  - (g) Provide law enforcement services in addition to traffic duties.
- 8.4 Traffic Sergeants shall ensure that as soon as practical, deputies being assigned to a traffic position, they are required to:
- (a) Successfully complete a POST approved forty (40) hour course in Basic Accident Investigation. This requirement may be waived on a case-by-case basis.
  - (b) Successfully complete a twenty-four (24) hour course in the Theory and Operation of Doppler Traffic Radar Units provided by a certified instructor. Every deputy must have this training to use the devices.
  - (c) Successfully complete a course in the Theory and Operations of the currently approved breath-testing equipment.
- 8.5 Within one (1) year of date of assignment deputies are required to:
- (a) Successfully complete an approved (40) hour course in Intermediate Accident Investigation.
- 8.6 Motor Deputy Selection
- A deputy applying for the position as a motor must meet the following criteria:
- (a) Complete one (1) year in Traffic and meet Department career path requirements. The Station Commander may waive the one (1) year minimum requirement.

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- (b) Be able to place the balls of both feet on the ground while in a sitting position on the Sheriff's motorcycle.
- (c) Be able to lift a fully equipped police motorcycle from a fallen position to an upright position.
- (d) Be able to place fully equipped police motorcycle on its center stand.
- (e) Be able to remove full equipped police motorcycle from its center stand while seated on the seat.
- (f) Be in possession of a valid Class M-1 (motorcycle) endorsed California driver license.

### 8.7 Motor Training Officer/Corporal

Motorcycle training officer selection and certification shall be consistent with existing Department guidelines for training officers. All Certified Motor Training Officers (CMTO) shall be a current Sheriff's Department Field Training Officer or Corporal and have completed a P.O.S.T. certified motorcycle training officer's course before they can train and evaluate new motor deputy candidates or current motor deputies.

### 8.8 Motor Deputy Training

- (a) Prior to attending an 80 hour motorcycle training course, a motor deputy candidate will successfully complete phase one of the motorcycle training which consist of 80 hours of pre-academy training with a CMTO. During this phase of training, a motor officer candidate will only ride a Sheriff's motorcycle under the direct supervision of a CMTO.
- (b) Once phase one is complete, the deputy must successfully complete an eighty (80) hour police motorcycle operator's course. Upon completion of the training, the deputy will successfully complete a two (2) to four (4) week field training program under supervisions of a CMTO and Motor Sergeant, dependent on the competency of the rider.
- (c) The CMTO will complete the motorcycle field training guidebook. The training guidebook will be placed into the station file of the new motor officer.
- (d) The motor officer must also comply with Section 8.4 of the traffic manual for other required traffic schools.
- (e) All deputies currently assigned to motorcycle duties will be required to participate in scheduled motorcycle training. Training will generally be scheduled every other month at the direction of the Motor Sergeant. The training day shall be considered the deputy's workday.
- (f) The scheduled training will combine the motor officers from all stations and will be

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coordinated by the designated CMTO.

- (g) The responsibilities of coordinating the training will rotate from among the CMTOs and will be determined in advance by the Motor Sergeant or designated CMTO.
- (h) The individual coordinating the training will be responsible for the training agenda within the guidelines developed by the Motor Sergeant or designee.
- (i) Only legitimate excused absences are acceptable and the individual's supervisor and Motor Sergeant or designee must be notified in advance. Routine maintenance shall be scheduled so as not to conflict with training. Those deputies who fail to attend training will contact the Motor Sergeant to schedule a make-up day with a CMTO.
- (j) The Motor Deputy's Traffic Sergeant shall be notified of any unexcused absences from training.
- (k) The training uniform for motorcycle deputies shall be at the discretion of the Motor Sergeant

### 8.9 Motor Officer Re-certification

- (a) All full-time motor deputies will be required to re-qualify on their motorcycle twice yearly.
- (b) The re-qualification course will be the Department Motor Training Course. Grading and scoring will be consistent with motor school guidelines.
- (c) Those deputies who fail to re-qualify will be given four (4) hours of immediate remedial training. The deputy will be given an opportunity to re-qualify directly following the remedial training.
- (d) If the deputy fails to re-qualify after the immediate remedial training is given, the Station Commander and Traffic Coordinator will be notified. At their discretion, the Station Commander may remove the deputy from duties as a motor deputy pending satisfactory completion of subsequent training sessions. These training sessions are to be determined by the Motor Sergeant and Traffic Coordinator. The training is to be scheduled as soon as practical but not to exceed more than 10 days from the date of initial failure.
- (e) In the event of a traffic collision involving a Sheriff's motorcycle deputy where the deputy is at fault, the deputy will be required to successfully complete a re-qualification course prior to resuming duties as a motor deputy. The re-qualification shall be scheduled within 10 days of the collision.
- (f) Absences from motorcycle duties in excess of six (6) months shall be required to re-qualify prior to resuming motor deputy duties.
- (g) Absences from the motorcycle duties in excess of two (2) years shall be required to attend a three-day refresher course approved by the motor sergeant and lead CMTOs, including the Motor Qualification.

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- (h) All training, qualifications and re-qualifications will be documented and stored appropriately in the deputy's training file. Retention of these files will be maintained according to the Sheriff's Department retention schedule. A copy of the files will be scanned and stored in the motor file located in the Traffic Services folder.

### 8.10 Desirable skills and special requirements for traffic deputies

- (a) Traffic enforcement techniques
- (b) Accident investigation and reporting techniques
- (c) Ability to prepare technical reports clearly and accurately
- (d) Ability to prepare precise accident diagrams
- (e) Ability to use and understand mathematics, algebra and geometry.
- (f) Skills in interview techniques
- (g) Willingness to participate in directed enforcement such as "Strike Team" events and checkpoints
- (h) Ability to regulate traffic via hand signals or manual operation of signal control

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## Traffic Direction and Control

- 9.1 Deputies and Community Service Officers of this Department will perform traffic control functions, where necessary, to ensure the safe and efficient movement of vehicles and pedestrians.
- 9.2 Fire and collision scenes present the most severe problems as they are spontaneous and an instant hazard.
- (a) Protection of the scene and parties involved is the first priority. A lighted pattern and/or traffic cones or other appropriate devices must be strategically placed to adequately warn and direct traffic. Factors to consider are:
    - 1. Roadway speeds: A limited access highway would dedicate a longer lighted and/or traffic pattern than a residential street.
    - 2. Roadway curves: Lighted patterns and/or traffic cones must be laid around an adjacent curve to warn oncoming traffic.
  - (b) Prepare for the arrival of responding emergency units. Have a clear approach and an area adjacent to the scene where fire or medical personnel may perform their functions. Do not allow non-emergency vehicles to impede access to the scene.
  - (c) Continue protection of the scene utilizing traffic control until the hazard is removed.
- 9.3 Adverse weather conditions such as those caused by the fog, rain, snow, smoke and blowing sand, may cause special problems.
- (a) Deputies must be prepared with sufficient clothing, food and water to withstand at least one operational period.
  - (b) Due to reduced visibility, extended lighted patterns and alternate forms of warnings, such as appropriately placed patrol cars, must be used for adequate protection.

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## Sobriety Checkpoints

### 10.1 Legal Guidelines

The primary purpose of a sobriety checkpoint is a deterrent; to keep intoxicated drivers off the highways in order to enhance public safety.

The supervising Traffic Sergeant, Safety Sergeant, or Case Agent must have attended the POST DUI Management Training course.

The court essentially adopted the guidelines set out in a 1984 California Attorney General's Opinion (67ops. Cal. Atty.Gen.471). Those guidelines as pronounced by the court are as follows:

#### No Arbitrary and Capricious Enforcement

The decision to establish a sobriety checkpoint, the selection of the site, and the procedures for the checkpoint operation should be made by a supervisor or Command Law Enforcement personnel, not by an officer in the field.

#### No Unbridled Discretion of Field Deputies

A neutral, mathematical formula should be developed so that every driver, or every fifth or tenth driver, for example, will be stopped. This standard precludes the possibility of a field officer stopping drivers without a legitimate basis for the detention.

#### Maintenance of Safety Conditions

There must be proper lighting, warning signs and signals, and clearly identifiable official vehicles and personnel to minimize the risk of danger to drivers and deputies. Also, the checkpoint should be operated when the traffic volume allows the operation to be conducted safely. If the traffic flow is heavy, the formula described in #2 above can be altered so that every tenth car is stopped, for example. When traffic is light, the formula can change to more frequent stops.

#### Reasonable Location

Checkpoint locations, determined by the command, should be placed in areas most effective in achieving the governmental interest, i.e.- on roads with high incidents of alcohol-related accidents and arrests. Safety must also be considered such that sufficient advance warning is given to the motorist of the oncoming checkpoint. The locations of the checkpoints do not have to be permanent.

#### Effective Time and Duration

Although there are no distinct rules with respect to the time of day or the duration a checkpoint must be set up, most checkpoints that have been effective have been late evening and early morning hours. Safety should also be considered.

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### Official Nature of a Checkpoint

Roadblocks should be established with high visibility warning signs, flashing lights, adequate lighting, police vehicles and uniformed deputies. These factors are not only to promote safety, but also to demonstrate their official authorization and to minimize the intrusion.

### Reasonable Length and Nature of Detention

Each motorist who is stopped should be detained only long enough for the deputy to question the driver briefly and to look for signs of intoxication (alcohol on breath, slurred speech, glassy or bloodshot eyes). If there are no signs of impairment, the driver should be permitted to drive away. If impairment is noted, the deputy may conduct a field sobriety test; further investigation would thereafter be based on probable cause and general arrest and detention principles.

## 10.2 Procedures- Planning

The site selection for a sobriety checkpoint will be based on D.U.I. analysis and safety factors, minimal intrusion of the motoring public and detailed operation procedures intended to standardize the checkpoint and limit discretion of field officers.

The Station Traffic Sergeant is responsible for the management of the sobriety checkpoint program. The Traffic Sergeant shall conduct an analysis for site selection based upon the following:

A high incident of D.U.I caused collisions and/or D.U.I. arrests, as it relates to the contract city needs.

Deputy/motorist safety factors including:

1. Adequate lighting
2. Ample warning to approaching motorists
3. Highway speeds
4. Parking for suspected D.U.I driver vehicles and administration of the field coordination test (F.C.T.)

Public notice of checkpoint areas may be given through news releases to the local media.

## 10.3 Procedures- Operations

- (a) The motorists' time of detention must be minimized to reduce their inconvenience. The time required to pass through the primary screening (checkpoint) should be reasonable.

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If traffic volume prevents the screening of all vehicles, the checkpoint supervisor shall implement an alternate arithmetic formula (every second car, fourth car, sixth car, etc.) until the detention time again becomes reasonable. However, this does not preclude stopping a vehicle when the driver exhibits obvious signs of intoxication.

1. The secondary screening area is established adjacent to the primary to provide for the immediate removal of the suspected drinking driver from the traffic lane. The F.C.T. will be conducted in this area in compliance with existing procedure.
2. Personnel shall be assigned to various duties based on training, traffic volume and other situational circumstances within two designated screening areas by the checkpoint supervisor.
3. The checkpoint supervisor (Traffic Sergeant or designee) shall be responsible for staffing and deployment as required. This supervisor shall also be responsible for all enforcement reports and their transmittal to the appropriate Sheriff's station.
4. One scribe, who may be non-sworn, will count the cars through the checkpoint number screened, number diverted to secondary and any enforcement action taken. Included should be a count of seat belt compliance.
5. The Traffic Sergeant or designee will assign duties and responsibilities.

### 10.4 Checkpoint Configuration

- (a) Traffic control measures will be implemented to provide adequate warning to motorists approaching the checkpoint. Traffic cones, warning signs and marked Sheriff's units will be used for this purpose.
- (b) The first sign, indicating that there is a lane closure or stop ahead, will follow current POST DUI Checkpoint Planning and Management Course recommendations.
- (c) Adequate space shall be made available away from the checkpoint for the parking of suspected D.U.I. driver's vehicles and the administration of F.C.T.'s. This space may be a coned-off traffic lane, roadway shoulder area, adjacent parking lot, etc.

### 10.5 Reporting Requirements

- (a) The checkpoint coordinator will prepare an After Action Report directed to the Traffic Sergeant detailing the following information:
  1. Location, date, time of operation
  2. Number of personnel
  3. Regular and overtime hours

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4. Number of cars through the checkpoint
5. Number of cars through primary screening
6. Number of cars diverted to secondary
7. Number of F.C.T.'s administered
8. Number of arrests made
9. Alcohol related arrests
10. Other criminal violations
11. Number of vehicles stored/impounded
12. Problems encountered and recommendations for resolution.
13. Number of citations issued
14. Follow up Press Release

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## Emergency Response Reimbursement

- 11.1 The state legislature has enacted law (53150 to 53158 California Government Code) allowing cities to be reimbursed for costs directly arising from vehicle collisions involving drivers under the influence of alcohol. The following policy is enacted so that the Sheriff's Department can respond to contract cities with necessary information regarding the costs involved.
- (a) Whenever Sheriff's personnel respond to a traffic collision involving a driver that is under the influence of alcohol, or combination of alcohol and drugs, or any driver involved in police pursuits whether under the influence or not, the primary accident investigator shall complete a cost recovery statement to be turned in with completed reports of the incident (SO-75) form.
  - (b) Information to be included on the "Cost Recovery Statement" will include, but not be limited to: How many deputies were at the scene and how long they were there.
  - (c) The primary investigator shall also include all time spent at the scene measuring, photographing and other investigative duties, as well as, time spent processing any arrests, follow-up investigations at the hospital, morgue, tow yards, etc., and report writing time.
  - (d) The primary investigator will identify how many units were at the scene as documented in CAD and how long they were utilized.
  - (e) Traffic investigators shall ensure all report writing and follow-up time for the case is reported to the Traffic Sergeant for inclusion in the cost recovery documentation.
  - (f) In addition to time spent, the primary investigator shall record material(s) used in the investigation including, but not limited to, flares, use of ASTREA or other Sheriff's equipment.
  - (g) The primary investigator is not responsible for the item costs, or for totaling costs. The primary investigator is responsible for the time and equipment information.
  - (h) The Traffic Sergeant shall fill in the unit costs using the most current recovery rates. The Traffic Sergeant is responsible for totaling the costs and distributing the form as designated.