

THE CITY OF BYRON POLICE DEPARTMENT



POLICY AND GUIDELINE/IMPAIRED DRIVING

All officers of the City of Bryon Police Department are expected to abide by all written communication directed to them, even when issued during their absence. All new policies and guidelines are not only provided as written copies, but verbally provided and discussed during roll calls and other meeting forums. Supervisors ensure personnel are familiar with all policy and guidelines and that all questions are clearly answered and fully understood. Written directives consist of; General and Special Orders, Special Operating Procedures, Memorandums, and other written directives issued and/or approved by the Chief of Police. The Byron Police Department has Special Orders and General Orders which outline in detail the guidelines and procedures to assist the officer in traffic enforcement. All department employees are required to be informed of and acknowledge the receipt of each written directive. All General and Special Orders are provided in hard copy form to each officer to be maintained in their Departmental Policy Continuity Book to be available for their review and reference. A copy is also maintained within the Policy Book located in the Patrol Room of the Department. This practice ensures that there is continuity in enforcement among the entire Department and is readily available when required.

City of Byron Personnel Policy, Vehicle Operator Policy. This order specifically establish a policy on the use of city owned, rented or leased vehicles, and the transporting of other city employees; and to establish minimum requirements for authorized operators of city vehicles. This order dictates that city employees must hold a valid Georgia driver's license.

[See Attached City Policy](#)

General Order #5200. This order specifically addresses TRAFFIC ACCIDENT INVESTIGATION, which states the department will investigate accident within the city and collect data to assist in traffic education. Included are those investigations involving operator impairment due to alcohol or drugs.

[See Attached General Order #5200](#)

General Order #5300. This order specifically addresses IMPAIRED DRIVING ENFORCEMENT, which states the department will comply with the guidelines set by the State of Georgia concerning techniques, methods, and testing equipment used to determine the blood alcohol content of persons arrested for driving under the influence. This general order establishes uniform procedures regarding the arrest and chemical testing of intoxicated persons driving under the influence of alcohol and/or controlled substances.

[See Attached General Order #5300](#)

General Order #5400. This order specifically addresses established uniform enforcement policies of traffic law violations for officers issuing written warnings and traffic citations to vehicle operators. **Section 03** of this order dictates that officers shall take action consistent with applicable laws whenever a violation is detected. The Byron Police Department has adopted a ZERO TOLERANCE for this type offense whenever a violation is detected.

[See Attached General Order #5400](#)

General Order #5500. This order specifically addresses guidelines governing uniform Interstate Criminal Enforcement Unit activities by members during Holiday Periods. **Section 02** of this order dictates that officers shall participate in specialized patrols. These patrols operating under adjusted hours working concentrated patrols will take action consistent with applicable laws whenever a violation is detected for impaired driving.

[See Attached General Order #5500](#)



THE CITY OF BYRON POLICE DEPARTMENT

POLICY AND GUIDELINE/IMPAIRED DRIVING

General Order #5600. This order specifically addresses guidelines governing TRAFFIC ENFORCEMENT, INVESTIGATION DIRECTION AND CONTROL. **Section 05** dictates Special Priority Enforcement for Alcohol or Drug Enforcement Procedures. **Section 15** dictates Traffic Complaints. **Section 16** dictates that Officers assigned to the Traffic Division are required to participate in educational and community awareness programs throughout the year regarding impaired driving. **Section 17** dictates activities during Holiday Periods of the officers assigned to Traffic Division Unit. This order dictates that officers shall participate in specialized patrols. These patrols operating under adjusted hours working concentrated patrols will be cracking down on the impaired and dangerous drivers.

[See Attached General Order #5600](#)

General Order #5700. This order specifically addresses guidelines governing TRAFFIC ACCIDENT INVESTIGATION. **Section 06** of this order ACCIDENT DATA is used for the purpose of reducing accidents within the community.

[See Attached General Order #5700](#)

THE CITY POLICY ON IMPAIRED DRIVING

City of Byron Personnel Policies

Policy Number: 7.2

Subjects: Vehicle Operator Policy

Effective Date: July 13, 2004

Number of Pages: 5

Revised Date: December 11, 2012

Distribution: All Employees of the City of Byron

C. PROCEDURES TO BECOME AND REMAIN AN AUTHORIZED DRIVER.

(1) Department head responsibility.

a. It is the responsibility of each department head to manage the vehicles assigned to them, including rented or leased vehicles under their control. All department heads will request a driver's license check for all new hires, and any current employees not already checked, prior to allowing them to operate a vehicle.

b. When either the Police Department, or an employee authorized to operate a city vehicle making a report as required under Section D. (3), notifies a department head or supervisor that a vehicle operator has accumulated six (6) or more violation points on his driver's license, or has pleaded guilty or nolo contendere to or is convicted of driving under the influence of alcohol or drugs, the vehicle operator will be suspended from driving any city vehicle. The department head or supervisor will contact the Chief of Police for assistance in determining the status of the operator's driver's license.

c. After being notified of the accumulation of six (6) points on the license of, or a plea of guilty or nolo contendere by, or the conviction of, a charge of driving under the influence of alcohol and/or drugs, of an employee authorized to operate a city vehicle, and after determining the status of the employee's driver's license pursuant to Section (1)(b) hereof, the department head shall consult with the City Administrator and the City Attorney regarding the employee's privilege to drive a city vehicle. The final determination as to the disposition of the employee's privilege to drive a city vehicle shall rest with the Department Head and City Administrator, except that no employee shall drive any city vehicle while that employee's driver's license or privilege to operate a motor vehicle on the highways of the State of Georgia is suspended or revoked.

THE CITY OF BYRON POLICE DEPARTMENT



City of Byron Personnel Policies continued:

D. RESPONSIBILITY OF ALL PERSONNEL.

(3) All city employees who operate city vehicles are required to report any traffic violation citations, including citations for driving under the influence of alcohol and/or drugs, whether on or off duty, in a city vehicle or private vehicle. The operator must report these traffic violations to his or her department head or supervisor, who in turn will contact the Chief of Police. See paragraph C. (1) b. Failure of vehicle operators to report traffic violation citations will be considered a violation of personnel policies and could be grounds for disciplinary action.

THE DEPARTMENT POLICES ON IMPAIRED DRIVING

BYRON POLICE DEPARTMENT GENERAL ORDERS #5200

TRAFFIC ACCIDENT INVESTIGATION

EFFECTIVE DATE: January 23, 2009 NUMBER OF PAGES: 13

5200:00 POLICY:

The investigation of traffic accidents is necessary, not only to determine traffic law violations, but also to obtain engineering data, protect the rights of the individuals involved, and assist in traffic education. To ensure proper and complete investigation of accidents the following procedures will be utilized:.....

All motor vehicle accidents and crash incidents reported to the Byron Police shall be responded to and fully investigated. A Georgia Uniform Vehicle Accident Report Form or Private Property Report Form shall be completed on every incident, regardless of the amount of damage or seriousness. Some accidents will require more investigation than others:

3. Those involving operator impairment due to alcohol or drugs.

Wesley H Cannon

January 23, 2009

Chief Wesley Cannon

Date Approved

IMPAIRED DRIVING ENFORCEMENT

BYRON POLICE DEPARTMENT GENERAL ORDERS # 5300

IMPAIRED DRIVING ENFORCEMENT

EFFECTIVE DATE: January 23, 2014 REVISIONS (#1) DATE:2014 SECTION:5/7

NUMBER OF PAGES: 11

5300:00 POLICY

The Byron Police Department recognizes many traffic crashes, particularly those involving fatalities and personal injury, are directly attributable to persons driving under the influence of



THE CITY OF BYRON POLICE DEPARTMENT

G.O. #5300 Continued:

POLICY AND GUIDELINE/IMPAIRED DRIVING

alcohol and/or drugs. It shall be the policy of the Byron Police Department to deter persons under the influence of alcohol and/or drugs from driving; and to vigorously enforce the applicable laws of the State of Georgia regarding driving under the influence of alcohol and/or controlled substance(s). This policy includes the following:.....

5300:01 Purpose

The Byron Police Department will comply with the guidelines set by the State of Georgia concerning techniques, methods, and testing equipment used to determine the blood alcohol content of persons arrested for driving under the influence. This general order establishes uniform procedures regarding the arrest and chemical testing of intoxicated persons driving under the influence of alcohol and/or controlled substances. The Byron Police Department has

adopted a **ZERO TOLERANCE** for this type of offense.

5300:02 Enforcement

Lawful contact: A lawful contact must be made before an arrest for Driving Under the Influence (D.U.I.) can be made. The driver must have been or is in physical control of a moving vehicle.

1. A traffic stop related to a violation of Georgia Law.
2. Contact at a Driver's license checkpoint.
3. Contact at the site of a traffic accident
4. A consensual encounter.

5300:03 D.U.I. Arrest Procedures

An officer making a traffic stop on a vehicle suspected of being operated by a D.U.I. driver shall notify the communications operator of the possibility of a D.U.I. arrest. The communications operator shall dispatch a second unit, preferably a traffic unit, if one is available, to take over the case, in order to expedite the patrol units return to service. The Officer will then advise the Traffic officer the observations, which led to the possibility of a D.U.I. driver and reason for the contact with the driver. Staffing permitting, duly trained officers may conduct the investigation themselves.

If a traffic unit is not available then the patrol officer shall conduct the investigation. When the second unit arrives on the scene, the investigating officer shall begin the official D.U.I. investigation, i.e. field sobriety, interview, etc. The second officer shall serve as both a back-up officer and independent witness to the investigation and condition of the suspect.

5300:04 Video Tape Recording

The arresting officer shall administer the field sobriety exercises on video..... Currently all uniformed officers have the capability to videotape in the field.

5300:05 Field Sobriety Exercises

The purpose of the field sobriety exercises is to detect and document evidence of impairment. Suspects who are intoxicated to the extent they are incapable of standing or walking unaided should not be asked to perform any physical field sobriety exercises. The signs and symptoms displayed, when properly documented, are sufficient to support probable cause for arrest.

THE CITY OF BYRON POLICE DEPARTMENT



G.O. #5300 Continued:

All persons suspected of D.U.I. will be asked to perform a voluntary standard field sobriety exercises as established by Georgia Standardized Field Sobriety Testing and Procedures unless the physical condition of the suspect would preclude performing the exercises safely. It is important that officers question the suspected DUI driver about his/her medical condition prior to administering the field sobriety exercises. Areas of concern to officers should be physical impairments or injuries, illnesses such as Diabetes, and if the person is taking any medication (prescribed or over the counter).

The suspect will be treated politely and respectfully at all times, in an effort to gain his cooperation and preclude a violent confrontation. The Walk and Turn and One Leg Stand exercises should not be administered to persons in excess of fifty pounds overweight or older than 60 years of age. In cases of suspects believed to be under the influence other than alcohol an officer trained as a Drug Recognition Expert (DRE) or in Advanced Roadside Impaired Driving Enforcement (ARIDE) should conduct the investigation.

The DRE receives classroom and field training on proper drug evaluation techniques, drug physiology, drug classifications, symptoms of drug use and abuse. Officers who receive training in ARIDE recognize psychophysical and clinical indicators of impairment that is consistent with a subject who is under the influence of drugs alone, or in combination with alcohol,

Roadside field sobriety exercises should consist of the following in this order:

- A. Horizontal Gaze Nystagmus/Vertical Gaze Nystagmus: Note-Medical rule out.....
- B. Walk and Turn: The suspect will....
- C. One Leg Stand: The suspect will....
- D. Finger-to-Nose (optional): The suspect will....
- E. Modified Romberg/Alphabet (optional): The suspect will....
- F. Portable Breath Testing (PBT) (optional): An instrument designed....

The optional exercises should be given when:

- (1) Physical impairments, injuries, or disabilities prevent the suspect from performing physical balance exercises.
- (2) The suspect is fifty pounds overweight or is over 60 years of age.
- (3) As an option at the officer's discretion.

Field Sobriety results will be documented on Byron Police Department Field Sobriety Evaluation Report form.

If the suspect refuses to perform the Standardized Field Sobriety exercises, the officer based on their observations of the suspect, training, and experience, shall release or arrest the suspect.

5300:06 Georgia Implied Consent Card

When the investigation develops probable cause for the arrest of the suspect, the arresting officer shall inform the suspect that he/she is under arrest for D.U.I. The suspect shall be handcuffed and searched prior to transport. The arresting officer shall read the Georgia Implied Consent to the arrestee requesting a Blood, Breath, or Urine or combination of test. This should be done at the time of arrest. If the situation does not allow for the reading, this should be documented and



THE CITY OF BYRON POLICE DEPARTMENT

G.O. #5300 Continued:

read at earliest chance. The officer will take appropriate action accordingly to the arrestee verbal response to the requested State test.

Note* If the suspect has Diabetes consider requesting a blood sample.

If the arresting officer is not certified to administer the state test, a qualified officer will be requested to administer the test.

5300:07 Breath/Blood/Urine Alcohol/Drug Test

Blood/Urine tests shall conform to state law, as well as departmental guidelines.

- A. Breath Testing: Operation shall be administered by a trained and certified operator.....
- B. Refusal to Take a Breath Test: If the arrested suspect refuses to submit to a breath test.....
- C. Test Results: According to departmental procedure and Georgia law on persons
- D. Blood Test: When a breath test cannot be administered because of injuries,.....
- E. Urine Tests: A urine specimen shall be obtained when the arresting officer has probable..
- F. Independent Test: By statute, DUI arrestees are entitled to an independent test after
- G. Reports and Forms: The documentation of the observations of each officer involved.....

5300:08 Sobriety Checkpoints

Sobriety checkpoints have been a valuable tool for law enforcement’s continuing fight to remove impaired drivers from the road. The purpose of the checkpoint is twofold; to apprehend impaired drivers at the physical location of the checkpoint and successfully prosecute violators; and secondly, to increase the “risk of apprehension to increase voluntary compliance” in those who might decide to drive while impaired.

The success of a sobriety checkpoint depends greatly upon smooth and efficient operations. The person selected, as supervisors of the operation should be briefed thoroughly on all procedures. This includes maintaining as little delay to the motoring public as possible and keeping records of any deviation from the original operational plan.

Personal selected to staff the checkpoint should be briefed on both its purpose and operation. They should understand the necessity for standard and uniform questions asked of drivers to avoid subjectivity. The use of an operational briefing is one way to accomplish this.

Checkpoints are an ideal opportunity to give educational materials regarding impaired driving, speeding, child restraint and seat belt usage, as well as seasonal reminders such as school opening, to persons stopped at the checkpoint.

Checkpoints are an important part of a comprehensive enforcement program designed to raise the perceived probability among potential impaired drivers that they will be stopped and arrested for DUI. The National Highway Traffic Safety Administration and the Georgia Governor’s Office of Highway Safety support the use of checkpoints.

5300:09 DUI Enforcement/Community Traffic Safety Team

The Byron Police Department Traffic Division is responsible in forming the Community Traffic Safety Team Events. The team is a made up the Traffic Enforcement units and Interstate Criminal Enforcement units. The team meets with multijurisdictional and discipline group, which meets monthly to discuss and address traffic safety issues. The team conducts quarterly

THE CITY OF BYRON POLICE DEPARTMENT



G.O. #5300 Continued:

traffic enforcement activities, which include driver's license or sobriety checkpoints and work together as a Task Force. These activities involve officers from different jurisdictions working under mutual aid.

The Traffic Enforcement and Interstate Criminal Enforcement units shall be the department's representative on the team and will be responsible for planning the department's activities with the team.

5300:10 Checkpoints

Any checkpoint activity shall comply with all statutes and case rulings. The Chief of Police has designated the Lieutenant of the Patrol Division the authority to implement checkpoints as part of their ongoing safety activities.

5300:11 Checkpoint Supervisor

Supervisor members in the Traffic Division as part of their ongoing safety activities should be designated as the checkpoint supervisor. The sobriety checkpoint supervisor shall remain at the checkpoint location to oversee all on-site enforcement activities. Strict guidance to the following shall be adhered too at all times:

Wesley H Cannon

January 23, 2014

Chief Wesley Cannon

Date Approved

TRAFFIC WARNING, CITATIONS, AND ARREST BYRON POLICE DEPARTMENT **GENERAL ORDERS #5400** TRAFFIC WARNINGS, CITATIONS, AND ARREST

EFFECTIVE DATE: January 23, 2009;
NUMBER OF PAGES: 11

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5400:03 ZERO TOLERANCE – ARREST

OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS - ENFORCEMENT PROCEDURES:

Many traffic accidents, particularly those involving a fatality or personal injury, are directly attributable to persons driving under the influence of alcohol and/or drugs. In all contacts with violators, the officer should be aware of the possibility the driver may be under the influence alcohol or drugs. If the officer determines that the operator is under the influence of alcohol or drugs, appropriate enforcement action shall be taken. The department has adopted a **ZERO TOLERANCE** for this type of offense. Appropriate enforcement action consists of immediate arrest or, if circumstances do not allow for an arrest, issuance of a citation; for example, if an



THE CITY OF BYRON POLICE DEPARTMENT

POLICY AND GUIDELINE/IMPAIRED DRIVING

G.O. #5400 Continued:

operator is admitted to a hospital and the officer has no means to affect an arrest. Officers should be aware, though, that arrest should be a priority for this offense.

The department will ensure that sworn officers are trained in all aspects of impairment detection, enforcement, and will cooperate fully with other agencies and community groups to reduce and control this problem.

Wesley H Cannon

January 23, 2009

Chief Wesley Cannon

Date Approved

INTERSTATE CRIMINAL ENFORCEMENT BYRON POLICE DEPARTMENT **GENERAL ORDERS #5500** INTERSTATE CRIMINAL ENFORCEMENT

EFFECTIVE DATE: January 23, 2010;
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5500:00 POLICY

This policy sets forth guidelines governing uniform Interstate Criminal Enforcement Unit activities by members. Interstate Criminal Enforcement activities shall, at all times, be consistent with the United States Constitution, the Constitution and laws of the State of Georgia, applicable federal laws and regulations, and policies of the Byron Police Department.

5500:02 OPERATIONAL GUIDELINES

Due to the high profile nature of cases worked within the Interstate Criminal Enforcement Unit, the following operational guidelines shall be established:

3. Holiday Period:

During the holiday seasons all members assigned to the unit are required to participate in specialized patrols. These patrols, commonly referred to as task forces, operate under adjusted hours and will be cracking down on the impaired and dangerous drivers who place hundreds of innocent lives in peril with high speeds and seat belt offenses. These task forces will hold joint road checks and combined concentrated patrols on connecting Interstates, highways, and streets throughout the city. The units will also support all Governors' Office of Highway Safety events locally and in other rural neighboring cities, through a cooperative approach to traffic enforcement.

Wesley H Cannon

January 23, 2009

Chief Wesley Cannon

Date Approved

THE CITY OF BYRON POLICE DEPARTMENT



TRAFFIC ENFORCEMENT, INVESTIGATION DIRECTION AND CONTROL BYRON POLICE DEPARTMENT **GENERAL ORDERS #5600** TRAFFIC ENFORCEMENT, INVESTIGATION DIRECTION AND CONTROL

EFFECTIVE DATE: January 23, 2009 REVISIONS (#1) DATE: ____ SECTION ____
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5600:00 POLICY

It is the policy of the Byron Police Department to attain safety goals through traffic law enforcement, investigation, direction, and control. Among these goals is the reduction of traffic collisions, fatalities, and injuries. Another goal is to facilitate the safe and expeditious movement of vehicular and pedestrian traffic, accomplished through the public's voluntary compliance with traffic laws. It is the policy of this department to meet this goal through a combination of education, enforcement, engineering, and public support.

With the ever-increasing number of vehicles and operators on the roadways, traffic accidents will continue to occur. In an effort to limit the likelihood of accidents, it is essential to understand the importance of accident investigation and reporting. Data from such are the prime source of information for accident prevention programs. It is therefore imperative that proper information be gathered for use in planning, evaluating, and implementing efforts to achieve highway safety goals. Officers of this department shall familiarize themselves with the correct procedures for both reporting and investigating traffic accidents.

The Byron Police Department has assigned specific patrol officers with additional training to the Traffic Enforcement Unit. These officers share their time while working patrol to stringent enforcement of traffic laws, responding and investigating traffic accidents, educating the community, and meeting the goal of the department to reduce traffic accidents and deaths.

5600:05 SPECIAL PRIORITY ENFORCEMENT

The primary responsibility for the enforcement of traffic laws and regulations rests with the traffic division. However, all sworn officers, while on duty, shall take appropriate enforcement action for violations of traffic laws and regulations they observe.

1. OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS - ENFORCEMENT PROCEDURES:

Many traffic accidents, particularly those involving a fatality or personal injury, are directly attributable to persons driving under the influence of alcohol and/or drugs. In all contacts with violators, the officer should be aware of the possibility the driver may be under the influence alcohol or drugs. If the officer determines that the operator is under the influence of alcohol or drugs, appropriate enforcement action shall be taken. The department has adopted a **ZERO TOLERANCE** for this type of offense.



THE CITY OF BYRON POLICE DEPARTMENT

G.O. #5600 Continued:

5600:15 TRAFFIC COMPLAINTS

Officer's duties consist of handling traffic complaints. If there is an area in the city where drivers are particularly ignoring traffic law residents are encouraged to call and report these actions and an effort will be made to increase our visibility in these areas.

5600:16 EVENTS

All officers assigned to Traffic Division are required to participate in educational and community awareness programs throughout the year. These programs consist of presentations, safety fairs scheduled by civic organizations and making other presentations as requested. Officers should educate in areas of Highway Safety such as on teen Driving Safety/Newly licensed, Child Safety Seats and the proper buckling up of children, speed, impaired and aggressive driving, etc.

5600:17 HOLIDAY ENFORCEMENT

During holiday seasons, all officers assigned to the Traffic Division are required to participate in specialized patrols. These patrols, commonly referred to as task forces, could operate under adjusted hours and will be cracking down on the impaired and dangerous drivers who place hundreds of innocent lives in peril every year; including speeding, and seat belt offenses.

These task forces will hold joint road checks and combined concentrated patrols on connecting Interstate highways and streets throughout the city. The units will also support through a cooperative approach to traffic enforcement Governor's Office of Highway Safety events as well as other rural neighboring cities.

Wesley H Cannon

January 23, 2009

Chief Wesley Cannon

Date Approved

BYRON POLICE DEPARTMENT GENERAL ORDERS #5700

TRAFFIC ACCIDENT INVESTIGATION

EFFECTIVE DATE: January 23, 2009

REVISIONS (#1) DATE: ___ SECTION ___

NUMBER OF PAGES: 13

5700:00 POLICY

The investigation of traffic accidents is necessary, not only to determine traffic law violations, but also to obtain engineering data, protect the rights of the individuals involved, and assist in traffic education. To ensure proper and complete investigation of accidents the following procedures will be utilized:

5700:06 ACCIDENT REPORTING

ACCIDENT DATA: Provide a copy of the accident to the Traffic Enforcement Unit, which will allow them to utilize enforcement procedures for the purpose of reducing accidents within the community. The analyzed information should be based on accident data by:.....

Wesley H Cannon

January 23, 2009

Chief Wesley Cannon

Date Approved

POLICY AND GUIDELINE/IMPAIRED DRIVING