

TRAFFIC 1-905

1-905.0 TITLE: SCHOOL CROSSING GUARDS

Effective Date: 9-25-00 (Author: Sergeant Gillespie)

1-905.1 SYNOPSIS:

In order to provide the best possible adult supervision at school crossings, the following guidelines shall be implemented. The basic responsibility for establishing school crossing guard assignments belongs with the City Traffic Engineer and shall remain with that Department.

1-905.2 POLICY/OVERVIEW:

The need for a school crossing guard at a specific location is determined by the City Traffic Engineer based on traffic surveys and standards established in the School Area Safety Section of the Public Works Traffic Manual. This policy shall establish criteria for filling multiple vacancies at established crossing guard locations when resources are exceeded by the vacancies. This policy also establishes uniform standards and operating procedures for crossing guards.

1-905 PROCEDURES:

I. Locations

- A. The locations for crossing guards are recommended by the City Traffic Engineer of Public Works in accordance with the School Area Pedestrian Safety Section of the Public Works Traffic Manual.
- B. If vacancies occur at locations deemed by the City Traffic Engineer as requiring crossing guards, the vacant locations shall be staffed based on the following established risk factors: Number one having the highest risk, those locations in category one being staffed first, category two staffed secondly, and remaining assets assigned to locations in category three.
 - 1. At uncontrolled crossings where there is no alternate controlled crossing within 180 meters.
 - 2. At stop sign controlled crossings.
 - 3. At traffic signal controlled crossings.

II. Uniform of Crossing Guards

- A. During periods of work, crossing guards shall wear a Department issued reflective vest.

TRAFFIC 2-002

2-002.0 TITLE: JUVENILE MEDIATION AND RESTITUTION PROGRAM

Effective Date: 1-25-94

Related Procedural Manual: Pat 4-503

2-002.1 SYNOPSIS:

The Juvenile Mediation and Restitution Program was developed through the cooperative efforts of the Los Angeles County Juvenile Court, the Pomona Unified School district, the L.A. County Probation Department, and the Pomona Police Department. Officers of this Department, when encountering a minor who has violated a specific offense and who does not otherwise meet a detention criteria, may, upon completion of the processing of the minor, issue the minor a citation to appear in Juvenile Traffic Court. (Authority: Section 256, Welfare and Institutions Code)

2-002.5 PROCEDURES:

I. Specific violations that may be cited into Juvenile Traffic Court

- A. Officers, using a regular Traffic citation, may cite all persons between the ages of 14-17 years, who are first-time offenders, into Juvenile Traffic Court for the following offenses:

Every violation of the Vehicle code not a felony (except 23152). All infractions regardless of which code or statute. All violations of local ordinances relating to curfew, loitering, traffic or fare evasion.

The following **Penal Code** sections:

374.3, 374.4 - Littering
490.1 - Petty Theft Under \$50.00
502(c)(6), (7), or (8) - Computer Access
594 - Vandalism with Liquid or Paint
602(m) - Drive on Private Property
602.7 - Vending on RTD Property
602.8 - Fenced Property w/o Permission
640 - Bus Fare Evasion, Disturbance
640a - Use of Slugs in Coin Machine
640.5 - Graffiti Public Vehicle (if damage \$250.00 or less)
640.6 - Graffiti Private Property (if damage \$250.00 or less)
647(f) - Public Drunkenness

Business and Professions Code:

25658 - Minor Consuming Alcohol
25658.5 - Minor Attempt to Purchase
25661 - Use or Possess False I.D.
25662 - Minor Possessing Alcohol

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City Codes

16-42 - Curfew Violation

At discretion of officer when offense is at level of **infraction**: (court will treat as infraction under 19.8 & 17 PC)

330 PC - Illicit Gaming, dice, Cards

415 PC - Disturbing the Peace

415.5 PC - On School Grounds

485 PC - Keeping Lost Property

555 PC - Trespass Posted Property

853.7 PC - Written Promise to Appear

Every violation of the **Fish and Game Code** not a felony. Every violation of the **Harbors and Navigation Code** relating to equipment and registration. Section 27176 **Streets and Highways Code**. Rules and Regulations established under Sections 5003 and 5008 **Public Resources Code**. Section 33211 **Resources Code**. For offenses not committed in the presence of the officer, cite under authority of 625 W.I.C.

- B. After a juvenile has been cited into Traffic Court, Officers must do the following:
1. Indicate on the face page of the Police Report the words "Juvenile Cite Out" after the charge. This is important so Records can flag the report as a Mediation and Restitution Program Report.
 2. Issue the juvenile a Mediation and Restitution Form, and include in the narrative of the report that the juvenile was cited into Traffic Court and that this form was provided to him/her.
 3. Provide the juvenile thirty (30) calendar days for the appearance in court.
 4. DR # on the cite.
 5. Turn in cite with the report.

II. Processing of Juvenile

- A. Nothing in the processing of the minor has changed, with the exception of the fact that now, prior to the release of the minor for the offenses specified above, the minor is issued a traffic citation to appear in Juvenile Traffic Court. A Police Report is still required on the incident.
- B. Upon issuing a citation to the juvenile offender, the officer shall write a brief synopsis of the incident on the back side of the citation (yellow copy).

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1. This will allow the juvenile court traffic judge to have some additional information regarding the incident. (Note: copies of the police report will not be copied by Records personnel and sent to the court.)
- C. Nothing by way of the procedure is to preclude an officer from pursuing a detention on the minor if, in the officer's opinion, and based on the minor's record, a detention is warranted.
1. If, in the officer's opinion, the offense for which the minor is being processed should be handled as a criminal offense in Juvenile Court (as opposed to Traffic Court), the officer may process the minor accordingly and request that be done in the police report.

TRAFFIC 5-005

5-005.0 TITLE: MEDICAL TREATMENT OF PRISONERS

Effective Date: 5-7-84

Revised Date: 2-19-87

Related Procedural Manuals: JAIL. 3-200, PAT. 7-404, DET. 1-801

5-005.1 SYNOPSIS

Procedures to be followed in providing medical treatment to sick or injured persons taken or being taken into custody by this Department.

5-005.2 POLICY OVERVIEW:

The Los Angeles County Department of Health Services is responsible of reimbursing hospitals and physicians for emergency medical care rendered to persons in custody prior to booking.

To receive treatment at Pomona Valley Community Hospital for an arrestee prior to booking at the Pomona City Jail, a form has been supplied by the Department of Health Services. The form number is 7614726-85. The form is composed of four parts and will be provided to the officer by the Emergency Room Clerk at Pomona Valley Community Hospital.

To qualify for payment, the following conditions must be met:

1. Person must be in custody for violation of a county, state, or federal law.
2. The severity of the medical emergency must be such that a prudent person would consider it necessary to obtain care from the nearest hospital. (All other cases must be taken to the nearest county facility for care.)

5-005.5 PROCEDURES

- I. Officers Responsibilities Prior to Booking
 - A. When applicable, transport the arrestee directly to Pomona Valley Community Hospital Emergency Room for the necessary medical treatment.
 - B. Inform the Emergency Room Clerk that the arrestee is in need of medical attention.
 - C. The officer shall complete form #7614726-85 provided by the Emergency Room Clerk. The hospital will retain three copies and provide the officer with one copy. The copy of the form that is provided to the officer shall be attached to the police report when submitting the report for approval.

NOTE: On Form 7614726-85 provide all requested information.

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- D. There will be situations where officers obtain the booking number and destination after leaving the hospital; the transporting officer shall call PVCH and advise the admitting clerk of the booking number and destination.

The transporting officer shall indicate in his report, or supplemental report, the name of the clerk who received the information.

- E. If applicable, make certain that the arrestee signs the hospital's Informed Consent Form at PVCH. (This form is printed on the medical chart.)
- F. After obtaining medical release, complete the remaining steps involved in the booking procedure.

II. Medical Treatment For Prisoners AFTER BOOKING

A. Transporting Officers Responsibilities During Life Threatening Medical Needs

1. Transport prisoner from Jail to PVCH Emergency Room, using an ambulance when necessary.
2. Observe admitting procedures.

NOTE: Form #7614726-85 is not necessary on prisoners that have already been booked at the Pomona City Jail and require subsequent medical treatment. All after booking medical expenses are the responsibility of the City, therefore the form is not needed.

3. Have arrestee sign hospital's Informed Consent Form.
4. Transport prisoner back to Jail - if medically cleared, to house in Pomona Jail facility.
5. If not medically cleared to house in Pomona Jail, transport to Los Angeles County Medical Center, 1200 N. State Street, Los Angeles, CA. 90033.
6. Prepare and submit a Supplementary Report (PPD-18) regarding the incident.

B. Transportation Officer's Responsibilities During Non-Life threatening Medical Needs.

1. Receive booking package, transfer record and prisoner's property from Jailer.

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2. Transport prisoner to L.C. Jail facility.
3. Prepare and submit a Supplementary Report (PPD-18) regarding the incident.

TRAFFIC 5-100

5-100.0 TITLE: HOUSING POLICE MOTORCYCLES AT OFFICERS' RESIDENCES

Effective Date: 12-2/87

5-100.1 SYNOPSIS:

Parameters for those assigned to Motorcycle Traffic Enforcement to ride their vehicles to, and maintain them at, their residence.

5-100.2 POLICY/OVERVIEW:

The officer shall have the option of utilizing this procedure. If the officer does not wish to ride/maintain the vehicle as described herein, a suitable alternate facility will be provided within the City of Pomona.

5-100.3 REFERENCES:

City of Pomona Vehicle Take Home Policy

5-100.4 DEFINITIONS:

“Supervisors” refers to the Special Operations Sergeant or Lieutenant unless specifically stated otherwise. In their absence, the Operations Captain will be contacted regarding any required approvals. Only in emergency circumstances in which none of the above can be located, shall the Patrol Watch Commander be contacted for such authorizations.

5-100.5 PROCEDURES:

- I. Officers assigned to Motorcycle Traffic Enforcement are authorized to drive/store their police motorcycle to/at their residence under the following guidelines. (See attached City of Pomona procedure regarding process to obtain authorization.)
 - A. The place of residence/storage must be within 20 miles of any Pomona City limit.
 - B. The officer shall go “10-8” (i.e., on-duty) immediately upon, but not before, entering the Pomona City limit.
 - C. He/She shall be “on-duty” within the City, in full uniform, and prepared to perform traffic enforcement at the beginning of the assigned shift.
 - D. All vehicle and personal pre/post shift preparation will be completed before or after the shift as appropriate.
 - E. Officers should refrain from becoming involved in routine traffic enforcement until entering the City. This does not preclude taking appropriate police action in unusual circumstances, but careful discretion shall be exercised. Where practical, any such enforcement should be referred to agency having jurisdiction.

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1. Any such actions taken shall be reported in an inter-office memo to the supervisor immediately upon completion of the incident.
- F. The vehicle shall not be used for any unauthorized purpose while on or off duty.
- G. If the weather at the beginning of the officer's shift is such that riding the motorcycle would prove unduly hazardous, the officer shall respond in his private vehicle to the station to complete his shift in a police unit.
1. No vehicle mileage reimbursement or other compensation will be provided.
 2. Once a unit has been assigned, the officer shall complete his shift in that unit unless otherwise authorized by the supervisor.
- II. Storage/Maintenance
- A. The vehicle shall be kept in a totally enclosed, lockable garage and must be located on the property of the officer's residence. Any such garage will receive prior approval from the Special Operations Lieutenant.
1. The facility shall remain secured and locked at all times of storage except when normal maintenance or other activities require otherwise. At no time will the facility be left unsecured in the absence of the officer or suitable responsible party.
 2. If the officer is to be absent for an extended period, (i.e., vacation, etc.) the supervisor will be advised. Alternate storage arrangements will be made, considering the circumstances and with the approval of the supervisor.
- B. The officer shall perform routine cleaning and maintenance procedures at his residence while off-duty and with no additional compensation, except as may be authorized by the officer's supervisor.
- C. If maintenance/repairs require that the motorcycle be left at the dealership, it shall be the officer's responsibility to arrange for transportation to and from the dealer including his transportation home, off-duty and without compensation unless otherwise authorized by the supervisor.
1. Minor repairs due to malfunctions occurring while on-duty may be resolved during the duty shift with supervisor's approval.
- D. The officer shall maintain all equipment and clothing, as might reasonably be expected to be needed during the officer's shift, in his assigned locker at the Pomona Police Department. This includes a complete Class "B" uniform and regular duty shoes.

TRAFFIC 5-200

5-200.0 TITLE: POST-TRAFFIC BUREAU ASSIGNMENT MOTORCYCLE OPERATIONS
Effective Date: 4-26-18 (Author: A. Bostrom, Sergeant)

5-200.1 SYNOPSIS:

This section establishes parameters for sworn personnel previously assigned to Motorcycle Traffic Enforcement to ride police motorcycles.

5-200.2 POLICY/OVERVIEW:

Officers who have rotated or promoted out of a motor position in the Traffic Bureau may, under certain circumstances, be allowed to ride a police motorcycle for community outreach and/or traffic enforcement purposes.

5-200.3 REFERENCES:

Pomona Police Department Motor Operational Guidelines.

5-200.5 PROCEDURES:

The use of former motor officers in any capacity will be at the discretion of the Traffic Sergeant based on the needs of the Department and the Traffic Bureau.

- I. In order to be considered for a temporary assignment on a police motorcycle, the officer must meet the following criteria:
 - A. Valid M1 CDL endorsement
 - B. Motor Class A and/or C Uniform
 - C. Motorcycle helmet consistent with the current style and color scheme
 - D. Evaluation/approval by a certified, current motor instructor prior to use or assignment
 - E. Attend at least one quarterly training per calendar year
 - F. Be in good standing with the Department
- II. No police motorcycle may be used for any reason without the permission of the Traffic Sergeant.
- III. Equipment and uniform purchases/maintenance will be at the officer's own expense.
- IV. No police motorcycles will be assigned as a take home vehicle.

TRAFFIC 6-001

6-001.0 TITLE: PARKING SPACES DESIGNATED FOR HANDICAPPED OR DISABLED PERSONS

Effective Date: 5-7-84

Related Procedural Manuals: Pat. 4-301

6-001.1 SYNOPSIS:

Procedure for citing unauthorized vehicles parked in designated "handicapped" or "disabled person" zones.

6-001.3 STATUTORY REFERENCES:

22507.8(a) - It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for physically handicapped persons if, immediately adjacent to and visible from such stall or space, there is posted a sign consisting of a profile view of a wheelchair with occupant in white on a blue background or the space is outlined in blue markings and there is on the ground in the space a similar profile view depicting a wheelchair with occupant, unless the vehicle displays either one of the distinguishing license plates or a placard issued pursuant to Section 22511.5 or to disable veterans, as specified in Section 9105.

22507(B) - The provisions of subdivision (a) shall apply to all off street parking facilities owned or operated by the state, and to all off street parking facilities owned or operated by a local authority () 1. The Provisions of subdivision (a) shall also apply to any privately owned and maintained off street parking facility () 2.

Note: Police officers and Parking employees are authorized to issue citations for violations of Section 22507.8(a). This Section can be issued on private property, e.g., markets, banks, and shopping centers; as well as City and County off street parking facilities.

6-001.5 PROCEDURES:

I. Legally Parked Vehicles

- A. To legally park in a space designated for disabled persons, the vehicle must have one of the following:
 1. Disabled Veterans License Plate
 2. Disabled Person License Plate
 3. Disabled Person Parking Placard. This placard may be purchased from Department of Motor Vehicles. It is blue plastic, approximately 6" x 12", with a white profile view of a wheelchair with an occupant. The placard must be in plain view from the outside of the vehicle, usually placed on the dash.

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B. The below listed disabled Veterans Person Plates are exempt from any enforcement action:

1. Disabled Veterans Plate # Series

VET 000 - VET 999	000 VET - 999 VET
VTN 000 - VTN 999	000 VTN - 999 VTN
VTR 000 - VTR 999	000 VTR - 999 VTR
IVET 000 - IVET 999	
IVTA 000 - IVTZ 999	

2. Disabled Persons Plate # Series

DPW 000 - DPW 999	000 DPW - 999 DPW
DPX 000 - DPX 999	000 DPX - 999 DPX
DPY 000 - DPY 999	000 DPY - 999 DPY
DPZ 000 - DPZ 000	000 DPZ - 999 DPZ

000 RPD - 999 RPD	000 WDP - 999 WDP
000 SDP - 999 SDP	000 XDP - 999 XDP
000 TDP - 999 TDP	000 YDP - 999 YDP
000 UDP - 999 UDP	000 ZDP - 999 ZDP
000 VDP - 999 VDP	

IDPA 000 - 1DPZ 999

Disabled Person Parking Placard

00001 - 100,000

3. Any plate beginning with 1DP can be followed with an alphabetic letter from A-Z. Any plate in this series is also exempt from any enforcement action.

Pomona Police Department
Traffic Services



Traffic Safety Checkpoint Operational Manual

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Acting Chief of Police

Authored: 2-24-2009, Sergeant Michael Olivieri
Revised: 2-24-2009

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- SAMPLE OPERATIONAL PLAN FORM
- VEHICLE IMPOUND INFORMATION FORM
- SAMPLE BUSINESS CONTACT LETTER

1. PURPOSE. The purpose of this chapter is to provide policy and procedures for the conduct of sobriety/driver license checkpoints by members of the Pomona Police Department.
2. OBJECTIVE. The objective of these policies and procedures is to ensure conformance with constitutional and City Council requirements concerning the use of sobriety/driver license checkpoints.
3. POLICY. Sobriety/driver license checkpoints shall be conducted in compliance with law, grant requirements, and the directives and procedures contained in this manual.
4. BACKGROUND (SOBRIETY CHECKPOINTS).
 - a. Sobriety checkpoints have been employed as a DUI countermeasure by various law enforcement agencies in the United States since 1980. The use of DUI checkpoints in order to detect and apprehend intoxicated drivers has been the subject of controversy and legal challenges in every state that has used them. The legal challenges against checkpoints focus on the constitutional safeguards against unreasonable search and seizure.
 - b. The Fourth Amendment of the United States Constitution requires that all searches and seizures must be reasonable. It is recognized by the courts that the stopping of a motor vehicle and its occupants by police constitutes a seizure, even though the detention is brief and limited in scope. Consequently, sobriety and driver license checkpoints were viewed as per se violations of the Fourth Amendment by a portion of the legal community.
 - c. Anticipating similar legal challenges in California, the California Highway Patrol requested an Attorney General's Opinion on the legality of utilizing checkpoints as a DUI countermeasure prior to initiating a field evaluation of sobriety checkpoints. Subsequently, Attorney General Opinion No. 84-902 (November 8, 1984) was issued. This opinion concluded that California law enforcement agencies could lawfully use checkpoints, provided sufficient safeguards were taken to minimize intrusions on motorists.
 - d. As a result of the favorable Attorney General Opinion, the California Highway Patrol conducted a field evaluation of sobriety checkpoints. The purpose of this field evaluation was to test the operational design of sobriety checkpoints under actual field conditions and assess the impact checkpoints might have as a deterrent to DUI. The findings of the evaluation indicated that checkpoints can produce significant reductions in DUI and traffic collisions where DUI is a primary collision factor (PCF). Based on the overall success of the

program, the decision was made to expand the use of checkpoints by the California Highway Patrol.

e. Historically, sobriety checkpoint-related rulings in both state and federal courts have been inconsistent. One example of conflicting court rulings with regard to checkpoints occurred in California. Specifically, in December 1984, the California First District Court of Appeal ruled in *Ingersoll vs. Palmer*, that a sobriety checkpoint conducted by the Burlingame Police Department in November 1983, was permissible under the state and federal constitutions. Conversely, the California Fourth District Court of Appeal ruled in the *Richard T.* case, that an Anaheim Police Department checkpoint conducted in January 1985, was in violation of the Fourth Amendment and therefore unlawful. This ruling was issued on September 19, 1986. Consequently, the CHP temporarily discontinued the use of sobriety checkpoints in October 1986.

f. The Attorney General opined that the decision by the California Fourth District Court of Appeal was incorrect and petitioned the California Supreme Court to review the case in late October 1986. The California Supreme Court heard the *Ingersoll* sobriety checkpoint case in early April 1987. On October 29, 1987, the California Supreme Court affirmed the permissibility of sobriety checkpoints in a 4-3 decision. The Court concluded that, “. . . within certain limitations a sobriety checkpoint may be operated in a manner consistent with the federal and state Constitutions.” The *Ingersoll* decision listed the following safeguards which are necessary to establish the reasonableness of sobriety checkpoints under the Fourth Amendment:

(1) The decision to establish a sobriety checkpoint, the selection of the site and procedures for the checkpoint operation must be established by supervisory law enforcement personnel and not by an officer in the field.

(2) A neutral formula must be used to determine which vehicles are to be stopped, such as every driver, every third, fifth or tenth driver so that who is stopped is not left to the unbridled discretion of the officer in the field.

(3) Primary consideration must be given to maintaining safety for motorists and officers with proper lighting, warning signs and clearly identifiable official vehicles and personnel.

(4) The location of a checkpoint should be determined by supervisory personnel, rather than by officers in the field, with sites chosen which have a high incidence of alcohol related traffic collisions and/or arrests consistent with safety considerations.

(5) The time of day and the duration of checkpoints must be carefully considered with effectiveness, safety and motorists concerns kept in mind.

(6) The checkpoint must be established with high visibility, displaying its official nature by signs, lights and uniformed officers to reassure motorists the stop is duly authorized.

(7) Each motorist stopped should be detained only long enough for the officer to question the driver briefly and to look for signs of intoxication, such as alcohol on the breath, slurred speech, and glassy or bloodshot eyes. If the driver does not display signs of impairment, he/she should be permitted to drive on without further delay.

(8) Advance publicity must be given a sobriety checkpoint to reduce its intrusiveness and increase its deterrent effect

g. The United States Supreme Court reviewed the constitutionality of sobriety checkpoints in June 1990. In *Michigan v. Sitz*, 110 S.Ct. 2481, the court ruled that a Fourth Amendment “seizure” occurs when a vehicle is stopped at a checkpoint. The ruling of the Court (5-4) was that sobriety checkpoints do not violate the Fourth Amendment.

h. On December 23, 1993, the California Supreme Court ruled in *People v. Banks* (863 P.2d 769, 25 Cal.Rptr. 2d 524) that advance publicity of a sobriety checkpoint was not a constitutional requirement. The Court concluded “that the operation of a sobriety checkpoint conducted in the absence of advance publicity, but otherwise in conformance with the guidelines, “established in [Ingersoll], did not result in an unreasonable seizure” However, the Court stated that advance publicity is a relevant factor when determining the reasonableness of the checkpoint. In other words, the court will evaluate the totality of the circumstances and take advance publicity into consideration when calculating whether or not the checkpoint was lawfully conducted.

i. The Pomona Police Department’s policies and procedures have been developed to conform to these requirements.

5. BACKGROUND (DRIVER LICENSE CHECKPOINTS).

a. The Department of Motor Vehicles conducted a study which reported that 33 percent of drivers with suspended or revoked licenses have a criminal record, and 85 percent of those drivers used their automobiles in the commission of a crime. Suspended or revoked drivers were involved in four times more fatal collisions and six times more injury collisions than licensed drivers. Additionally, suspended or revoked drivers had 11 more DUI convictions than licensed drivers. The Pomona Police Department has included the inspection of driver licenses at sobriety checkpoints as an effort to ensure the highest level of traffic safety.

b. In 1996, the California Supreme Court ruled in *People v. Alvarez* (14 Cal. 4th 155, 183) the question of the legality of a checkpoint arose in a death-penalty case where incriminating evidence had been obtained from the defendant when he was stopped at a checkpoint for the routine inspection of driver licenses, and vehicle registration by the Mississippi Highway and Safety Patrol. In upholding the seizure, the California Supreme Court said: “In *People v. Washburn* (1968) 265 Cal. App. 2d 665, 668, 670 (hereafter *Washburn*) - on which the superior court expressly relied – the court held in substance that a stop of a vehicle by a law enforcement officer is generally a reasonable seizure for Fourth Amendment purposes, if it is made at a checkpoint for routine license and registration inspection of all passing vehicles.

6. RESPONSIBILITIES.

a. Traffic Services Lieutenant.

(1) The Traffic Services Lieutenant shall ensure that all checkpoints are operated in accordance with the directives outlined in this chapter. If the Traffic Services Lieutenant wishes to conduct a checkpoint which does not fully comply with the operational directives, a request for approval must be routed, through channels to the Chief of Police.

(2) The Traffic Services Lieutenant shall be involved in the planning of a checkpoint. The Lieutenant shall review the checkpoint operational plan as described in Section 8 at least one week prior to the scheduled date of operation.

b. Traffic Services Sergeant.

(1) The Traffic Services Sergeant shall approve checkpoint operational plans submitted by the checkpoint coordinator (Traffic Corporal) at least one week prior to the scheduled date(s) of operation.

(2) The Traffic Services Sergeant shall ensure that the planning for the checkpoint and the checkpoint itself are conducted in accordance with the directives outlined in this manual. If an unusual situation arises wherein a checkpoint falls out of compliance with the operational directives, the Traffic Services Sergeant shall make immediate notification to the Traffic Services Lieutenant.

(3) The Traffic Services Sergeant will be available as a spokesperson to the news media.

7. SITE SELECTION.

a. The site selection of a checkpoint shall be selected by the Traffic Services Sergeant and approved by the Traffic Services Lieutenant.

b. Checkpoint sites shall be selected based on analysis of location of DUI incidents, traffic collisions, and traffic patterns. Also to be taken into account is the sufficiency of the staging area, impact on traffic flow, and relationship to adjacent residential/commercial areas.

Statistical information on the locations of alcohol and drug related traffic collisions are available through the Statewide Integrated Traffic Records System (SWITRS) and/or the Department's Crossroads collision and citation database. Data from Support Services, or local statistics, may also be used to evaluate high DUI arrest activity locations. These statistics, coupled with officer/motorist safety factors shall be considered in selecting sites for sobriety/driver license checkpoint operations.

Sobriety/driver license checkpoints shall not be situated on freeways or highways with traffic speed limits over 50 MPH, or other conditions that would pose an unreasonable threat to motorists or members of the sobriety/driver license checkpoint team. Checkpoints shall not be conducted in areas that are primarily residential zones.

c. Additional considerations for sobriety checkpoint sites include the presence of adequate lighting to illuminate the checkpoint, and an area adjacent to the checkpoint to allow for investigation and enforcement duties. Sites without street lights may be used if portable lighting sufficient to ensure public and officer safety is used. The location must also allow for ample warning to motorists approaching the checkpoint.

d. A checkpoint operation may include the contacting of motorists in one-direction or two-directions (i.e. eastbound and westbound). Checkpoints that include the contacting of motorists in three-directions must receive the approval of the Chief of Police. Four-direction checkpoints shall not be conducted.

8. OPERATIONAL PLANNING.

a. Traffic Services Supervisors shall prepare operational plans for each checkpoint and submit them to the Traffic Services Lieutenant so they may be approved at least one week before the scheduled date of operation. The operational plan shall be completed on the Traffic Safety Checkpoint Operational Plan form.

(1) The Traffic Services Lieutenant shall advise the Chief of Police and department Command Staff of the dates, times, and locations of checkpoints. This will be accomplished by email once the operational plan is approved and should be at least one-week in advance of the operation.

(2) Operational plans shall be kept on file for a period of five years, in the event they are needed for court cases or historical research.

b. Operational planning for checkpoints shall minimally include the following:

(1) All businesses (including churches and non-profit organizations) within the area between the alternate routes on the checkpoint thoroughfare shall be contacted at least two-weeks prior to the checkpoint date. The contacting officer will summarize the operation to a responsible party and will solicit any comments or concerns the responsible party may have with the planned operation. A handout will also be provided to the responsible party, summarizing the operation and to encourage the responsible party to comment (Sample Handout Attached). The contacting officer will prepare a written report to the Traffic Supervisor of all persons and businesses contacted, including comments or concerns that were expressed.

(2) A diagram of each checkpoint location shall depict the roadway, alternative route, placement of traffic control devices, and the secondary location for investigation and enforcement. Placement of traffic control devices shall be in accordance to cal-trans specifications.

(3) The screening procedure for the Pomona Police Department shall be that every vehicle that enters the checkpoint is contacted. If at any time the traffic volume prevents the screening of all vehicles within a reasonable wait period, the supervisor will either add additional officers to assist with screening or the line of motorists will be allowed to proceed without stoppage or contact until diminished to a reasonable wait period through the checkpoint.

(4) The City of Pomona Traffic Engineer shall be provided a copy of the diagram and a written summary of the operation plan for review, prior to the operation date.

(5) Notification of the operation date, time, and location shall be made in advance to the Los Angeles County Fire Department and Cole-Schafer Ambulance.

c. A sample of the operational plan form is included as attachment.

9. STAFFING REQUIREMENTS.

a. A minimum of two sergeants and one lieutenant (or higher rank) shall supervise each checkpoint operation. The exact number of officers may vary depending on funding (e.g., state grant) and site location.

b. Team members shall be in full uniform, at all times while in public view.

c. The supervisors are responsible for the overall operation of the checkpoint and ensuring adherence to the procedures outlined in this chapter. The sergeants are also responsible for ensuring that a record is kept of the number of vehicles that pass through the checkpoint, the number of arrests made, and any problems encountered. A "log officer" shall be appointed to perform record keeping duties.

10. CHECKPOINT OPERATIONS.

a. Checkpoints should normally operate for periods of six to ten hours. Checkpoints shall not be conducted prior to 6:00 p.m. Any supervisor may discontinue operations at any time for safety reasons. A checkpoint shall not be discontinued for the sole purpose of providing personnel with meal breaks. Supervisory personnel shall establish staggered meal breaks in order to keep the checkpoint operational and to avoid grouping of personnel, presenting a negative public perception.

- b. Traffic control measures will be implemented to provide adequate warning to motorists approaching the checkpoint prior to the alternate route. Traffic cones and warning signs shall be used for this purpose. One member of the team will be designated as the traffic control officer, who is responsible for the placement and maintenance of the traffic control devices. The Traffic Services Sergeant is ultimately responsible to ensure that the traffic control measures are appropriately placed and maintained in accordance to the operational plan.

- c. Patrol vehicles shall be parked on the highway to provide protection to team members and to be highly visible to approaching motorists. Emergency warning lights should be activated on at least one police vehicle, clearly visible to motorists approaching the checkpoint.

- d. An adequate space shall be made available away from the checkpoint for the purposes of investigation and enforcement. This area may be a coned-off traffic lane, a wide shoulder area, or an adjacent parking lot. The areas in use by police personnel during a checkpoint should be deemed as a restricted areas and the restriction shall be uniformly applied; no civilians (other than observers registered with the police department and persons being/having been investigated as part of the checkpoint) shall be allowed access. The area restricted may at times include a portion of a sidewalk adjacent to where vehicles are being directed into the secondary area. If so restricted, police personnel will be required to provide a safe alternative route for pedestrians, or provide pedestrian traffic control.

- e. A designated waiting area that is clearly identifiable to the public will be established and maintained during the checkpoint operation.

- f. A supervisor shall monitor traffic to ensure that a back-up of vehicles does not occur. A reasonable wait period shall be an average of three minutes or less. A supervisor shall take several time surveys during the operation. In the survey, a vehicle should be selected and timed through the checkpoint lane and that time recorded. If delays of more than three minutes occur, a supervisor shall assign additional personnel to assist with screening motorists or discontinue checkpoint operations until the traffic flow can be managed within the reasonable wait period.

- g. Motorists attempting to lawfully access alternate routes, businesses, residences, and other places within the vicinity of the checkpoint waiting line shall not be prohibited from doing so. This does not prevent officers from taking enforcement action when observing a violation of law.

11. VEHICLE/DRIVER SCREENING.

- a. All vehicles, regardless of type, should be subject to screening. This includes commercial vehicles such as buses and large trucks.
- b. Vehicles shall not be stopped on a discretionary basis, e.g., due to the “looks” of the vehicle. However, this does not preclude stopping a vehicle when the driver exhibits obvious signs of intoxication or when any other violation is observed.
- c. Depending upon the configuration of the checkpoint, two or more officers should be used as screening officers. When approaching a vehicle, screening officers should scan the interior and occupants with a flashlight, if necessary, for weapons and/or other contraband such as open containers of alcohol. Upon determining that no hazard exists, officers should greet the driver of the vehicle in a manner similar to: “Good evening sir/ma’am, this is a sobriety and driver license checkpoint. May I please see your drivers’ license? How are you this evening?” After the driver license has been checked and deemed valid, and no signs of impairment are observed, the driver should be handed an information pamphlet (if available), thanked for stopping, and allowed to continue. Delays of motorists should be kept to a minimum. Optimally, screening should not take more than 30 seconds.
- d. In the event a motorist fails to comply with a screening officer’s request, such as refusing to provide their driver license, move to the investigative area, or refusing to roll the window down, the screening officer shall request assistance from a supervisor. The supervisor shall assess the circumstances and order the appropriate enforcement action in accordance with established departmental policy.
- e. When a driver license check is appropriate, it should be obtained through a mobile digital computer (MDC). This will ensure the patrol units, or dispatcher will not be negatively impacted by increased use of the radio.
- f. As the evening progresses, there may be a tendency to get overly casual about contact with motorists. The officers on the line must remain alert and professional in their actions. As the traffic flow lightens and traffic thins, both the speed of the vehicles and the alcohol level of the drivers are on the increase. This may be one of the most dangerous phases of the checkpoint. Be aware of incoming traffic at all times.

12. ENFORCEMENT ACTIONS.

- a. Enforcement actions should be limited to driver license violations, DUI, open alcoholic beverage containers, drugs, and serious criminal violations. For most mechanical

violations, a verbal warning should be given. If the mechanical violation presents a serious safety hazard, the driver should be directed to pull into the secondary testing area to make or arrange for repairs before proceeding.

b. It must be emphasized to all checkpoint team members that the purpose of the checkpoint is to detect and deter DUI/unlicensed drivers. A sobriety/driver license checkpoint is not a “fishing expedition” for other types of violations. A supervisor shall evaluate and approve all enforcement actions that are other than DUI or driver license related.

c. Every driver of an impounded vehicle shall be offered assistance, including the use of a phone. This offer and what level of assistance requested/provided shall be documented for each driver of an impounded vehicle by the designated log officer.

d. Every driver of an impounded vehicle shall be provided a Vehicle Impound Information handout (form PPDT02). This handout will provide information about whether the vehicle was impounded for 30-days or not, the appeal procedure, release procedure, and when and where the vehicle may be retrieved. This is a two-sided handout that is in both English and Spanish (sample attached).

e. When/if articulable signs or behavior normally associated with DUI are observed, or further investigation of the status of the driver license is warranted, the driver will be escorted afoot to the secondary area where further investigation will be conducted. Officers shall not permit a suspected DUI driver to drive his vehicle into the secondary area. An officer will be responsible to safely move the vehicle out of the traffic lanes and into the appropriate area.

NOTE: While alcoholic beverage containers alone are not sufficient grounds for further testing, they are indicators of possible DUI violations. When these containers are observed in the immediate area of a driver, officers should be especially alert for other symptoms of DUI.

(1) Escort the driver away from his/her vehicle, so the passengers (if any) can not easily view the field sobriety tests (FST). This is to avoid any interference or disruptions that may arise if the driver is subsequently arrested.

(2) When an arrest for DUI is made, investigative/arrest procedures as directed in this manual shall be used. The officer who originally screens the driver should conduct the FSTs and arrest. Chemical testing and booking of the arrestee should be handled by the original officer, but may be delegated to another officer. As a screening officer moves from the lane with a suspected DUI driver, a standby officer

should rotate into the lane and assume screening duties. Drivers who are not arrested after completing the FSTs shall be assisted back into traffic.

13. REPORTING REQUIREMENTS.

- a. At the conclusion of each checkpoint operation, the Traffic Services Sergeant shall complete the After Action Summary section of the Operational Plan form (PPDT01).
- b. The Sergeant shall ensure that the following data and documentation is added to the checkpoint operational file:
 - (1) Press Release (pre and post).
 - (2) Copy of Designated Report (DR) log.
 - (3) Digital photographs of checkpoint set-up.
 - (4) Data related to number of vehicles screened.
 - (5) Roster of personnel that worked the checkpoint.
 - (6) Documentation of surveyed waiting times it took motorists to get through the checkpoint.
 - (7) Operational statistics; arrests, citations, impounds, etc.

14. PRESS RELEASES AND NOTIFICATIONS.

- a. Traffic supervision shall distribute a pre-operational press release, 48-hours prior to the checkpoint operation date. Copies of the written press release shall also be posted at City Hall in a location that is clearly visible to the public. Notifications shall include general information outlining the date, time, and summary of the operation. The name and phone number of a Traffic Supervisor shall be included. The specific location of the checkpoint should not be published in the pre-operational press release.
- b. Traffic supervision shall make email notification to City Council members and the City Manager indicating the time, date, and location of the checkpoint as soon as the operation begins. Copied in the email notification shall be the sender's departmental chain-of-command.
- c. Traffic supervisors shall obtain and preserve copies of any articles publicizing the checkpoint. These articles or records of announcement shall be filed with the operational plan establishing the checkpoint.

- d. Suitable locations should be designated at checkpoint sites for media use. This procedure will ensure full cooperation while preventing interference with checkpoint personnel by the media.
- e. At the conclusion of the checkpoint operation, a post-operational press release shall be distributed. Information within this release shall minimally include the location, date, times, and statistical data related to the number of vehicles screened, arrests, citations, and vehicles impounded.

15. MULTI-AGENCY CHECKPOINTS.

- a. The Traffic Services Lieutenant may permit officers from the Pomona Police Department to participate in multi-agency checkpoints that are hosted in another city.
- b. The Traffic Services Lieutenant may also permit allied agency participation in Pomona checkpoints, as long as the Pomona Police Department maintains the lead role in the operation and all outside agency officers conform to the operating standards contained in this manual. In the event an allied agency is authorized to participate in a Pomona checkpoint, signage shall be clearly displayed to the public indicating the name of the agencies participating and the funding source for such operation.

16. EQUIPMENT - GENERAL.

- a. Warning signs shall be located in such a manner as to adequately warn motorists that they are approaching a sobriety/driver license checkpoint.

NOTE: At least five reflective warning signs shall be used when setting up a sobriety checkpoint: two signs shall read "DUI/CDL CHECKPOINT AHEAD"; one sign shall read "PREPARE TO STOP"; two signs shall read "STOP". When available, an electronic message board should be utilized to display a message similar to "DUI/CDL CHECKPOINT AHEAD – PREPARE TO STOP".

- e. Preliminary Breath Testing Equipment. At least two Preliminary Alcohol Screening (PAS) devices shall be made available for use at the checkpoint.

17. PERSONNEL SUPPORT VEHICLES.

- a. Personnel support vehicles may be used at sobriety/driver license checkpoint locations to provide a suitable break area for checkpoint team members and to provide electrical power for additional portable lighting and other electrical equipment. This may

include the Mobile Command Center (MCC), Traffic Command Trailer, or other appropriate vehicles.



ATTACHMENTS:

PRIMARY FOCUS: DUI CDL

DATE	DAY OF WEEK	HOURS	LOCATION
COORDINATING CORPORAL:			<input type="checkbox"/> Outside Agency Assisted:

DETAIL PREPARATION / OPERATIONAL PLAN:

Coordinator's Responsibilities:

PROVIDE ALL DOCUMENTATION TO SERGEANT FOR APPROVAL PRIOR TO SENDING ANYTHING OUT. ATTACH COPIES OF ALL NOTIFICATIONS IN OPERATION FOLDER

DUE DATE:

PLACE COPIES OF ALL EMAILS, LETTERS, AND OTHER DOCUMENTS RELATED TO THE BELOW TASKS IN OPERATION FOLDER

- Location Selected by Traffic Sergeant(s) and Lieutenant
- Operational Diagram/Diagram Legend
- Operational Written Summary (page 2)
- Traffic Engineer: Cover Letter, Diagram, Legend & Written Summary
- Property / Business Contact Date:
- Business Letters Mailed By / Date:
- Temporary No-Parking Signage N/A
- Advanced email notification to tow companies
- Email Notification to Fire Department
- Email Notification to Cole Schaefer
- _____
- _____

- Create DR/Records log for Laptop:
- Advanced email notification to tow companies
- Dispatch, Jail, Records, Volunteers, Officer OT requests:
- Chief, Asst Chief, Captains, LL & Baptista Notifications:
- Officer OT Shift notifications:
- Pre-Operational Press Release:
- Post Press Release at City Hall
- Confirm Business Notifications Mailed / Date
- Equipment/Vehicle Prep Assigned To:
- Blank Counting Sheets, Stamps, 180's, 373's Assigned To:
- Create DR/Records log for Laptop:
- DR numbers
- Court Dates:
- "Thank you" notices N/A
- _____
- _____

DETAIL PREPARATION/OPERATIONAL PLAN APPROVED

SERGEANT: _____ DATE: _____
LIEUTENANT: _____ DATE: _____

AFTER ACTION SUMMARY:

ATTACH COPIES OF ALL DOCUMENTATION

- Press Release (after action)
- DR Log to Records and Traffic Drive
- Detail Digital Photos Taken By:
- Counting Sheets
- Assigned Personnel Roster
- "Thank You" Notices Mailed By / Date:
- Average time it took motorists to go through checkpoint: ___ sec/min. Surveyed ___ times during the operation by _____. Include survey data below.

POMONA STATS:

IMPOUNDS:
30 DAY IMPOUNDS:
CITATIONS:
14601 CITATIONS:
ARRESTS:
DUI's:
QUERIED:

TOTAL STATS IF DIFFERENT

IMPOUNDS:
CITATIONS:
ARRESTS:
DUI's:
QUERIED:

Changes to attached Operational Plan, operational comments, future recommendations, and/or additional information:

Operational Plan Precisely Followed Unless Specifically Noted Above. File Complete and Closed. Supervisory Approval:

PPD-T01

Operational Summary:

Primary highway where motorists will be queried: _____
The closest cross street is _____, and is located (distance) _____ from the primary highway.

The alternate route is: _____.

Motorists traveling in the following direction will be queried: N/B S/B E/B W/B
Counting sheets will be completed, documenting each and every single vehicle that passed through the operational checkpoint. During this operation every motorist will be queried while the checkpoint is in-service.

Line officers will be contacting motorists traveling in the following lanes: _____.

The speed limit on this highway is _____ mph.

Lane(s) closed during the operation will be: _____.

The taper length (per lane) for lane closures will be no less than _____ feet.

Reflective cones will be utilized and the cone spacing will be no greater than _____ feet.

Description of Work Area: _____

Advanced warning to the public of this operation given via a pre-operational press release.
Advanced warning "DUI/CDL Checkpoint Ahead" reflective signs and an electronic message board will be placed on the primary highway prior to the alternate route as follows:

- #1 "Police Checkpoint Ahead" located on _____, _____ feet _____ of _____.
- #2 "Police Checkpoint Ahead" located on _____, _____ feet _____ of _____.
- #3 "Police Checkpoint Ahead" located on _____, _____ feet _____ of _____.

Officers working this checkpoint will be in full uniform and marked police units will be placed on the highway with emergency lights activated. This will ensure that the operation is clearly identifiable as an official police checkpoint by approaching motorists.

For nighttime operations, the following additional lighting will be used:

- Light Tower Trailer # _____
- Traffic Trailer Scene Lights
- Traffic Truck Scene Lights

The Lighting will be used: On the highway where officers are making initial contact with motorists
 In the work area where officers are making secondary contacts with motorists.

The following safety equipment and/or regulatory and caution signage will be utilized:

- DUI/CDL Checkpoint Ahead # _____
- Prepare to STOP # _____
- Left Lane Closed Ahead # _____
- Right Lane Closed Ahead # _____
- STOP Signs # _____
- Electronic Message Board# _____
- Other _____
- Other _____
- Other _____

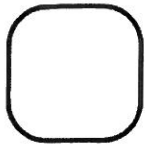
All of the equipment/devices indicated above are depicted on the factual diagram and/or legend, including where each device is utilized. Measurements are also indicated, which are in compliance with Cal-Trans highway specifications and case law.

Comments:

Coordinating Officer's Signature _____



Vehicle Impound Information

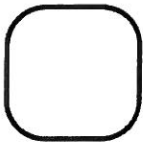


1-DAY

The vehicle has been impounded pursuant to section 22651(p) of the California Vehicle Code. The vehicle is available for release to the Registered Owner with a Valid Government Picture ID and a Licensed Driver at:

Pomona Police Department
490 W. Mission Bl., Pomona, CA 91766
909-620-2155

On: **<INSERT DATE>**, **between 8:00 a.m - 5:00 p.m.**



30-DAYS

The vehicle has been impounded pursuant to section 14602.6(a) of the California Vehicle Code. This vehicle will be held in impound for a period of 30 days, beginning on the date in which the vehicle was impounded.

At the end of the 30-day period, the vehicle will be available for release to the Registered Owner with a Valid Government Picture ID and a Licensed Driver at:

Pomona Police Department
490 W. Mission Bl., Pomona, CA 91766
909-620-2155
Hours: 8:00 a.m. - 5:00 p.m., all 7-days.

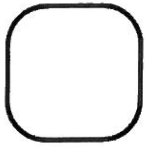
Administrative Hearing:

The Registered or Legal Owner of the vehicle is entitled to an Administrative Review of the vehicle impound to determine the legality of the impound and/or if the vehicle is releasable prior to the 30-day period. The request for such hearing must be made within 10-days of the date of impound. A request for an Administrative Hearing can be made at:

Pomona Police Department
Traffic Bureau
100 W. Commercial St., Pomona, CA 91768
909-620-2081
Hours: 8:00 A.M - 10 A.M., Monday-Friday



Información De Vehículo Confiscados

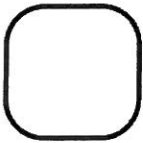


1-DÍA

El vehículo se ha incautado de conformidad con la sección 22651 (p) del Código de Vehículos de California. El vehículo está disponible para su divulgación al propietario registrado, con una identificación con fotografía válida Gobierno y un conductor con licencia en:

Pomona Police Department
490 W. Mission Bl., Pomona, CA 91766
909-620-2155

EI: <INSERT DATE> entre 8:00 am - 5:00 pm



30 DÍAS

El vehículo a sido cofiscado en conformidad con la sección 14602.6 (a) del Código de Vehículos de California. Este vehículo será sostenido por un período de 30 días, comenzando con la fecha la cual el vehículo fue confiscada

Al final del período de 30 días, el vehículo estará disponible para su divulgación al propietario registrado, con una identificación con fotografía válida Gobierno y un conductor con licencia en:

Pomona Police Department
490 W. Mission Bl., Pomona, CA 91766
909-620-2155
Horario: 8:00 a.m. - 5:00 p.m., los 7 días.

Audiencia Administrativa:

El dueño registrado o el dueño legal del vehículo tiene el derecho a una revisión administrativa del vehículo confiscado para determinar la legalidad de la confiscación y/o si el vehículo es liberable antes del período de 30 días. La petición se debe hacer dentro 10 días de la fecha de confisca. Esta petición se puede hacer en:

Pomona Police Department
Traffic Bureau
100 W. Commercial St., Pomona, CA 91768
909-620-2081
Horas: 8:00 A.M - 10 a.m., de lunes a viernes

THE CITY OF
POMONA

Office of the Police Chief



*"Working Together
Pomona's Future..."*

<DATE>

TO: _____

The Pomona Police Department is planning a Traffic-Safety Checkpoint on <DATE>, at <LOCATION>. Because this is in an area that is near your business/organization, we wanted to make sure you had advanced notice and an opportunity to express any concerns, comments, or suggestions. At anytime prior to, during, or after the operation you may call the Traffic Services Lieutenant, Ray Mansfield, at 909-802-7459.

Sincerely,

<CONTACTING OFFICER NAME>
Pomona Police Department
Traffic Services

Do you have any comments, concerns, or suggestions?

The Pomona Police Department would like to encourage you express any comments you may have about this checkpoint operation. To comment, please complete the back of this form and mail it to:

Lieutenant Ray Mansfield, Traffic Services Manager
c/o Pomona Police Department
490 W. Mission Blvd.
Pomona, CA. 91766

TRAFFIC PROCEDURES

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TRAFFIC 1-905

- II. Operating Procedures for Crossing Guards
 - A. Crossing guards should not direct traffic, except that they may create gaps in the traffic stream at opportune times.
 - B. The presence of a crossing guard in the roadway serves as an easily recognized indication to drivers that pedestrians are about to use the crosswalk and that all traffic must stop.
 - C. When all traffic has stopped, the crossing guard can allow the children to cross.
 - D. Crossing guards shall use a Department issued “STOP” paddle. The paddle shall have “STOP” on both sides and the “STOP” paddle shall be reflective. The paddle shall measure a minimum of 18” x 18” and shall have a red background with white reflective borders and legends.