

TEXARKANA, TEXAS POLICE DEPARTMENT  
GENERAL ORDERS MANUAL

<i>Effective Date</i> <b>April 1, 2008</b>		<i>Amended Date</i> <b>October 1, 2017</b>		<i>Directive</i> <b>7.28.1</b>	
<i>Subject</i> <b>Traffic Enforcement Operations</b>					
<i>Reference</i>					
<i>Distribution</i> <b>All Personnel City Manager City Attorney</b>		<i>TPCA Best Practices Recognition Program Reference</i> <b>7.28.1 Traffic Enforcement Operations</b>		<i>Review Date</i> <b>November 4, 2023</b>	
				<i>Pages</i> <b>3</b>	

**This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.**

**SECTION 1 PURPOSE**

The purpose of this policy is to provide guidance to all personnel regarding traffic enforcement activities.

**SECTION 2 POLICY**

It is the policy of the Department to remain committed to direct enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collisions situations, but also in terms of traffic-related needs identified by the community. This enforcement posture will be achieved through deployment of officers as determined by the analysis of collision data and the type and frequency of traffic violations occurring in various locations in our community.

**SECTION 3 PROCEDURES**

**A. TRAFFIC ACCIDENT DATA**

1. Traffic accident data will be entered into the CRIS Accident Reporting System by officers.
2. The Traffic Unit Supervisor will review the cumulative data found in the CRIS System at least monthly to develop intervention strategies and to prioritize Traffic Unit staffing and assignments. Data available includes accident location, day of week, time of day, causation, injuries, commercial motor vehicle or non-commercial vehicle, and whether the accident involved a pedestrian or a bicyclist.
3. All traffic accident investigation reports will be reviewed by the Traffic Unit Supervisor to ensure the thoroughness and accuracy of accident investigations. The Traffic Unit supervisor will also ensure the timely completion of all accident investigation reports. Accident reports will be submitted electronically to the Texas Department of Transportation for a final review and statistical purposes using the CRIS System. Accident reports that are rejected by the Texas Department of Transportation will be returned to the investigating officer for correction.

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4. Upon request, the Department's Crime Analyst will prepare reports related to accident data as required for the Traffic Unit, case preparation, citizen requests, insurance company requests, City traffic engineering requests, and others.
5. Traffic accident reports and traffic accident data will be released in accordance with the Texas Open Records Act and Directive 5.03.1, Release of Information.
6. All persons who have complaints and suggestions concerning traffic engineering shall be referred to the City's Traffic Engineering Department.

**B. TRAFFIC CITATIONS**

1. Traffic citation books are controlled and issued by the Operations Services Division Secretary. The citations will be kept in a secure location and will be issued in accordance with Directive 7.22.1.
2. Officers shall issue the pink copy of the citation to the violator, submit the yellow copy to the on-duty supervisor to be forwarded to the municipal court, and retain the white copy.
3. Upon issuing all fifty (50) citations, the officer will organize all white copies in numerical order and ensure that all fifty (50) are accounted for. The white copies will be submitted to the Operations Services Division Secretary who will make a note in the log and maintain all white copies in a secure location.

**C. TRAFFIC ENFORCEMENT DUTIES**

1. The Department strictly prohibits the establishment of a quota for citations, arrests, or other law enforcement activities. However, the enforcement of all laws including traffic laws is the responsibility of every officer. In the interest of the public's safety, officers are expected to issue citations, issue warning citations, make arrests, and otherwise demonstrate a reasonable level of self-initiated enforcement activity in keeping with our goal to deliver quality police service to our community.
2. Officers should conduct traffic enforcement activities in a manner intended to gain the motorist's voluntary compliance with traffic laws. This may be accomplished by the issuance of a citation, warning citation, verbal warning, or a custody arrest in some cases. Each individual officer is allowed and expected to use their discretion as to the enforcement action to be taken in each instance.
3. All officers shall comply with the provisions of the racial profiling and biased based policing policy, Directive 2.01.1 and each qualifying stop must be appropriately documented in accordance with the Directive.
4. Custody arrests for traffic violations are authorized by the Texas Transportation Code 543.001. However, in accordance with the Texas Transportation Code 543.004, officers must provide an opportunity for the violator to sign a citation (notice to appear) for the offenses of speeding, the use of a wireless communication device (545.4251) or the open container statute, Texas Penal Code 49.031. Officers may make a custody arrest for these offenses only after the violator has refused to sign a promise to appear.
5. Generally officers are discouraged from making a custody arrest when the only offense is a traffic violation. Particularly officers should avoid making a custody arrest for a traffic violation when the driver is disabled, has a serious medical condition, when the driver has children in their care or

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when there are other circumstances which would detract from the reasonableness of the arrest. Any departure from these guidelines regarding custody arrests for traffic offenses must be supported by specific facts and circumstances which combine to establish the reasonableness of the arrest.

6. Prior to using a speed radar unit in any traffic enforcement activity, officers shall ensure the internal diagnostics indicate that the unit is operating properly. Periodic calibration checks using the tuning forks, while not mandatory, are encouraged. Any discovered issues should be promptly brought to the attention of the Traffic Unit Supervisor, and the radar unit shall be placed out of service and not be used for any traffic enforcement activity until the issue has been resolved. The Traffic Unit Supervisor shall ensure that all speed radar units are inspected and calibrated to the manufacturer's specifications at least every three years.

D. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.