



Sheridan Police Department
Policies and Procedures
18.1 Replaces 404.2, 404.3, 404.4, 404.6
Chapter 18 – Traffic
Section 1 – Enforcement

Date: January 1, 2013
Revised: 02/09/2022

Signature:

The Sheridan Police Department is committed to promoting the safe and expeditious flow of vehicular and pedestrian traffic through equitable application of traffic law enforcement, with the ultimate goal being the voluntary compliance to traffic laws.

18.1.1 Purpose

- A. It is the policy of the Sheridan Police Department to encourage all officers to enforce traffic laws with a high degree of emphasis placed on those violations which contribute to crashes and that create hazards to vehicular and pedestrian traffic.
- B. Officers shall take appropriate enforcement action, whenever possible, for each traffic violation observed or reported to them. The officer's action should demonstrate a professional demeanor and be accomplished in an impartial manner with the goal of altering the violator's future driving behavior.
- C. As sound traffic enforcement is a fundamental tool to positively affect and control crash rates and public safety, actions taken by officers to improve traffic safety will be reflected in appraisal of that officer's performance.

18.1.2 Enforcement Procedures

- A. Traffic enforcement action taken by officers may consist of:
 - 1. Physical arrest;
 - 2. Citation
 - 3. Warning
- B. When considering what enforcement actions should be taken against any traffic violator, the officer shall consider the totality of the circumstances. These circumstances include, but are not limited to:
 - 1. The severity of the violation;
 - 2. The state of mind and intent of the motorist;
 - 3. The conditions in the area, i.e., weather, traffic volume, pedestrian traffic, road surface, etc., and the effect the conditions have had on traffic;
 - 4. Whether a traffic crash resulted;
 - 5. The threat the violator poses to the public;
 - 6. The prior motor vehicle record of the violator;
 - 7. Whether the traffic violation resulted from a recently enacted and possibly unfamiliar motor vehicle law; and
 - 8. The credibility of mitigating circumstances offered by the traffic violator.

- C. Officers should conduct traffic stops in a manner that reflects the training they received at the Wyoming Law Enforcement Academy and during the Field Training Program, with a focus on the safety of the public, the officer, and the violator. The department acknowledges that no two traffic stops are alike. Varying conditions regarding the engineering of the particular roadway, the urgency to stop the violator (impaired driver), and the existing volume of traffic may require adjusting or altering the recommended procedure.
- D. Once the officer has stopped the violator and approaches to a point where communications can begin, the following guidelines should be followed in terms of officer-violator relationships:
 - 1. The officer should greet the violator in a courteous manner, identifying him or herself and explaining the reason for the traffic stop.
 - 2. The officer should ask for the violator's operator's license, vehicle registration and insurance information.
 - 3. If the operator has no driver's license, the officer should obtain another document of identification.
 - 4. If the enforcement action requires a court appearance, the officer should make sure the violator knows where and when to appear.
 - 5. The officer should return the violator's operator's license, registration, and a copy of citation or written warning.
- E. When circumstances warrant it, officers may conduct a high-risk traffic stop. These stops can be disruptive to the travelling public and escalate situations and so they should only be used when necessary based on the information known by the officer at the time of the stop. Officers should consider high-risk stops when contacting a person suspected of a serious violent crime or when information known indicates the violator may attempt to flee either by vehicle or foot.
 - 1. Officers will conduct high-risk stops in accordance with procedures learned in training.
 - 2. When conducting high-risk stops, officers will coordinate with other units to make the stop together.
 - 3. Officers should make use of a cover and concealment during the stop.
 - 4. Only one officer will give commands at a time.
- F. Violator Procedures
 - 1. Processing of non-resident traffic violators may be handled as any other traffic violator with reliance on sanctions through the Drivers License Compact (Wyoming Statute 31-7-201) in which member states agree to reciprocally suspend the licenses of any of their residents who fail to honor citations or summonses issued by other member states, or as permitted in Wyoming Statute 31-5-1204 (e) providing for the posting of bond by non-residents.
 - 2. The procedure for handling juvenile traffic law violators will generally be the same as for adults, except juvenile court has jurisdiction over traffic violations if the suspect is charged with a felony or misdemeanor punishable by imprisonment for more than 6 months. In accordance with state statute, officers will notify a parent/guardian if a citation is issued or an arrest is made.
 - 3. United States senators and congressman in all cases except treason, felony, and breach of peace shall be immune from arrest while going to, returning from and attendance at sessions of their respective houses. (United States Constitution, Article 1, Section 6.)

4. Wyoming legislators in all cases except treason, felony, violation of their oath of office and breach of peace shall be immune from arrest while going to, returning from and attendance at sessions of their respective houses. (Wyoming Constitution, Article 3, Section 16.)
 5. Foreign diplomats and consular officials should be afforded their respective privileges, rights and immunities as directed by international law. See section 10.2. Issuance of a citation does not constitute an arrest or detention.
 6. Military personnel who have committed a traffic violation shall be handled as any other traffic violator.
- G. At the time a motorist is charged with a violation, the officer will give him or her a copy of the citation. The delivering officer should make every reasonable effort to explain to the violator the charge, court date and time, court appearance or forfeit procedures, and bond.

18.1.3 Uniform Enforcement

- A. Uniform enforcement is a critical element of an effective traffic enforcement program. The public will be more supportive of enforcement that is justly and impartially administered than that which lacks uniformity in application.
- B. Traffic enforcement actions shall be taken in a uniform and consistent manner.
- C. The intent of this section is to set forth general guidelines for uniform enforcement action in routine situations. Uniform application is not always possible due to the varying circumstances that are encountered. Regardless of the circumstances, enforcement action should be based upon principles of sound judgment and consideration of the conditions surrounding the violation based on the police officer's training and experience.
- D. Driving while impaired by alcohol and/or controlled substances
1. Department members should be constantly alert for impaired drivers.
 2. An arrest should be made when probable cause exists to believe a driver is impaired.
 3. When officers contact impaired individuals who are attempting to operate a motor vehicle, the officers should make arrangements to ensure they do not drive.
- E. Driving while operating privilege is suspended or revoked
1. During traffic enforcement activities, officers will encounter drivers who have had their driving privileges suspended or revoked.
 2. Operators driving while under suspension or revocation have already been deemed to be a hazard on the roadways and should be cited for a first offense. An arrest should be considered if the offender has had multiple suspension offenses.
 3. If the violator has produced a license that has been suspended or revoked, the officer shall confiscate the license and return it to the state.
 4. After the traffic stop has been completed, officers shall advise these drivers they may not continue to drive.
- F. Speed violations
1. Officer discretion and judgment should be used in enforcement of speeding violations keeping in mind the conditions and circumstances at the time of the violation.
 2. Drivers exceeding the posted speed limit by less than 10 mph may be warned or cited.
 3. Drivers exceeding the posted speed limit by 10 mph or more should generally be cited.
- G. Other hazardous violations
1. Hazardous violations are those violations that pose a direct hazard to the safe and efficient flow of traffic.

2. Drivers commit a number of different hazardous violations. These violations contribute substantially to the frequency and severity of traffic collisions.
 3. A police officer's enforcement action should be consistent with the severity of the violation. Officers should generally issue citations for the following violations:
 - a. Reckless or careless driving;
 - b. Following too close;
 - c. Failure to yield the right-of-way;
 - d. Disobeying a traffic signal or stop sign.
- H. Equipment violations
1. Officers may take enforcement action against the operators of motor vehicles that are in violation of the various laws and ordinances dealing with equipment on the vehicles. Officers should use their discretion on the issuance of warnings versus citations.
 2. Generally, a warning can be issued on this type of violation with the possibility of a citation if the matter is not corrected.
- I. Commercial vehicle violations
1. State law requires many operators of commercial vehicles to possess a valid commercial driver's license (CDL). Officers should be familiar with the special restrictions and requirements for persons with CDLs.
 2. Except for the special requirements placed on commercial vehicle operators by law, they should be treated the same as other highway users with regards to enforcement of traffic laws.
- J. Non-hazardous violations
1. Non-hazardous violations are defined as violations of laws affecting the use of streets or highways but not enacted primarily to regulate the safe movement of vehicles and pedestrians.
 2. The decision to warn or cite a violator for a non-hazardous violation will ultimately rely on the officer's judgment based on the conditions and circumstances at the time of the violation.
- K. Multiple violations
1. Often a traffic law violator will violate more than one law at a time.
 2. Officer discretion should be used in dealing with a multiple violation situation. The issuance of one citation for the most serious violation and warnings for the other violations may serve the purposes of effective traffic enforcement. However, in some cases multiple citations may be warranted based on the judgment of the officer.
- L. Newly enacted laws
1. When new laws are enacted that govern motor vehicle operations, the department will conduct an awareness campaign to inform drivers of the new law. Enforcement will generally be limited to warnings during this period.
 2. Tolerance should be granted in enforcing a new law which the motorist may not yet be familiar with. A period of warnings is appropriate until familiarity is obtained depending upon the nature of the law.
- M. Violations resulting in traffic crashes
1. Violations resulting in crashes should be handled most times with a citation as the violation committed is more often than not the cause of the crash.
 2. The action taken should be based upon driver's accounts, witness statements and physical evidence.

N. Pedestrian and bicycle violations

1. City ordinances and state statutes regulate the movements of pedestrians and bicycles upon city streets and sidewalks. Officers should be familiar with these laws. Officers are encouraged to take some type of enforcement action whenever violations of pedestrian or bicycle laws are observed.
2. Often, officers may use these laws as educational tools when contacting violators.
3. Officer discretion and judgment should be used on whether to issue a citation or warning. Most infractions related to pedestrians or the use of bicycles can be remedied by warnings. A citation should be issued where the conduct is repeated or is relatively serious, i.e. results in property damage or physical injury.

18.1.4 High Visibility Traffic Enforcement

- A. The department's high visibility traffic enforcement function will include procedures for analysis of traffic crashes and traffic enforcement activities.
- B. It will also include procedures for the implementation of high visibility traffic enforcement techniques and procedures. These procedures may include assigning officers to areas, or times, of need as identified by an analysis of traffic records. Officers may be assigned to directed patrols or stationary observation to identify certain hazardous traffic law violations.
- C. Traffic Analysis
 1. The patrol operations lieutenant is responsible for traffic analysis. He or she shall conduct statistical analysis of crash and enforcement data.
 2. The analysis of traffic crashes should result in identifying high hazard areas and the types of violations causing crashes.
- D. High Visibility Enforcement
 1. Selective enforcement activities shall be based on the analysis of traffic crashes and traffic-related calls for service.
 2. To provide a rotating system of directing "routine" patrol into specific traffic problem and high complaint areas, or times, the patrol operations lieutenant will designate specific areas, times, or violations for officers to patrol. Employees should forward all information concerning complaints they receive or have in regards to specific problems with traffic or potential traffic hazards, to the operations lieutenant for placement on the directed patrol list.
 3. To provide a system of recording information pertinent to those areas, or times, officers will track time spent conducting directed patrol and the results. This information will be entered into the CAD system and be provided to the shift supervisor for inclusion in the monthly report.
 4. The patrol operations lieutenant will track and evaluate the enforcement information, and make adjustments as needed.
 5. The public may be notified of directed patrol dates and locations through available media outlets.

18.1.5 Performance Standards

- A. The patrol operations lieutenant will regularly establish performance standards in the area of traffic enforcement for all patrol personnel including corporals and sergeants to ensure that the safety concerns of the citizens are being met and to ensure that all officers are actively engaged in traffic enforcement.

- B. The patrol operations lieutenant will on a regular basis, determine the number of traffic enforcement activities generated by the patrol division. After considering the level of community activity, crash rates, citations issued, traffic arrests made, past history of enforcement, and new ordinance or statutory concerns, an overall traffic enforcement objective will be determined. The patrol operations lieutenant will closely monitor enforcement activity.

18.1.6 Driving While Impaired

- A. The department places a high priority on the enforcement of alcohol and drug related driving violations. Persons who are impaired due to the use of alcohol or other drugs present a significant threat to the safety of the community. Drivers are to be routinely observed for behaviors, which may indicate the influence of drugs or alcohol. Drivers who are displaying those behaviors will be investigated further to determine the degree of impairment. The investigating officer will arrest those persons determined to be under the influence in violation of the law.
- B. Officers shall note all observations leading to the suspicion that the driver is impaired and if the officer believes that there is reasonable suspicion that the driver may be impaired, the driver should be requested to exit the vehicle for further investigation.
- C. The driver should be directed to a safe (out of the roadway) location to conduct the field sobriety tests.
- D. Officers shall select, administer and record the results of standardized field sobriety tests (SFST) and others deemed appropriate to assess impairment. Standardized tests are:
 - 1. Walk and turn;
 - 2. One leg stand;
 - 3. Horizontal gaze nystagmus.
- E. The officer should document any voluntary statements made by the driver as well as any answers to questions asked by the officer during the investigation regarding topics such as:
 - 1. Drinking - what, where, how much, with whom etc;
 - 2. Eating;
 - 3. Medication use; and
 - 4. Physical impairments.
- F. The officer will formulate an appropriate arrest decision for the offense based on the evidence accumulated from all the previous steps.
- G. Proper arrest and processing procedures (chapter 10) will be followed.
- H. The officer shall notify the driver of the appropriate implied consent advisement:
- I. If a driver refuses a test, the officer will initiate the search warrant process.
- J. The officer will make arrangements for the security of the violator's vehicle. Officers may, in certain circumstances, release the vehicle to a licensed third party with the permission of the owner or driver. In most circumstances the violator's vehicle should be towed.
- K. The officer will offer to arrange for the transportation or safety of any passengers.