Purpose

To provide guidelines for the implementation and documentation of planned patrol strategies.

Policy

Documentation of planned patrol strategies is necessary on a continuing basis in order to ensure that the most effective patrol plans are implemented when crime patterns are detected. The following procedure should be utilized when initiating a planned patrol.

Problem Identification

Before planned patrol strategies can be developed or implemented, the nature and extent of the particular problem must be identified. Field officers, or their supervisors, may identify a problem or these problems may be identified by the Precinct Crime Analyst(s) or the Crime Analysis Unit (CAU). Once problems are identified, they should be communicated to all commands via COMPSTAT. In all cases, the problem(s) identified must be related to an area of responsibility for, or shared with, the Virginia Beach Police Department. It must be emphasized that the initial identification of a problem must be as complete as possible with respect to details, description, and facts and the planned patrol response clearly supported in the same manner.

Development of Planned Patrol Strategy

Once a specific problem has been identified and it has been determined that a patrol plan is warranted, an ICS form (ICS 204P) will be used to record:

a. The specific problem by type and area;
b. The particular strategy implemented to effectively address the problem;
c. The source of information on which the plan is based; sources should be specifically indicated;
d. The time frame over which the patrol plan is to be applied;
e. The Incident Command Structure in place for the patrol plan;
f. Upon termination of the patrol plan, the results i.e., number of arrests, field interviews, etc. will be documented on an After Action Review (ICS Form AAR-01), which will be forwarded to the respective Precinct Crime Analyst or the Crime Analysis Unit.

Supervisory personnel should use their creativity and resourcefulness in developing planned patrol procedures to effectively deal with specific problems. Moreover, subordinate personnel (especially those assigned to those zones where the problem has been identified) should be consulted on a regular basis in order to contribute ideas and suggestions. Examples of available strategies are as follows:

a. Field interviews;
b. Traffic enforcement;

c. Decoys;
d. Plainclothes patrol
    1. On foot
    2. On bicycles
    3. In unmarked or non-police vehicles
e. Saturation patrol by marked units;
f. Stakeouts;
g. Surveillance
h. Crime Prevention - C.P.T.E.D
    1. Canvassing of neighborhoods
    2. Concentrating security surveys in affected areas
    3. Conducting security surveys in homes and businesses

Implementation of the Planned Patrol Strategy

Once the problem has been identified and the patrol strategy developed, the following steps should be taken in order to ensure that the patrol plan is effectively implemented:

a. Notify the E911 Emergency Communications and identify those personnel who will be involved in the planned patrol tactics;
b. Thoroughly brief all patrol personnel who will be on duty during that time period the plan is to be executed as to the specific details of the planned patrol procedure;
c. Inform the supervisor on the subsequent shift as to what particular tactics were utilized to carry out the patrol plan so that any follow-up activity can be initiated;
d. Closely monitor the results of the planned patrol procedure in order to evaluate its operational effectiveness.
e. If the patrol plan will be in effect more than 3 days, daily activity reports should be given by the Reporting Officer to the Commanding Officer via the Precinct Crime Analyst or Crime Analyst Unit of the affected command as well as the Commanding Officers of all-supporting commands. The daily activity reports will be documented on ICS 204D.
f. If a patrol plan will be in effect for a period exceeding 10 days, consideration should be given to forming an Investigative Task Force
g. Upon termination of the patrol plan, the results i.e., number of arrest, field interviews, etc. will be documented on an After Action Review (ICS Form AAR-01) which will be forwarded to the respective Precinct Crime Analysis Unit.

Evaluation of the Planned Patrol Strategy (After Action Review) and Records Retention

In order to ascertain the overall effectiveness of any planned patrol strategy, relevant data must be collected and analyzed. More specifically, these types of data include, but are not limited to:

a. The number of arrests that stem directly from implementing the specific patrol plan
b. The frequency with which the offense(s) specified in the original identification of the problem are perpetrated following the implementation of the patrol strategy
c. The frequency with which other types of criminal activities occur in the area following the execution of a patrol plan
d. The overall workability of the strategy including any problems encountered during its implementation
e. The relative efficiency of the patrol plan (the number of arrests per man-hours expended).

Planned Patrols will be routed to the Precinct Crime Analyst and reviewed by the training Lieutenant of the Command. Recommendations by the training Lieutenant shall be made to Professional Development and Training for consideration. After the evaluation of the patrol plan has been routed to the Precinct Crime Analyst, the original ICS form and the After Action Report shall be maintained on the network by the Precinct Crime Analyst. The Crime Analyst Unit will be responsible for maintaining the records as required by the Library of Virginia Records Retention and Disposition Schedule.

The Crime Analysis Unit (CAU) shall utilize the completed patrol plan to:

a. Compare pre and post patrol plan crime statistics;
b. Identify if the problem has been resolved or moved to other locations;
c. Identify all persons arrested or field interviewed during the planned patrol.

Purpose

To establish guidelines for the traffic enforcement function of the Virginia Beach Police Department.

Policy

The enforcement of traffic laws as established by the Code of Virginia and the Municipal Code of the City of Virginia Beach is the responsibility of all Virginia Beach Police Officers. Officers are vested with the enforcement of traffic codes for the purpose of gaining voluntary compliance in furtherance of enhancing traffic safety in the City of Virginia Beach.

Enforcement Actions (CALEA 61.1.2 C, 61.1.4, 61.1.6 A, B, C)

Officers will take enforcement action upon the detection of an illegal or potentially hazardous act by persons operating vehicles, bicycles or other conveyances, or pedestrians. Enforcement action may consist of a warning, the issuance of a Virginia Uniform Summons, or in certain circumstances, a physical arrest.

Uniformed officers assigned to the operations division are assigned geographic areas in which they are responsible for providing police services to include the enforcement of traffic laws. Uniformed officers assigned to Special Operations are assigned based on both geographic areas and specialized function. Uniformed officers utilize a variety of strategies to promote traffic safety through traffic law enforcement to include overt proactive visible patrols in marked police vehicles and covert methods via the use of stationary concealed positions and unmarked police vehicles.

Warnings

Officers have the discretion to issue a warning when the officer believes that a warning will achieve the objective of voluntary compliance with the law. The Virginia Beach Police Department does not have a written means for issuing or tracking warnings for traffic violations. Officers are encouraged to note that a warning was issued in the comment section of the case assigned to the traffic stop by the Computer Aided Dispatch System (CADS).

Virginia Uniform Summons

At the discretion of the officer who observes the violation, a Virginia Uniform Summons may be issued to a motorist or a pedestrian for a violation of the traffic code when the officer believes that the issuance will achieve the objective of voluntary compliance with the law. Officers who wish to charge a motorist or a pedestrian shall take the name and address of such person as well as the license number of his motor vehicle and issue a Virginia Uniform Summons for the violation. The issuance of the Virginia Uniform Summons will provide information relating to the charge, the scheduled court date, and instructions for appearing in court or prepayment of fines if applicable. The court date for any issued Virginia Uniform

Parking Enforcement (CALEA 61.1.13)

Parking regulations have been established to ensure the safe and efficient movement of vehicular and pedestrian traffic. All sworn officers, and designated ancillary personnel authorized by the Chief of Police, are responsible for the enforcement of these laws in a reasonable and equitable manner.

Should officers or designated ancillary personnel determine that current parking regulations need to be revised; this should be documented on a memorandum and forwarded to the command representative to the Traffic Safety Committee coordinated by Public Works/Traffic Engineering. If the suggest change involves a code change, the memorandum should be forwarded to the City Attorney's office via Chain of Command. This memorandum should describe the problem in detail and any suggested course(s) of action.

General Enforcement Practices (CALEA 61.1.5)

Uniform enforcement activities support the goal of traffic law enforcement, which is to achieve voluntary compliance with traffic laws and regulations.

This policy is not intended to supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer must decide what enforcement action is proper based upon a combination of training, experience and the needs of the community. Judgment and considerations of circumstances regarding violations shall be thoroughly reviewed by the officer prior to taking any law enforcement action. Traffic laws shall be enforced without regard to race, sex, national origin, type of vehicle, location or state of residence of operator, or purpose of the vehicle (whether public, commercial, or privately owned and operated).

Under normal circumstances the following general types of violations should result in proper enforcement action when violations are observed or established.

Driving Under the Influence of Alcohol/Drugs (CALEA 61.1.5 A)

Officers are expected to apprehend, and arrest intoxicated or impaired drivers who come to their attention. (See General Order 12.04, Alcohol Enforcement Countermeasures).

Suspended or Revoked Licenses (CALEA 61.1.5 B)

A person detained for driving on a revoked or suspended license, may be released on a Virginia Uniform Summons or arrested and taken before a magistrate, depending on the attendant circumstances. Officers will normally arrest an individual reasonably believed to be driving in knowing violation of an order of revocation or suspension, such as when the driver acknowledges that his license was suspended, or when the officer has personal knowledge that the suspension was imposed in court. In other cases, the individual may be arrested or released after the issuance of a Virginia Uniform Summons, and completion of a Department of Motor Vehicles Suspension/ Revocation/ Disqualification Notice [DSA-10]. (The Virginia Beach Police Department is in compliance with 46.2-936 in that "prior general approval has been granted by the general district court" and an officer may make an arrest.)

Other Non-Hazardous violations (CALEA 61.1.5 H)

Because of the limited relationship of non-hazardous violations to accident causation an officer's law enforcement discretion is greater. Officers should use discretion in the enforcement of licensing and equipment violations in accordance with the goals of achieving voluntary compliance with traffic codes. Officers are reminded of the procedures set forth in General Order 17.01(Court Procedures) requiring motorists issued a Virginia Uniform Summons for a licensing or equipment violation to appear in court in order to properly dispose of charges.

Multiple Violations (CALEA 61.1.5 I)

In the event a motorist is stopped and may be charged with more than one violation, a separate Virginia Uniform Summons will be issued for each charge.

Newly Enacted Laws and / or Regulations (CALEA 61.1.5 J)

Officers are not authorized to either initiate or extend legislative periods of grace; however, the best interests of the community may be served through officer judgment and application of appropriate enforcement action.

Violations that result in traffic collisions (CALEA 61.1.5 K)

Officers charged with investigating traffic accidents are directed by General Order 12.05 (Traffic Crash Investigations) to take appropriate enforcement action in keeping with the goal of voluntary compliance with the law.

Special Enforcement Practices

Bicycle and Pedestrians (CALEA 61.1.5 L)

Police Officers should control bicycle and pedestrian traffic so as to minimize their interference with and exposure to vehicular traffic.

Enforcement action should be taken against bicyclists and pedestrians who recklessly disregard traffic laws and / or create a hazard to themselves and others.

Bicyclists who operate in a careless and reckless manner upon the public streets and roads should be cited, as could any other vehicle operator.

Pedestrians or bicyclists involved in traffic crashes should be charged if it is found, upon investigation that they are at fault.

Moped and Motorized Scooters / Skateboards

As this is an evolving area of law, officers need to be aware of the latest definitions and laws concerning these devices. The general rules for these devices are as follows:

- Electric-powered wheeled devices: The Operator must be fourteen (14) years of age unless supervised by an adult. Persons of fourteen (14) years of age or younger must wear a helmet. The device must not be capable of traveling at more than thirty (30) miles per hour. These devices may be ridden on sidewalks and bike paths; however they may not be ridden on resort sidewalks or bike

paths, the Boardwalk, or any Oceanfront Park or Plaza. When ridden on the street or highways, operators must abide by all traffic laws.

- Gas-powered wheeled devices: The operator must be sixteen (16) years of age and must have identification in possession confirming this. Operators must wear a helmet and safety goggles, safety glasses or a face shield unless the vehicle is equipped with a windshield. Gas-powered engines may not exceed 50cc in size and the vehicle cannot be capable of speeds in excess of thirty (30) miles per hour. Gas-powered devices may not be ridden on any sidewalks, bike paths, the Boardwalk, City Parks or Plazas. When ridden on the street or highways, operators must abide by all traffic laws.

As the majority of violations that occur involving mopeds, scooters and skateboards involve juveniles, officers should use discretion in enforcement keeping in mind the goal of voluntary compliance with traffic codes.

Off-Road Vehicles (CALEA 61.1.5 E)

The need for enforcement exists with the increase in use and popularity of off-road recreational vehicles while on the public highways.

This requires a strict enforcement approach to enforcing licensing, registration, equipment and operations violations committed with off-road recreational vehicles while on the public highways, misuse of bike paths and public trails which prohibit any motor vehicles, violations of motor vehicle laws and ordinances on public beaches and boardwalk areas, or, excessive noise or trespassing violations.

In accordance with the Code of Virginia, an exception to such enforcement allows particular type of motorcycles to operate on portions of the public highway while participating in certain approved and sanctioned sporting event.

Accidents involving off-road vehicles are to be investigated in the same manner as any other motor vehicle crash.

Driver Re-Examination (CALEA 61.1.12)

During the course of traffic enforcement, an officer may detect a motor vehicle operator who appears to be incapable of safely operating a vehicle. In order to request a reexamination of the driver, the following procedure must be adhered to:

- Complete the Virginia Department of Motor Vehicle "Medical Review Request," Form MED 3:

- The information should be self-explanatory and lead one to reasonably conclude that a reexamination is necessary.

- The officer should complete the form by identifying himself as the "requestor" and mail the completed form as specified on the Medical Review Request.