



DEPARTMENT OF PUBLIC SAFETY

# LAW ENFORCEMENT OPERATIONS POLICY AND PROCEDURES

## Procedure 7.3.1p21. Chapter 21: Patrol Function

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### I. PURPOSE

- A. Establishes the scope of a patrol officer's responsibilities.
- B. Establishes a priority system for handling calls for services.
- C. Establishes a standard operating procedure for responding to calls for service.
- D. Establishes a standard operating procedure for traffic accident investigation.
- E. Establishes a standard operating procedure for vehicle impound.
- F. Establishes a standard operating procedure for the management of disputes, both civil and criminal.

### II. RULES AND REGULATIONS

#### A. General

##### 1. Scope of the Law Enforcement Function

All law enforcement officers of the Technical College System of Georgia are responsible for the protection of life, individual liberty, and property; the preservation of peace; the prevention of crime and disorder; the detection and arrest of violators of the law; the enforcement of state laws and local ordinances; and the provision of public service to the TCSG campuses they serve. Therefore, the function of all TCSG Law Enforcement Agencies must be broadly interpreted to include many tasks other than the enforcement of laws.

##### 2. Attitude toward Providing Service

Providing quality service to all persons is an essential function of law enforcement and must be rendered by every department employee. This service can range from giving simple directions and advice to travelers to providing victims of crime reassurance and support to referring individuals to applicable social service agencies. These responsibilities are to be performed positively, respectfully, and supportive.

##### 3. Crime Prevention and Community Relations (**GLECP Std. 7.8**)

Crime prevention will be a shared responsibility of all department personnel. In

addition to suppressing crime through visible patrol, officers can accomplish long-term crime prevention objectives by informing citizens of ways to protect themselves and their property. Furthermore, officers can effectively support a more comprehensive approach to preventing crime by encouraging citizens to cooperate with other criminal justice and social service agencies.

Because the conduct of each employee reflects on the agency as a whole, all employees will share the responsibility of achieving the agency's community relations objectives.

#### 4. Maintenance of Order

Another broadly interpreted function of law enforcement is the management of social order. For example, this role includes preventing or settling family and neighborhood disputes, providing traffic escorts and directions, and assisting ill or injured persons.

### B. Patrol Objectives

TCSG agency objectives are to prevent the occurrence of crimes through preventive patrol; respond rapidly to all requests for emergency law enforcement service; respond to and investigate motor vehicle accidents; aid victims of accidents; assist citizens in dealing with legal, medical, or social problems through direct crisis intervention and/or making correct referrals to agencies equipped to deal with such problems; and improve law enforcement/community relations by providing high quality and quantity of contacts between citizens and law enforcement.

#### 1. Response to Calls

The response to citizen complaints and requests for service should be given priority according to the seriousness of the situation and the availability of resources. In addition, a follow-up investigation of these incidents should be conducted as required.

#### 2. Prioritizing Calls for Service

The priority of call assignments depends on many factors, and it is normally the responsibility of the communications officers to make these assignments. However, a patrol officer may be required to decide between continuing on an assigned call and responding to a citizen's complaint or other observed event. The officer's determination should be based on the risk to life and property.

When an officer can't respond to a citizen's complaint or an observed event, they shall, if circumstances permit, either give direction for obtaining such assistance or start the necessary notifications.

The officer will not normally deviate from an assigned call; however, if an officer observes a life-threatening situation, such as a violent felony in progress or an accident with injuries, they are to notify their supervisor and take the appropriate action.

The following is a suggested list of priorities for guidance in responding to calls:

- a. Life-threatening emergencies;
- b. Violent felonies in progress;

- c. Violent misdemeanors in progress;
- d. Other felonies in progress;
- e. Non-criminal calls with injuries or property damage;
- f. Other misdemeanors in progress;
- g. Other felonies not in progress;
- h. Other misdemeanors not in progress; and
- i. Miscellaneous service calls not involving injury or property damage.
- j. Preventive Patrol

Although service requests often dictate the patrol officer's work, a considerable portion of the officer's workday is normally consumed by a preventive patrol. To make productive use of the available time, officers should plan their patrol to focus on specific problems within their area of assignment.

### 3. Patrol Vehicles (**GLECP 6.5**)

Patrol vehicles used for routine or general patrol service shall be conspicuously marked and equipped in a manner that will present a clear identity to the public in accordance with state law.<sup>1</sup> They will be equipped with emergency blue lights and a siren.

### 4. Preventive Action

Patrol officers should be alert to conditions conducive to crime, such as inoperative streetlights or security lights. In addition, officers should provide crime prevention strategies, conflict mediation, and referrals to additional resources.

### 5. Radio Communication - Field Assignments

All on-duty patrol officers should maintain continuous radio access and monitoring, except whenever outside the radio coverage area of a TCSG law enforcement agency, unless circumstances dictate otherwise.

## III. TRAFFIC LAW ENFORCEMENT

While traffic enforcement is not normally a primary function of TCSG Law Enforcement agencies, TCSG agencies may conduct traffic enforcement within the agency's jurisdiction to enhance public safety and prevent traffic accidents.

### A. Traffic Citations (**GLECP 7.2 a-c**)

All traffic citations will be issued using the Georgia Uniform Traffic Citation (UTC). All officers will be issued a traditional UTC book for use if there is a need to issue a traffic citation. Officers and supervisors are accountable for citations sequentially issued from their UTC book. Blank UTC books will be secured so supervisors can issue ticket books as needed. A log will be kept of all UTC booklets issued. Any voided, damaged, or unused traffic citations will be marked, and a copy will be held on file. An incident report will be made on all lost or stolen traffic citations. The College Chief of Police will be responsible for conducting a periodic audit of traffic citations. Any missing ticket shall be researched and accounted for.

### B. Traffic enforcement techniques

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<sup>1</sup> O.C.G.A. 40-8-91

1. Visible traffic patrol
  - a. Area - moving or stationary observation in an area that includes a number of streets or sections of highway.
  - b. Line - moving or stationary observation between two points on a specific street or highway.
  - c. Directed - Area or line patrol directed explicitly by supervisory personnel and based on unfortunate traffic accidents or enforcement data.
  
2. Stationary observation
  - a. Covert - concealed or barely visible enforcement (when operating speed detection devices, traffic enforcement vehicles will not be concealed (**O.C.G.A. 40-14-7**))
  - b. Overt-traffic enforcement vehicles will be positioned in such a manner near the roadway intersection that is seen by persons using ordinary powers of observation.
  
3. Directed Enforcement (**GLECP 6.14**)

While directed traffic enforcement is not normally a primary function of TCSG Law Enforcement agencies, TCSG agencies may periodically conduct directed traffic enforcement within the agency's jurisdiction. The College Chief of Police will authorize these directed enforcement activities based on recent crash data, requests for traffic enforcement, crime data or trends, or roadway conditions that justify the need for directed enforcement in a specific location.
  
4. Traffic Safety Checkpoints (**GLECP 6.35**)

When conducting traffic safety checkpoints, as in all incidences that require more workforce than is readily available at the Agency, the Chief of Police should consider using local resources which may have more capabilities than the agency. All safety checkpoints shall be conducted in accordance with statute law and Agency policies.

  - a. Checkpoints shall only be employed with the prior authorization of the Chief of Police and will require the supervision of a Sergeant or higher-grade officer.
  - b. Every officer on scene will wear the Agency uniform, including agency-issued reflective vests. No plain clothes officers are to be directly involved.
  - c. The physical organization of the checkpoint must satisfy two requirements: the safety of officers and motorists and the conspicuous display of "official" presence to eliminate initial driver apprehension and fear.
  - d. Public warning of the upcoming checkpoint should begin reasonably from the actual stop location. High vehicular speed or hilly terrain may be a factor so that the first preparatory sign may be placed further from the checkpoint.
  
  - e. Between the initially posted warning and the actual stop location, marked patrol units will be in plain view to provide additional warning of the checkpoint and control traffic flow.
  - f. If the opposite lane is not included in the checkpoint operation, caution and reduced speed signs should be placed at reasonable distances, and one or more officers should be assigned to keep the flow of traffic moving.

g. According to Georgia law, all motorists entering the checkpoint are stopped and questioned. However, stopping all vehicles may be impractical and increase the "intrusiveness" of the checkpoint because of the delays likely to ensure traffic back-ups. In such cases, the on-site supervisor may temporarily cease the checkpoint operation and allow traffic to flow freely to prevent excess congestion and delay to motorists. The on-site supervisor will determine the proper time to restart the checkpoint.

h. A detailed report of checkpoint operations shall be prepared by the supervisor of the checkpoint and forwarded to the Chief of Police. The report shall contain the following information:

i. The details of the checkpoint's selection should be made a matter of record. This should include identifying the various reasons for selecting the specific site. The documented justification should consist of a record of personnel participating, the physical layout of the checkpoint, and the precautions taken to ensure safety for all concerned.

ii. Information about the actual operation of the checkpoint needs to be documented. This includes:

a. The need for temporary "shut-downs" because of congestion or other reasons;

b. The average duration of each stop;

c. The number and type of arrests made; and/or citations.

iii. The results of the checkpoint program should be documented. Such information will not only be of assistance in court but will also help increase public support for future checkpoint operations.

5. Unmarked vehicles;

These vehicles will not normally be utilized for traffic enforcement activity. Sworn personnel operating unmarked vehicles are to use discretion when stopping traffic violators and are discouraged from enforcing minor violations. Unmarked vehicles must be equipped with an emergency light and siren when stopping any traffic violator. Private or College vehicles other than marked patrol vehicles will not be used for traffic enforcement.

C. Enforcement Actions

Officers are to use individual discretion, based on professional judgment, as to which form of enforcement action will be taken. However, activity will be appropriate for each violation of the law. This will be accomplished in a fair, impartial, courteous, and businesslike manner with one of the following options:

1. Verbal Warning

A verbal warning is appropriate when the violator commits a minor violation that results in little or no potential danger to the public.

2. Written Warning

A written warning is a proper alternative to a minor traffic violation, but not to the extent that court or other judicial action is warranted. A written notice can be issued on a UTC citation.

3. Written Citation

Traffic citations will be issued to violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic. In addition, a written citation will be issued on the Georgia Uniform Traffic Citation form.

4. Physical Arrest

The physical arrest of a driver is the most extreme action that may be taken for a traffic offense. Therefore, officers must be familiar with the limitations imposed by State Law regarding physical arrests for traffic violations.

D. Special Enforcement Procedures

1. Non-Residents (**GLECP 6.15a**)

In accordance with O.C.G.A. 40-12, if an adequately licensed violator's state of residence is other than Georgia, the officer must release the person on a copy of the citation and will advise the violator that if the citation is not paid, or if they do not appear in court on the date indicated, the Georgia Department of Motor Vehicle Safety will notify the Department of Public Safety in the violator's home state. In addition, the driver's license will be suspended until the case is settled.

2. Juvenile Offenders (**GLECP 6.15b**)

If a driver is 16 years old or younger, with or without a valid driver's license, and the offender violates a law or ordinance governing the operation of a motor vehicle on the highways or street, and if a citation is written, it should be directed to the Juvenile Court of the county in which the act occurred. The court date section of the citation should be marked "JUVENILE COURT." See this manual's Chapter 9 – Juveniles, for further information on juveniles.

3. Legislators (**GLECP 6.15c**)

All state or federal legislators have immunity from arrest when traveling to and from legislative sessions or committee meetings. It shall be the policy of this department to extend courtesy to all legislators by issuing warnings instead of citations. Citations or physical arrests shall only be initiated when no legislative session exists.

4. Military (**GLECP 6.15e**)

The members of the organized militia or military forces shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at drills, parades, meetings, encampments, the election of officers, and going to, during, and returning from the performance of any active duty as such members. (O.C.G.A. 17-4-2)

Whenever an Officer stops military personnel on active duty, they may effect an arrest if the offense meets the above criteria and shall notify the violator's commanding officer and the District Attorney's Office. If the military personnel do not meet the above criteria, they will be treated as any other traffic violator.

#### IV. TRAFFIC DIRECTION AND CONTROL

TCSG Law Enforcement Agencies provide traffic direction and control personnel on campus as needed. In addition, they may assist local law enforcement with traffic control off-campus within

the 500-foot jurisdiction of TCSG Law Enforcement.

A. Traffic Direction at Accident Scenes

1. Minor traffic accidents requiring an accident report typically do not present a significant problem relative to traffic direction. In these cases, the officer should note the position of each vehicle and other relevant physical evidence and have the vehicles moved to a safe location, restoring traffic flow, and then complete the accident report.
2. In serious accidents requiring a thorough investigation, the scene may need protection for an extended period. Investigating officers are to follow these procedures:
  - a. Summon sufficient staffing to handle traffic direction responsibilities.
  - b. Utilize other equipment to protect the scene (barricades, traffic cones, etc.).
  - c. Detour traffic as necessary.
  - d. Give priority attention to collecting the information necessary at the scene to facilitate restoring the normal traffic flow.
  - e. Restore the scene to a safe condition (replace signs, etc.).
  - f. Continue traffic direction duties until traffic flow is normal.

B. Manual Direction of Traffic (**GLECP 6.13**)

1. Visibility

Officers will be issued a reflective vest or jacket, which will be worn at all times when directing traffic or in the roadway controlling traffic. In addition, officers shall wear a reflective jacket or high-visibility raincoat during adverse weather conditions when directing traffic.

C. Traffic Control at Fire and Accident Scenes

1. Officers engaged in traffic direction and control services at fire and accident scenes will ensure access to and egress from the scene by Fire Department personnel and other emergency vehicles.
2. Parked vehicles that interfere with fire operations may be towed as needed O.C.G.A 40-6-206.

**V. RESPONDING TO CALLS FOR SERVICE**

A. Receiving calls

1. Officers should never consider any call routine.
2. Officers should be discouraged from forming definite opinions about a call before arriving at the scene. Instead, the circumstances at the scene should determine the officer's actions.

**VI. The first officer to arrive at the scene has specific responsibilities:**

- a. The officer shall begin to secure the scene and cover the most likely avenue of escape;
- b. If difficulties or violence are encountered, the officer shall summon assistance through the Communications function by the quickest means available;

- c. If injuries are involved, the officer shall administer first aid and request emergency medical personnel;
- d. If the suspect has left the scene, the officer shall develop a description and issue a lookout;
- e. The officer shall take charge of and process or protect the crime scene, preserve evidence, and interview/detain witnesses present;

If additional help is needed, the officer shall request assistance from other officers or a local agency.

- f. The officer shall prepare the appropriate report. Generally, the officer receiving the call is responsible for the report.
- g. When serious calls (shootings, robberies, nature unknown, etc.) are unfounded, the officer will immediately notify the other officers and agencies dispatched to the call.
- h. Upon arrival on emergency calls, officers are to notify the communications center or other officers of the circumstances of the call as soon as possible.

#### **VII. "Officer Needs Assistance" Call**

- a. Units responding to assist an officer needing help shall operate with blue lights and sirens activated;
- b. When the situation is under control or an assisting officer's services are no longer needed, the officer should immediately return to service. Only those cars directed to remain at the scene by a supervisor will do so.

#### **5. Domestic Violence Calls Involving Agency Employees (GLECP 6.36)**

Reference TCSG Policy Manual Procedure: 6.1.2p. Sexual Harassment and Misconduct for procedures required by the TCSG in matters regarding domestic violence involving TCSG employees. The procedure states, "Any student or employee who has engaged in prohibited conduct will be subject to disciplinary action, including expulsion or dismissal."

- a. All incidents where an employee of the TCSG law enforcement agency a victim or offender of domestic violence is, regardless of the jurisdiction, shall immediately report the incident to the Chief of Police through the chain of command.
- b. The Agency shall take immediate action when notified of any act of domestic misconduct involving an employee of the Agency. If the domestic violence incident occurs within the jurisdiction of the Agency, a supervisor shall be notified and will respond to the scene. An outside agency, or the GBI, will be requested to handle the investigation.



- c. Any domestic violence incidents involving agency employees will require an administrative investigation coordinated between the Chief of Police and the college Human Resources director to ensure compliance with applicable TCSG policies.
- d. The department will adhere to a zero-tolerance policy towards an employee involved in domestic violence (as the primary aggressor).

### **VIII. TRAFFIC ACCIDENT**

- A. TCSG Law Enforcement Agencies are not responsible for reporting accidents occurring on city, county, or state roadways adjacent to a TCSG College Campus. TCSG Agencies will complete state property accident reports for accidents on TCSG College's property. TCSG Agencies will request assistance from the Georgia State Patrol for any accidents that involve serious injury or death to one or more persons. Other agencies may be asked to assist if GSP is unavailable.
  - 1. Hit & Run Accidents: The primary responding officer in charge of the initial investigation will gather as much information and evidence as possible. The primary responding officer will be responsible for the follow-up investigation unless otherwise directed by the Chief of Police. Local Law Enforcement or the Georgia State Patrol may be requested to assist in the investigation.
  - 2. Accidents Involving D.U.I. Drivers: The primary officer will thoroughly investigate accidents involving D.U.I. drivers. However, when deemed appropriate by officers on the scene, the duties in a D.U.I. accident investigation may be shared (i.e., one officer handles the accident and the accident report while another officer handles the D.U.I. and the incident report). In addition, local Law Enforcement or the Georgia State Patrol assistance may be requested.
  - 3. Accidents Involving Hazardous Material: Accidents involving hazardous materials threaten life and property. Officers will utilize an emergency response to accidents reported to affect hazardous materials and thoroughly investigate such accidents.
  - 4. Accidents Involving Public Vehicles or Property: Auto accidents involving government vehicles/property or other public vehicles/property (i.e., buses, trains, etc.) will be thoroughly investigated. In many cases, the governing authority over the vehicle/property will send a representative to the accident scene to investigate. Officers will allow those representatives on the scene if they do not interfere with the investigation or the scene itself.

**IX. Accidents Involving Disputes:** An emergency response may be utilized if dispatch advises responding officers that accident parties are having a verbal dispute. An emergency response will be used if dispatch advises responding units that accident parties are having a physical altercation. Once on the scene, officers will keep the parties separated and as calm as possible while thoroughly investigating the accident.

**X. Accidents Resulting in Vehicle Towing:** Officers will allow citizens to choose a tow service if the vehicle can be removed from the roadway promptly. If the citizen does not prefer tow services, the officer will have the rotation tow service on call with the local 911 Dispatch Center to respond to the scene. Officers will only complete an impound form on the tow if charges are being filed or the tow is being made against the wishes of the driver/owner. Vehicles off the roadway and pose no public hazard may be left or towed at the citizen's request.

- A. Suspension of Investigation

In times of weather emergency (i.e., snow, ice, tornado, etc.), the Supervisor may suspend the investigation of minor accidents until the drivers can report to the Agency office to make a report.

**B. Responsibility for Investigation**

The officer assigned to the call by dispatch is responsible for investigating the accident and completing the report unless otherwise advised by a supervisor. However, should participating officers agree, the investigation and report may be completed by an officer other than the officer dispatched (i.e., the first officer on the scene or an officer arriving later who assumes responsibility for the investigation).

**C. Duties of First Officer to Arrive at Accident Scene**

1. Officers responding to the scene of an accident will drive safely so as not to endanger themselves or the public. The first officer on the accident scene will take the following action:
  - a. Position patrol vehicles in a manner to protect the accident scene;
  - b. Check for injured. Administer first aid/CPR, if necessary, until emergency medical units arrive (ambulance, rescue, etc.);
  - c. Request additional assistance (officers, tow vehicles, etc.) if necessary;
  - d. Remove persons, vehicles, and debris from the accident site and roadway as soon as possible;
  - e. Protect the scene from bystanders, media, and other vehicle traffic;
  - f. Establish safe traffic patterns around the scene;
  - g. Locate persons involved in the accident and any witnesses and record all necessary accident information;
  - h. Secure and protect evidence;
  - i. Assist and attempt to resolve any disputes or areas of conflict between parties involved in the accident, making appropriate referrals when necessary;

**XI.** If a fire hazard exists, the first officer shall take immediate action to clear the area of all persons and shall notify 911 for the assistance of fire personnel. If necessary, the officer shall summon additional police assistance to establish a perimeter around the accident scene. The officer will use the fire extinguisher mounted in the patrol vehicle only if the fire appears small enough to be extinguished by the device and safe to approach.

**XII.** In the event of a traffic accident suspected to involve hazardous materials, the responding officer shall immediately:

- a. Notify the local 911 Center for fire department assistance and advise the type of hazard if known;
- b. Notify a supervisor to proceed to the scene;
- c. Move and keep people away from the accident scene;
- d. Maintain the safest distance possible;
- e. Request additional police/fire assistance to establish a perimeter around the scene.

**XIII.** When approaching an accident scene involving any cargo:

- a. Do not walk into or touch any spilled material;
- b. Avoid inhalation of all gases, fumes, and smoke, even if no hazardous

materials are involved;

- c. Do not assume that gases or vapors are harmless because of a lack of smell.

Duties of Investigating Officer:

Accidents occurring on private property shall be correctly reported on a Georgia Uniform Motor Vehicle Private Property Accident Report. All accident reports shall be read and approved by the supervisor before release.

**XIV.** The investigating officer shall be responsible for the following on-scene duties:

- a. interviewing principals/witnesses;
- b. examining/recording vehicle damage;
- c. recording accident information;
- d. determining damage, if any, to property
- e. taking measurements when appropriate;
- f. requesting photographs when appropriate;
- g. collecting/preserving evidence; and,
- h. providing information to parties involved.

**XV.** Follow-up activities may be conducted away from the accident scene after the normal traffic flow is resumed. The investigating officer shall be responsible for follow-up on accidents, when necessary, which include:

- a. collecting off-scene data (including locating hit-and-run vehicles and talking to other witnesses who are not present at the scene);
- b. obtaining/recording witness statements;
- c. reconstructing accidents; and,
- d. completion of an accident report and an incident report, if necessary, to support criminal charges or document the circumstances of the incident.

**XVI.** Officers may take enforcement action if they determine a violation of law or ordinance, whether such violation was the cause of the accident or not.

**XVII.** The investigating officer may remove any valuable property (cash, obviously valuable jewelry) from the vehicles being towed if the persons involved cannot care for the property due to their medical condition or incarceration and the officer feels the possibility of the property being stolen or lost is high.

All property taken from the vehicle shall be processed in accordance with department procedures regarding evidence. All required forms will be completed and turned in with the property, and an incident report will also be completed. The officer shall notify the owner and advise them of the location of the removed property.

**XVIII. VEHICLE IMPOUND**

**A. PURPOSE**

To establish guidelines concerning the towing or impoundment of vehicles by TCSG Law Enforcement Agencies officers.

**B. SCOPE**

This policy shall apply to removing, transporting, storing, and releasing towed or impounded vehicles.

C. DEFINITIONS

Highway: The width between the boundary lines of every way is publicly maintained when any part thereof is open to the public for vehicular travel.

Roadway: That portion of the highway improved, designed, or ordinarily used for vehicular travel, excluding the berm or shoulder.

D. POLICY

Vehicles will only be impounded in accordance with state law governing the removal of vehicles by police officers. (See Official Code of Georgia, Sections 40-6-202, 40-6-206, and 40-11-3.)

**XIX. AUTHORITY TO REMOVE VEHICLES FROM ROADWAYS (OCGA 40-6-202)**

TCSG Law Enforcement Officers are authorized to remove vehicles from any TCSG College Property if the vehicle is left on the college property over 24 hours without permission, if the vehicle was involved in a crime, or if the vehicle poses a safety hazard.

TCSG Law Enforcement Officers can remove vehicles left illegally on any roadway within the agency's jurisdiction.

**XX. REMOVAL OF VEHICLE FROM HIGHWAY (OCGA 40-6-206)**

- A. A vehicle is unattended and left illegally on any highway, bridge, causeway, or tunnel.
- B. A report has been made that such a vehicle has been stolen or taken without the consent of its owner.
- C. The person or persons in charge of such a vehicle cannot provide for its custody or removal.
- D. The person driving or controlling such a vehicle is arrested for an alleged offense. The law requires the officer to take the person arrested before a proper magistrate without unnecessary delay.
- E. Any such vehicle that has been left unattended for 24 hours or more.
- F. Such vehicle is stopped, except when traffic congestion makes movement impossible, on a controlled access highway which is part of the national system of interstate and defense highways, for more than eight hours, unless such vehicle constitutes a traffic hazard, in which case it may be removed immediately.

**XXI. REMOVAL OF VEHICLE FROM PUBLIC PROPERTY (OCGA 40-11-3)**

TCSG Law Enforcement officers are authorized to remove vehicles from TCSG College Campuses and public property within the 500-foot jurisdiction of TCSG Law Enforcement for the following reasons:

- A. The vehicle is left unattended on a public street, road, highway, or other public property for at least five days. The officer reasonably believes that the person who left such a motor vehicle unattended does not intend to remove such a motor vehicle.
- B. The vehicle is left unattended on a public street, road, highway, or other public property, threatening public health or safety.
- C. Once the vehicle has been impounded, the officer will complete an incident report and direct communications to list the vehicle on GCIC as an abandoned/impounded vehicle.

## **XXII. PROCEDURES FOR REMOVAL OF TRAFFIC HAZARDS OR OBSTRUCTIONS**

- A. Vehicles that are unattended and left upon a highway or public roadway in a manner that obstructs traffic or creates a hazard may be towed and impounded after a reasonable effort has been made to contact the owner to have the vehicle moved.
  - 1. When the vehicle owner or person responsible for the vehicle cannot be located in the immediate vicinity or otherwise be contacted for disposition, or if the person responsible for the vehicle cannot immediately remove the vehicle, the vehicle may be towed to an impound lot by the tow service on call.
  - 2. If the vehicle is parked on private property on which the arrestee or owner legally resides or the property owner does not object to the vehicle being parked at the location.
  - 3. The vehicle is not needed as evidence, can be legally parked, and the owner requests it is left at the scene. The requester should be informed the department is not responsible for theft or damages.
  - 4. The impounding officer will fill out a Vehicle Impound and Inventory form at the scene.
  - 5. Once the vehicle has been impounded, the officer will complete an incident report and direct communications to list the vehicle on GCIC as an abandoned/impounded vehicle.
    - Attended vehicles that are inoperable and obstructing a highway or public roadway or otherwise creating a traffic hazard shall be removed by the owner or the person responsible for the vehicle. If the owner or person responsible for the vehicle cannot remove the hazard within a reasonable time, the vehicle may be impounded.
- 1. The vehicle owner or person responsible for the vehicle may remove the vehicle from the roadway and temporarily park the vehicle on the roadside. However, the vehicle owner shall retain full responsibility for the timely removal and security of the parked vehicle.
- 2. The vehicle owner may request a tow service to be called, and such request will be complied with when a response can be made within a reasonable time. If no specific tow service is desired, the service on call will be notified.

## **XXIII. PROCEDURES FOR REMOVAL OF ABANDONED VEHICLES**

- A. Vehicles abandoned upon private property:
  - 1. TCSG Law Enforcement Agency officers will not impound it, but removal shall be the property owner's responsibility.
  - 2. Shall be checked by registration to determine if the vehicle is stolen.
- B. Vehicles that are abandoned or parked on public property or public highways will be handled as follows:
  - 1. A registration check will be made to determine the owner's identity or whether the vehicle is stolen.
  - 2. A reasonable effort will be made to locate the owner if the vehicle is not stolen.
  - 3. If the officer cannot contact the owner, a tow away notice shall be affixed on the vehicle's windshield or driver's window.
  - 4. If the owner is not located, the vehicle will be removed if it has been abandoned for five (5) days.
  - 5. If it appears the vehicle is being stripped or vandalized, then the vehicle will be impounded immediately.

6. The impounding officer will fill out a Vehicle Impound and Inventory form
7. If an abandoned vehicle is impounded, an incident report will be filled out, and the vehicle information will be entered in GCIC files.
8. The impounding officer or dispatcher will provide the towing company with vehicle registration information at the time of towing.

#### **XXIV. PROCEDURES FOR STOLEN VEHICLE RECOVERY**

Vehicles reported stolen by another law enforcement agency and located on TCSG property will be turned over to the reporting agency.

For vehicles stolen from TCSG Property and where a TCSG Law Enforcement Agency is the primary investigating agency:

- A. If possible and practicable, recovered vehicles should be processed at the recovery site and released to the owner without towing.
- B. The vehicle may be impounded when the officer cannot contact the owner to take custody of the vehicle within a reasonable time or when the vehicle cannot be processed on-site. It is the entering agency's responsibility to notify the owner of the impoundment.
  1. An investigator will be notified if necessary when a stolen vehicle has been recovered.

The recovering officer will complete an incident report or supplemental report, and the vehicle will be removed from GCIC as stolen.

2. A Vehicle Impound and Inventory form will also be completed unless the vehicle owner responds to the scene and takes possession of the vehicle.
3. A hold will only be placed on the vehicle if requested by the entering agency via GCIC Administrative Messages.

#### **XXV. PROCEDURES FOR TOWING/IMPOUNDING OF VEHICLES FOLLOWING ARREST**

- A. When the operator of a vehicle is arrested for a violation of state or local law, the vehicle may be impounded for safekeeping.
- B. If the driver is taken into custody and another person is authorized and capable of taking control of the vehicle, the officer doesn't have to impound it. Instead, the person being arrested may request a driver to the scene. The additional driver will be given a reasonable amount of time, generally 20 minutes, to respond to the scene and remove the vehicle.

#### **XXVI. TOW SERVICES**

The officer at a scene, whether an accident, crime scene, road hazard, or stranded motorist, shall determine if a wrecker is needed. Distance and time factors are to be considered when determining the towing service to be used. Services requested by the owner/ operator of the vehicle must be able to respond to the scene within 30 minutes. If circumstances cause a delay beyond 30 minutes, another towing service will be summoned, or the supervisor will be notified for approval of a delay beyond 30 minutes.

No police officer, when on official duty, shall recommend to any person the wrecker company to be called or employed. However, suppose the owner/operator cannot choose due to injury or physical or mental impairment or has no preference. In that case, the officer shall call the wrecker service on call for local law enforcement.

Except in emergencies, the officer shall await the arrival of the wrecker and complete the vehicle impound form, which shall contain the information and details prescribed by the report. The wrecker operator shall sign the vehicle impound form and be furnished with a copy of the said form.

#### **XXVII. VEHICLE IMPOUND AND INVENTORY FORM**

The impounding officer shall fill out a Vehicle Impound and Inventory form or Property Receipt, which shall be maintained in the Records Section.

#### **XXVIII. REMOVAL OF PROPERTY**

- A. Officers might remove any contraband or evidence of a crime from an impounded vehicle if the property removed was located during the vehicle inventory.
- B. All property of a valuable nature should be removed from an impounded vehicle and turned into the property room to be returned to the owner.
- C. Any property removed or left in the vehicle shall be noted on the Vehicle Impound and Inventory form.

#### **XXIX. HOLD ORDERS**

- A. Placing a hold on a vehicle requires a supervisor's approval.
- B. The reason for the hold shall be written on the vehicle impound form.
- C. Vehicles placed on hold may only be released upon the supervisor's approval.

#### **XXX. RELEASE OF VEHICLE TO OWNER**

- A. All impounded vehicles shall be released to the owner upon proof of ownership.
- B. The title, registration, insurance, or tag receipt may be proof of ownership.
- C. Whenever a "hold" is placed on a vehicle, only a supervisor or the officer placing the "hold" are authorized to release a vehicle.

#### **XXXI. MANAGING DISPUTES**

The role of law enforcement officers in non-criminal civil disputes is that of an impartial keeper of the peace. In criminal disputes, officers are to restore order, quell disturbances and make the necessary arrests for law violations.

- A. Civil (Non-Criminal) Disputes Defined:  
A civil dispute is a non-violent confrontation between two or more persons which do not involve a breach of the peace or the commission of a criminal act. The following procedures should be followed for resolving non-criminal disputes:

1. Stand-by Situations

TCSG Law Enforcement Officers will not conduct a stand-by on private property. However, in the event a stand-by is needed on TCSG Property:

- a. The officer shall advise the complainant that the Department will not enforce claims of personal property without an order from the court;
- b. If attempts are made to recover personal property over the objection of another, misdemeanor assaults that occur outside the officer's presence will not be cause for a warrantless arrest;
- c. If a confrontation between two or more persons develops into a breach of the peace, both or all disputants may be arrested;
- d. Claimants may only trespass upon the property of another for purposes of removing or recovering property with a court order empowering them to do so.

### **XXXII. Domestic disputes (not involving weapons)**

In domestic disputes, an officer shall:

- a. Park in a manner that allows a safe approach and an opportunity to evaluate the situation;
- b. Separate and interview disputants in a calm and unbiased manner;
- c. Get disputants to offer or suggest alternatives for resolving the dispute;
- d. Maintain third-party neutrality while restoring normal communications between disputants.
- e. Suppose an officer determines that an act of "Family Violence" as defined in O.C.G.A. 19-13-1 has been committed. In that case, the officer shall not base the decision of whether to arrest and charge a person on the specific consent of the victim or a request by the victim solely or on consideration of the parties' relationship. No officer investigating an incident of family violence shall threaten, suggest, or otherwise indicate the arrest of all parties to discourage requests for law enforcement intervention.

Where family violence complaints are received from two or more parties, the officer shall evaluate each complaint separately to determine the primary aggressor. Suppose the officer determines that one of the parties was the primary physical aggressor. In that case, the officer shall not be required to arrest any other person believed to have committed an act of family violence during the incident. In determining whether a person is a primary physical aggressor, an officer shall consider the following:

- i. Prior family violence involving either party;
- ii. The relative severity of the injuries inflicted on each person;
- iii. The potential for future injury; and
- iv. Whether one of the parties acted in self-defense.
- v. Whenever a law enforcement officer investigates an incident of family violence, whether an arrest is made, the officer shall prepare and submit to the supervisor or other designated person a written "Family Violence Report" on the forms provided.
- vi. The officer shall advise available remedies and services to the victim of family violence.

### **XXXIII. Orders of the Court**

Officers of the Department shall enforce only local and current orders of the court which specifically direct the Sheriff or their duly constituted deputies and/or police officers to execute the order of judgment:

- a. After a local order of the court (e.g., restraining order) has been served, violations of the order which occur after the order is served must be reported by the complaint to the court which issued the order;
- b. Enforcement of local court order violations must originate from the court with an arrest warrant. Officers shall not make warrantless arrests for violations of civil court orders; and
- c. A conditional order of the court that orders the arrest of a person shall not be executed unless the order is current, and verification of the order and its provisions can be established at the time of the arrest.



**B. Criminal Disputes**

A criminal dispute is any confrontation between two or more persons which involves breaches of the peace, increased potential for violence, incidents of misdemeanor assaults committed in an officer's presence, as well as related felonies. Procedures for handling criminal disputes (assaults and disturbances) are:

1. In violent or felony disturbances, or when weapons are involved, assistance from a second TCSG Officer or a local agency will be requested.
2. In violent or felony disturbances, or when weapons are involved, responding patrol units should coordinate a simultaneous arrival when possible;
3. Responding units will park in a manner that allows a safe approach to the incident location;
4. Responding officers should attempt to observe disputants and evaluate the nature and extent of the incident before making their presence known;
5. Officers shall separate and calm disputants and attempt to establish normal speaking conversation;
6. Officers should maneuver themselves into a position where disputants are facing away from each other while officers are facing each other. In this position, each officer can then see the front of one disputant and the back of the disputant who is facing the second officer;
7. Officers shall determine if there is probable cause for an arrest without a warrant:
  - a. Upon sufficient cause (probable cause for felony, spouse or child abuse, etc.; or serious misdemeanors committed in the officer's presence), an arrest shall be made; and
  - b. When there is insufficient evidence to support probable cause to arrest without a warrant, the officer will provide disputants information on the procedures for initiating criminal prosecution.

**XXXIV.** Officers may attempt to bring disputants back together to develop alternatives for conflict resolution or referral to other services/counseling.

**XXXV.** When a dispute cannot be resolved, and the evidence does not support an arrest, but the potential for violence exists, officers shall attempt to persuade one of the disputants to leave the premises voluntarily. Criminal trespass warning may be issued without probable cause for arrest.

**XXXVI.** If an act of family violence occurs, the responding officer shall decide whether an arrest based on probable cause is warranted under the Family Violence Act O.C.G.A. 19-13-1 and 17-4-20.1 and Arrest under O.C.G.A. 17-4-20.

**This policy is for the Law Enforcement Agencies of the Technical College System of Georgia use only and does not apply to any criminal or civil proceeding. The policy shall not be construed as creating a higher standard of safety or care in an evidentiary sense concerning third-party claims. Violations of this policy will form the basis for departmental administrative sanctions only. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.**