

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The goal of traffic law enforcement is to reduce traffic crashes and improve the safety and quality of life for the community through traffic law compliance. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on crash data, enforcement activity records, traffic volume, traffic conditions and other data. This agency provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in crash situations but also in terms of traffic-related needs.

500.2 TRAFFIC DEPUTY DEPLOYMENT

Several factors are considered in the development of deployment schedules for deputies of the Milwaukee County Sheriff's Office. Information provided by various sources is a valuable resource for traffic crash occurrences and therefore deputy deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All deputies assigned to patrol or traffic enforcement functions will emphasize enforcement of traffic laws and address crash-causing violations during those periods and at those locations where the incidence of crashes is increased. As a matter of routine, all deputies will take directed enforcement action on request, and random enforcement action when appropriate, against violators. All deputies shall maintain high visibility while working general enforcement, especially at high-crash incidence locations.

Other factors to be considered for deployment are citizen requests, construction zones, school zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. Factors such as the violator's socio-economic status, political office or affiliation, race, sex, age, or any racial/bias-based profiling element are generally inappropriate factors to consider when making violation enforcement decisions. This agency does not establish ticket quotas and the number of arrests or citations issued by any deputy shall not be used as the sole criterion for evaluating deputy overall performance (Wis. Stat. § 349.025(2)). The visibility and quality of a deputy's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of crashes:

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500.3.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

500.3.2 TRAFFIC CITATIONS

Traffic citations may be issued when a deputy believes it is appropriate. It is essential that deputies fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Deputies shall provide the following information at a minimum (Wis. Stat. § 345.27):

- (a) Explanation of the violation or charge (Wis. Stat. § 345.27):
 - 1. That certain convictions may result in revocation or suspension of the person's operating privileges, if the conviction will have that effect
 - 2. That demerit points may be assessed against the person's driving record for the offense
 - 3. The number of demerit points that is cause for revocation or suspension
- (b) Court appearance procedure, including the optional or mandatory appearance by the motorist
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court
- (d) The court contact information

500.3.3 TRAFFIC CITATION COURT JURISDICTION

A deputy who issues a traffic citation shall ensure that the citation is properly directed to the court with jurisdiction in which the violation is alleged to have occurred (Wis. Stat. § 345.11(2); Wis. Stat. § 345.11(5)).

500.4 HIGH-VISIBILITY VESTS

The Agency has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of agency members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.4.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, crash investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, deputies should retrieve and wear the vest

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as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used anytime a plainclothes deputy might benefit from being readily identified as a deputy.

500.5 FLARES

Flares may be used alone or in conjunction with traffic cones.

Flares should not be thrown at any time.

Flares should be placed on the ground to avoid injury from burns after lighting and placed in such a way as to divert traffic when necessary. Extinguished flares and wires should be removed from traffic to the distress lane and will not be disposed of between median walls or in sewers when their use is completed.

500.6 ROADWAY HAZARDS

If a deputy encounters a roadway hazard (e.g., debris in roadway) and it is reasonable to remove the hazard, he/she should attempt to do so. If the hazard would be unreasonable for the deputy to remove (e.g., ice on the roadway, downed tree, exposed powerline), he/she shall notify the Office of Emergency Management Communications Center to request the appropriate resource.

500.7 CMV ENFORCEMENT

Oversize loads are generally not allowed inside certain boundaries of the Milwaukee County Freeway System. When permitted, oversize loads will have a permit from DOT, as well as a scheduled route of travel. The boundaries are:

- I-41 northbound Ryan Road
- I-43 southbound Brown Deer Road
- I-94 eastbound Highway 100
- I-41 southbound at Silver Spring Road

500.8 LANE CLOSURE

The Sheriff has the power to temporarily close any highway in the County in case of emergency and to divert traffic onto any alternate highway. Any lane or road closure for more than one hour will be reported to the State Division of Highways by the Office of Emergency Management Communications Center.

500.9 PATROL LIEUTENANT RESPONSIBILITIES

The Patrol Lieutenant is responsible for developing, maintaining and reviewing detailed procedures for the enforcement of traffic laws. Traffic procedures shall include, but are not limited to, the following:

- Interaction with specific categories of violators

Milwaukee County Sheriff's Office

Policy Manual

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- Juveniles
- Legislators
- Foreign Diplomats and Consular Representatives (see policy by the same name)
- Active military members
- Required information provided to violators
- General enforcement procedures including, but not limited to, violations relating to the following:
 - Operating a vehicle under the influence of alcohol or drugs
 - Operating a vehicle on a suspended or revoked license
 - Speed
 - Hazardous operations
 - Off-road vehicle
 - Equipment
 - Public carrier or commercial vehicle
 - Non-hazardous
 - Multiple
 - Newly enacted laws and/or regulations
 - Violations resulting in traffic crashes
 - Pedestrian and bicycle
- Roadside safety checks
- Stopping and approaching vehicles
- Deputy-violator relations
- Radar and other speed-measuring devices
- License re-examination referrals
- Processing requests and providing law enforcement escort services including funerals, parades, dignitaries, and civilian and over-sized vehicles.
- Traffic direction and control under a variety of circumstances