**RALEIGH POLICE DEPARTMENT**

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PLAN FOR LAW ENFORCEMENT DISSEMINATION ONLY

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**Raleigh Police Department Operation Plan**

**TEU Crosswalk Yielding Project**

**1600 Hillsborough Street**

**Friday, October 18, 2013**

**1100-1300 Hours**

**Event:** Crosswalk Yielding Enforcement Project

**Date:** October 18, 2013

**Times:** 1100 - 1300

**Location:** 1600 Hillsborough St.

**Briefing Location:** RPD Special Operations

**Briefing Date:** October 18, 2013

**Briefing Time:** 0900

**Communications:** SO STAT

**Operations Supervisor:** Sergeant A.C. Pugh

**Introduction**

The purpose of this yielding enforcement operation is to determine compliance with the Motor Vehicle Code, specifically § 20-155 (c) on Right of Way, which states: “The driver of any vehicle upon a highway within a business or residence district shall yield the right of way to a pedestrian crossing such highway within any clearly marked crosswalk, or any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block, except at intersections where the movement of traffic is being regulated by traffic officers or traffic direction devices.” The ultimate goal of this yielding enforcement effort is to reduce crashes, injuries, and deaths to pedestrians and drivers contributed to drivers’ failing to yield right of way. Additionally, this yielding enforcement effort is to make the highways safer, particularly for pedestrians, by reducing the incidence of drivers failing to yield to pedestrians in marked crosswalks. To this end, this operational plan is established. By participating, all agencies and officers agree to the purpose of this operation and to abide by this plan.

To advise the public that an authorized yielding operation is being conducted, signs will be posted in advance of the marked crosswalk to notify the motorists that a yielding operation is taking place.

**Systematic Plan for Stopping Vehicles**

This systematic plan has been drawn up in advance. The following location(s) of the yielding operations was selected taking into account the likelihood of detecting non-yielding drivers, the traffic conditions (including lower speed roads, un-signalized intersections or midblock crossings, presence of marked crosswalks, and history of pedestrian crashes), the number of vehicles that would likely be stopped, and the convenience and safety of the officers and the general public.

**Operational Considerations**

Officers involved in the yielding enforcement operation must be familiar with and be able to give testimony concerning the yielding enforcement operation. The operation is to be conducted as detailed below:

* When officers arrive at the marked crosswalk at the location above, they will use the measuring wheel and traffic cones (or any other visual marker) to define a motorist “stopping zone” in advance of the crosswalk in each direction, where applicable. Officers will measure the stopping zone from the outside edge of the crosswalk line closest to approaching traffic and then mark the end of the zone with a traffic cone. The stopping zone is the distance beyond which a motorist can safely stop for a pedestrian detected in a crosswalk. The formula used to calculate the stopping zone takes into account driver reaction time, safe deceleration rate, the posted speed, and the grade of the road. Officers will ensure that the traffic cone delineating the stopping zone is placed in a location that does not create an obstacle for pedestrians on the sidewalk and does not affect traffic patterns. Depending on the posted speed limit, the stopping zone will be measured at:

40 MPH Posted speed: 231 feet (minimum)

35 MPH Posted speed: 183 feet (minimum)

30 MPH Posted speed: 141 feet (minimum)

25 MPH Posted speed: 104 feet (minimum)

20 MPH Posted speed: 72 feet (minimum)

* If the speed is not posted, officers will use the stopping zone for a 35 MPH speed limit. No sites are posted at higher than 35 MPH. However, if traffic is traveling at significantly higher speeds than the posted speed limit, then officers should use caution and use the 40MPH stopping zone distance (231 feet). Officers should make note of the stopping zone distance used at every location. If the stopping zone is beyond the end of the block or adjacent intersection, then the intersection/block face will be used as the end of the stopping zone and no traffic cone will be needed. The Operation Supervisor is in charge of delineating the stopping zone.

Plain-clothed officer(s) will be assigned to perform staged pedestrian crossings at the above location. The Operation Supervisor will consistently adhere to the following pedestrian crossing protocol in order to ensure a standard and safe crossing procedure at all marked, uncontrolled crosswalks. These protocols have been developed to provide a standard way of crossing that is compliant with the uniform vehicle code and to ensure the safety of the officer crossing the street. The following protocol will be employed at uncontrolled crosswalks (marked crosswalks that are not controlled by a traffic signals or stop sign). This protocol has been employed in other cities to measure and enforce motor vehicle-yielding and has not been associated with conflicts.

* Officers will step with one foot into the marked crosswalk when an approaching vehicle is just beyond the marked stopping zone. Any motorist already inside the zone may not have sufficient distance to safely stop for a pedestrian in the crosswalk and therefore will not be considered non-compliant with the law. Anyone who has not yet passed the traffic cone is assumed to have sufficient distance to safely stop before the crosswalk.
* Officers will make sure that they are standing in a location where they are visible to drivers; if there is on-street parking or a bicycle lane it will be necessary to walk to and stop at the lane line to view approaching traffic and so drivers of approaching vehicles can see.
* Officers shall not cross into the travel lane until the driver significantly slows or stops his or her vehicle to allow the officer to safely cross. For locations with multiple lanes, officers will always stop at the lane line for the second travel lane and make sure the next lane is clear before proceeding. If the vehicle yields or there is a large gap in traffic, the officer will proceed to the median (if applicable) or finish crossing to the other side of the street to begin the operation for the other direction of traffic. The officer will avoid situations where they may become “trapped” in the centerline if there is no median—before starting the crossing, officers will feel confident that they will be able to cross the full street safely.
* If any vehicle in any lane approaching the crosswalk makes no attempt to stop, or passes a stopped vehicle, the officer will call the violation(s) to the apprehension unit for subsequent stopping.
* The pattern for stopping vehicles is that every vehicle failing to comply with the Right-of-Way code (i.e., failing to yield to the plainclothes officer acting as the pedestrian in a marked crosswalk) is to be stopped. The officer performing the pedestrian crossings will radio the apprehension unit(s) to identify and describe violators. If traffic conditions create a hazard or undue delay of motorists or pedestrians, the Operational Supervisor may temporarily alter this pattern. No other officer may change the pattern nor may any officer deviate from the pattern or plan except when temporarily authorized by the Operational Supervisor as provided above.
* The pattern for drivers that are stopped is to request that every driver produce his/her driver’s license. While the vehicle is stopped, the officer stopping the vehicle shall use tactical communications as described in DOI 1109-10 which should also include:
	+ Notification to the driver that they were observed failing to yield to an officer serving as a pedestrian in the marked crosswalk
	+ Explain the law requiring drivers to yield to pedestrians in marked crosswalks
	+ Provide a copy of the NCDOT brochure mentioned below.
* Officers will use their judgment in determining whether to issue written warnings or citations to non-compliant drivers. Citations will be issued for all definite, clear-cut, and substantial violations of the law.
* An officer, who determines there is a reasonable articulable suspicion that the driver or occupant of a vehicle has violated any other provisions of the Motor Vehicle Code, or any other law, may detain the person suspected of the violation for further investigation in accordance with the law.

**Notes**

* The Operational Supervisor shall commence and terminate the yielding enforcement operation.
* Officers conducting the pedestrian crossings in the yielding operation are to be plain-clothed officers, equipped with radio technology to communicate violators to apprehension units.
* Apprehension units will be utilized to make contact with drivers who have violated the yielding laws. These officers are to be uniformed officers and operate police vehicles.
* Officers making contact with non-compliant drivers will have and distribute copies of an NCDOT brochure, What You Need to Know About North Carolina Crosswalks, provided by the Operation Supervisor.
* Apprehension Officers working the checking station will be required to wear a ballistic vest.

**Operation Supervisor**

The Operation Supervisor is the only person authorized to approve deviations to this written plan. Regardless of formal rank, the Operation Supervisor is the highest authority at the enforcement effort. The Operation Supervisor’s responsibilities include:

* Preparing and reviewing this written plan.
* Conducting a briefing and ensuring that officers involved in the operation are aware of the guidelines.
* Properly setting up the “stopping zone” as described above utilizing a measuring wheel.
* Supervising enforcement efforts to ensure that proper procedures are adhered to.
* Ensuring, to the best of their ability, the Constitutionality of the yielding enforcement effort.
* Although this plan does not contain specific contingency provisions, the Operation Supervisor may authorize any deviations from this original plan. Any deviations should be noted for court purposes; these deviations may be implemented because of traffic conditions, staffing issues, or other unanticipated circumstances
* Supervising the dismantling of the “stopping zone”, to ensure that all police equipment, trash, etc. has been cleared from the area
* Collecting data concerning the checking station and completing the Traffic Project Summary

**Safety**

In addition, the Operation Supervisor fulfills the duties of a Safety Officer. The Operation Supervisor monitors enforcement operations which includes, all matters relating to operational safety, including the health and safety of personnel. The ultimate responsibility for the safe conduct of this operation rests with the Operation Supervisor and supervisors at all levels of management. The Operation Supervisor is responsible for adhering to the Safety Plan and implementation of measures to promote personnel safety, as well as the general safety of enforcement operations. The Operation Supervisor has emergency authority to stop and/or prevent unsafe acts during enforcement operations. The Operation Supervisor’s additional responsibilities as it relates to safety include:

* Identifying hazardous situations associated with the operation. Ensuring adequate levels of protective equipment are available, and being used.
* Identifying potentially unsafe acts.
* Identifying corrective actions and ensuring implementation.
* Ensuring all personnel are properly attired with appropriate safety gear.
* Ensuring plain clothed officers are safely entering the crosswalk and do not engage in any enforcement action or traffic direction unless exigent circumstances arise requiring them to take police action. As soon as possible, a uniformed officer will be requested to respond to the scene and assume control of the exigent circumstance.

**Notifications**

* Watch Commander
* Raleigh Police PIO

**Acknowledgement**

This operations plan was adapted from the NCDOT Checkpoint Plan and the NCDOT Yielding Operation Plan.