

River Bend Police Department
Traffic Stop
General Order 24
Effective Date 05/01/2012

24.01 **Policy:** Traffic violation enforcement is one of the many tasks performed by police officers. Conducting traffic stops can also be potentially very dangerous for the officer and at the same time an emotionally traumatic experience for violators. River Bend Police officers shall be alert to these conditions and shall strive to make each contact both safe for the officer and educational for the violator, leaving the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

24.02 **Procedures:** The following procedures in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic artery, the urgency to stop the violator (possible drinking driver), and the existing volume of traffic may dictate adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist.

24.02.01 Sworn personnel **NOT IN UNIFORM** and OPERATING an EMERGENCY VEHICLE which is equipped with emergency warning lights and a siren, should use discretion when performing Traffic stops, understanding the driver's need to confirm authority. Once the vehicle is stopped personnel will immediately display the badge and identify themselves.

24.03 **Planning the Traffic Stop:** Prior to initiating a traffic stop, the officer **shall** notify the Communications Center the officer is stopping a vehicle and provide the following information.

- A. License State, if not North Carolina;
- B. Tag Number;
- C. Location of the stop;
- D. Vehicle description; make, model and color of the vehicle;
- E. Other Important Information, i.e. number of occupants, etc.

NOTE: **If possible, officers should wait for a response from the Communications Center regarding the information on the vehicle prior to activating emergency equipment and initiating the traffic stop.**

ALL TRAFFIC STOPS WILL BE CALLED IN TO COMMUNICATIONS

Vehicles equipped with in car video cameras will be used to record traffic stops, if the equipment is not functioning, the Chief of Police will be notified.

24.03.01 The officer should be thoroughly familiar with the area, and anticipate the appropriate location to

stop the violator. Consideration should be given to a location with ample space, appropriate lighting, and every effort should be made to avoid stops on hills, curves, intersections, private drives, and business locations which have limited parking. Remember, once the lights go on, the actions of the violator are **unpredictable**.

- 24.04** **Signaling the Violator to Stop:** The officer should signal the violator to stop, utilizing the emergency lights, hand signals, sounding the horn, and if necessary, the siren. These signals also alert other drivers of the intent of the officer, and will usually facilitate securing the right of way for the stopping maneuver.
- 24.04.01** The violator should be signaled and directed to the right side of the roadway close to the curb, or onto the shoulder, if the roadway design permits.
- 24.04.02** On multi-lane roadways, the officer should ensure the safety of the violator during lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
- 24.04.03** Should the violator stop abruptly in the wrong lane or in another undesirable location; the violator should be promptly directed to move to a safer location. Officers should use the public address system to politely instruct violators to move to a safer location. The violator should not be permitted to move his vehicle once it has stopped if it is suspected the driver is under the influence to the extent that his driving ability is impaired.
- 24.05** **Approaching the Violator:** Once the violator has stopped in an appropriate location, the officer should position the police vehicle approximately one half to one car length behind the violator's vehicle. Stop when the violator stops, and be prepared for any action on the part of the violator. The police vehicle should be positioned at a slight angle so the left front is offset approximately two feet to the left of the violator's vehicle and the right rear is near the curb. This position provides maximum safety to the violator, the officer, and all other traffic. Alternatively, (i.e. when maximum illumination of the violator vehicle is required) the police vehicle may be positioned straight, parallel to the curb, and offset approximately two feet to the left of the violator's vehicle.
- 24.05.01** The officer shall exit from the patrol vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.
- 24.05.02** The officer will approach from the rear of the violator's vehicle, checking the truck lid or rear hatch of the vehicle to ensure that it is securely closed, looking into the rear seat area, and stopping at a point to the rear of the trailing edge of the left front door. This position should be maintained if the only occupants are in the front seat of the vehicle. From this position, the officer can communicate with the violator, keeping him in a slightly awkward position for officer safety, and at the same time keep all occupants of the vehicle in view.
- 24.05.03** A right-hand side approach is an acceptable option in those cases where passing traffic is so close as to constitute a danger to the officer.
- 24.05.04** In those cases where the violator's vehicle has occupants in both the front and rear seats, the officer should approach to a point no further forward than the rear seat passenger, being especially alert for any unusual actions on the part of the occupants. From this position, the officer can communicate with the violator and keep all occupants in view, or have the violator step out and back towards the right front of the police vehicle.
- 24.05.05** In those traffic stops made in a two-officer patrol vehicle or single officer vehicle with a back-up, the passenger officer or back-up officer will approach the violator's vehicle from the opposite side than

the primary officer and act as an observer and cover for the primary officer. The passenger officer or back-up officer should make his/her presence known to the occupants of the violator's vehicle. This includes Field Training Officers when they are training a recruit.

24.05.06 Scan the interior of the vehicle for plain view weapons, contraband, or the odor of illegal drugs or alcohol.

24.05.07 Officers conducting traffic stops during the hours of darkness should follow the same procedure outlined above with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop. The spotlight and/or take down lights should be used to illuminate the interior of the violator's vehicle. Officers should use high beams at all times for officer safety.

24.06 **Contacting the Violator:** Once the officer has stopped the violator and approached to a point where communications begin, the officer-violator interaction begins.

24.06.01 The following procedures will be used by the officer:

1. Be alert at all times for the unexpected, but not be obviously apprehensive.
2. Be absolutely certain, without reservation, that the observations of the traffic violation were accurate.
3. Present a professional image in dress, grooming, language, bearing and emotional stability.
4. Be prepared for the contact by having the necessary equipment and forms, if they are to be used, immediately available in the cruiser.
5. Greet the violator with an appropriate title and in a courteous manner.
6. Ask the violator for driver's license, vehicle registration and proof of insurance, and accept only these forms; obtain another document of identification if the driver has no driver license.
7. Inform the violator what traffic law he has violated; the violator should not be kept in suspense.
8. Exercise control over the violator and other occupants. However, if the officer has the violator or other occupants exit the vehicle, ensure that they stay safely off the roadway and not between the vehicles.
9. Allow the violator to discuss the violation (do not argue, berate, belittle or otherwise verbally abuse the violator). Either before or during the interview, decide on the enforcement action to be taken.
10. Complete the forms required for the enforcement action taken, if any.
11. Explain to the violator exactly what he/she must do in response to the action taken.
12. Make sure the violator knows where and when to appear if the enforcement action requires a court appearance. Explain any options available to the violator. Do not predict the action of the court.
13. Be alert to any emotional stress exhibited by the driver. If stress is present, the instructions may have to be repeated or the violator may need to calm down before resuming driving.
14. Return the violator's driver's license, registration, proof of insurance and the violator's copy of the citation.
15. Assist the violator in safely re-entering the traffic flow.

24.06.02 At the time a motorist is charged with a traffic violation, the officer shall verbally provide the violator with the following information relative to the specific charge:

1. Whether a court appearance is mandatory;

2. Court appearance schedule (date and time if applicable);
3. Whether the motorist may be allowed to enter a plea and/or pay the fine by mail or to the clerk of court;
4. Court location;
5. Amount of the fine (if applicable);

24.07

High Risk Traffic Stops: When a vehicle driven by a known or suspected felon is located by an officer, or when suspected criminal activity that is of a potentially violent nature, the officer will notify the Communications Center immediately, that the officer is stopping a vehicle, High Risk. The officer will provide the information required in 24.03. The officer will keep the suspect vehicle in view and request sufficient assistance prior to making the stop. The officer will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment.

NOTE: The suspect vehicle will not be stopped unless absolutely necessary until adequate back-up is available and in position.

24.07.01

The following procedures will be used in effecting a High Risk stop:

1. The officer will plan to stop the suspect vehicle in a location which presents minimal danger to other citizens.
2. The officer will signal the violator to stop, utilizing all emergency equipment to warn other traffic.
3. The violator will be stopped on the extreme right side of the road.
4. When conditions are appropriate and back-up units available, the officer's vehicle will be positioned to the left and rear of the suspect vehicle and the back-up officer will position their vehicle slightly to the right of and behind the suspect vehicle, even with the primary officer's vehicle.
5. When the suspect's vehicle begins to stop, the officer will turn off the siren and activate the public address system.
6. The officer will park the police vehicle so that it provides maximum protection and cover for the officer.
7. If possible, additional back-up officers will be used to shut down traffic near the location of the High Risk stop.
8. All lights, including spotlights, will be focused on the interior of the suspect's vehicle to the disadvantage of the violator.
9. The officer will maintain adequate cover prior to addressing the violator.
10. The officer in command will direct the driver to throw the keys from the vehicle using his/her left hand.
11. If commands are not heard, or ignored by the suspect, the officer will wait for a back-up unit prior to taking any further action. The officer should not leave a position of cover to approach a suspect's vehicle until the situation has been thoroughly assessed.
12. The officer in command should give instructions to the back-up officer, even if not needed, to assure the suspects that additional support is available.
13. The officer in command should instruct each occupant to exit the vehicle one at a time and stand facing away from the officers with the hands held in plain view of the officer. In this manner, the occupants will not be able to see or predict the movements of the officers.
14. Each occupant should be instructed to walk backward toward the sound of the officer's voice until told to stop. Once told to stop, each occupant should be put into

a position of disadvantage by kneeling or lying on the ground. A back-up officer will then approach the subject, and apply the handcuffs.

15. The officer making the stop should maintain cover in a position to direct the movements of the suspects and cover the back-up officer who will search and secure the suspects.
16. The back-up officer should take voice control when the suspects are near the point of arrest.
17. Extreme caution shall be exercised by officers not to get within each other's line of fire.
18. A pat down search will be conducted of all subjects after each has been handcuffed.

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