

# FLORENCE POLICE DEPARTMENT GENERAL ORDER

<b>Subject:</b> <b>TRAFFIC STOP PROCEDURES</b>	<b>Procedure:</b> General Order 29.1.7 61.1.7	<b>Total Pages:</b> 8
<b>Authorizing Signature:</b>  Original with Authorizing Signature on File	<b>Effective:</b> 05/20/2011  <input type="checkbox"/> <b>New</b> <input checked="" type="checkbox"/> <b>Amended</b> <input type="checkbox"/> <b>Rescinds</b>	

**I. POLICY**

It is the policy of this Department that traffic stops will be conducted professionally and courteously and in a manner designed to provide for the safety of officers, violators and other motorists.

**II. PURPOSE**

This written order establishes guidelines for stopping and approaching traffic violators.

**III. SCOPE**

This written order is applicable to all sworn personnel.

**IV. RESPONSIBILITY**

It shall be the responsibility of all sworn personnel to comply with this written directive.

**V. PROCEDURES**

No two traffic stops are exactly alike and no two violators will react in the same manner. Conditions may dictate altering the recommended procedures. The procedures discussed are to be followed when possible and are presented from the perspective that ideal conditions exist for the traffic stop.

A. **STOPPING VEHICLES:** Upon identifying a traffic law violator, officers should attempt to stop him/her in an area or location safe for the officer, the violator and other motorists. If they have stopped in an unsafe manner or location, instruct them to move to the nearest safe location. The public address system may be used to direct the violator from a safe distance, so long as it is tactically necessary and is not done to embarrass or harass the violator. Instructions should be given slowly and clearly to avoid confusion. The only exceptions for the movement of a violator's vehicle once stopped would be:

1. **FELONY STOPS:** Felony stops will be made in accordance with established procedures taught in training.
2. **INTOXICATED DRIVERS:** Traffic stops of intoxicated drivers should be in accordance with established procedures governing enforcement of Driving Under the Influence violations.
3. **AUDIO AND VIDEO** should be activated on every traffic stop prior to making contact with the violator.

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- B. **RADIO TRAFFIC:** Officers must notify dispatch when making a vehicle traffic stop. Relay the following information:
1. The vehicle's tag number and state,
  2. Location of the traffic stop,
  3. When the vehicle has no tag, officers relay:
    - a. Location of the stop
    - b. The vehicle make and color, and
    - c. Any other pertinent information.
  4. It is an acceptable alternative to this policy to radio the location of the traffic stop, then the tag number. The order of information is at the officer's discretion as long as the pertinent information is relayed.
- C. **EMERGENCY EQUIPMENT:** Officers will use emergency lights in stopping violators. If this fails to gain the attention of the violator, officers may activate the siren to alert the violator of the officer's intention to stop them. If the violator refuses to stop or attempts to flee or elude, officers will conduct any pursuit in accordance with established procedures governing emergency and pursuit driving. Other uses of emergency equipment include but are not limited to:
1. **MOTORIST ASSISTANCE:** When officers come upon a disabled motorist in the roadway, emergency lights should be used to warn approaching motorists of the possible hazard.
  2. **PARKING:** Emergency lights may be used to warn approaching motorists of an officer's presence when parked in the roadway. The only exception will be when the officer is in an area where such high visibility could endanger him.
  3. **ROAD HAZARDS:** Emergency lights may be used to warn approaching motorists of road hazards.
- D. **VEHICLE POSITION:** Once the violator has stopped in a safe location, when possible, officers should position their vehicle 10 to 15 feet to the rear of, and offset approximately 3 to 5 feet to the left rear of, the violator's vehicle as taught in training procedures.
- E. **APPROACH:** Officers should follow the guidelines listed below when approaching a stopped vehicle:
1. Officers should approach the violator's vehicle with caution, watching for any suspicious or sudden movement in the vehicle.
  2. Spotlights or other lighting may be used to illuminate the interior of the violator's vehicle.
  3. If a second officer is present, he or she should approach the vehicle along its opposite side, using the same caution.

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- F. OFFICER/VIOLATOR CONTACT: Officers should realize that a vehicle traffic stop is an emotionally traumatic experience for many violators. Each officer should try to make each contact educational and leave the violator with the impression that they performed a necessary task in a professional and courteous manner. Generally, traffic stops should follow these guidelines:
1. Be alert at all times for the unexpected, but do not be obviously apprehensive.
  2. Present a professional image and demeanor.
  3. Be absolutely certain that the observations of the traffic violation were accurate, without reservations.
  4. Be prepared for the contact by having the appropriate equipment and forms immediately available.
  5. Greet the violator in a courteous, professional manner.
  6. Ask for the violator's driver's license or other form of identification if a driver's license is not available.
  7. Inform the violator of the law he or she has violated.
  8. Allow the violator to discuss the violation, within reason. Do not argue with the violator, berate, or belittle them.
  9. If the decision is made to cite the violator, complete the appropriate paperwork. If you return to the patrol vehicle to complete the paperwork, you should intermittently glance at the violator's vehicle and be alert for any suspicious activity or sudden movement.
  10. Officers with access to a mobile computer will check the vehicle tag registration and check for warrants on the driver. This does not preclude the officer from checking all occupants of the vehicle for warrants if he deems that appropriate under the circumstances.
  11. When you return to the violator, explain the violation in detail and provide all required information, as detailed in established procedures governing traffic enforcement and traffic arraignments. Obtain the violator's signature on any citations issued.
  12. Return the violator's drivers license and give him/her the appropriate copy of the traffic or warning citation explaining any of the options regarding the citation.
  13. Assist the violator in safely returning to the flow of traffic.
  14. In the event the violator does not have a valid driver's license, refer to the 2008-03 City Code for impounding vehicles for no driver's license.

G. FELONY STOPS/HIGH RISK STOPS:

This traffic stop technique is used for the more dangerous type of vehicle stops a police officer makes. If conducted properly, it can make the stop much

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safer for the police officer. This kind of stop should always be completed by two or more police officers, using at least two patrol cars. When feasible a police officers should consider the following in choosing a location for a felony stop:

1. Traffic congestion
2. Pedestrians
3. Road conditions
4. Surrounding terrain
5. Street lighting
6. Available cover
7. Visibility to traffic

8 OTHER CONSIDERATIONS INCLUDE:

- a. If possible, prior to initiating a felony vehicle stop, the police officer shall inform dispatch of the vehicle's current location and direction of travel.
- b. If possible, the officer should wait until the backup officer is in position and prepared before initiating the stop.
- c. The police officer shall transmit to dispatch the final location of the vehicle stop.
- d. The police officer initiating the vehicle stop should be the command officer, and the patrol vehicle should be the command vehicle.
- e. Under ideal circumstances, the backup police officer should position the backup patrol car about three feet to the right of the rear of the command vehicle, facing the stopped vehicle, offset slightly toward the right side. The backup officer should occupy a position using the cover provided by the patrol cars. A backup officer should be the cuffing officer.
- f. The command officer should control the occupants of the stopped vehicle by issuing commands to the driver of the stopped vehicle using the public address system. The command officer should direct the occupants of the stopped vehicle out of the car, one at a time, and back to the cuffing officer and other backup officers so they can be searched and secured. The commands should be kept simple, clear, and direct, such as:
  - 1) "Put your hands on top of your head."
  - 2) "Driver, with your left hand, turn off the ignition and drop the keys out of the window."
  - 3) "With your left hand, reach outside of the window and



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- e. **PUBLIC PROPERTY:** It is not necessary to obtain permission to use the right of way to public property or roads.
  - f. **SAFETY:** Operators should not block clear vision of the road to others.
2. **SETTING UP EQUIPMENT:** Radar equipment will be set up and tested following manufacturer guidelines and according to instructions received during operator training.
- a. **CALIBRATION TESTS:** Radar devices will be checked to determine proper internal calibration. A lamp test will be performed and the radar will be checked against a tuning fork before it is used to check the speed of vehicles.
  - b. **CHECK OF RADAR DEVICE:** The radar operator will check the radar's internal and external calibration at the beginning and end of each shift. Upon checking such calibration, if there is a discrepancy in excess of one (1) mile per hour with the tuning fork test, the Officer will return the radar unit to the police desk with a note on it to have it repaired.
3. **VERIFYING VIOLATOR:** Radar will not be used to identify speeders but will be used to verify the speed of suspected violators. Once a vehicle has been identified as exceeding the speed limit, the operator will use the radar to determine the exact speed of that vehicle. Operators will establish a good tracking history of the violator prior to a stop. Extreme care will be taken to insure that the person charged with speeding was in fact driving the vehicle being tracked with the radar device.
4. **DISPLAY OF RADAR TO VIOLATOR:** At present, no requirement exist directing officers to show a radar reading to a violator. If an officer has locked in the reading it may be shown to the violator. This directive does not prohibit an officer from doing so, but does not suggest the practice.
- C. **CARE OF EQUIPMENT:** All radar equipment will be cared for like any other piece of fragile electronic equipment. Radar devices will not be subjected to rough treatment. Any radar device that has been damaged and is no longer in proper working order will be removed from service. Only qualified service technicians will make repairs to any radar device.
- D. **MAINTENANCE AND CALIBRATION RECORDS:** The traffic division commander or his designee will be responsible for maintaining records of radar maintenance and calibration and/or repairs. These records will not be released outside the Department without proper notice from a court or at the direction of the Chief of Police.

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- E. OPERATOR TRAINING AND CERTIFICATION: All personnel who operate a radar device must be trained prior to operation. Radar training will be carried out by certified instructors.
- F. SPEED SIGN OPERATION: Radar speed signs are used to promote public safety by increasing driver awareness of improper driving behavior. These signs are designed to bring traffic violators under control and highlight driver safety issues throughout the community.
  - 1. Radar speed signs will only be used in areas that cause short-term distractions for drivers. These signs are not designed for enforcement purposes but to bring unacceptable driving activities to public attention.

**VII. E-CITATION PROCEDURES**

- 1. Log in to SPILLMAN MOBILE. Then, log in to the MOVE program on MDC.
- 2. During a subsequent traffic stop, swipe a driver's license and manually enter the vehicle's tag number.
- 3. Using the Let's Go program, the officer will "auto-populate" the driver and vehicle information. Out of state tags and some out of state DL's will have to be entered manually.
- 4. In order to obtain the status of the driver's license and take any official action, officers will run the license or drivers information through dispatch or SPILLMAN MOBILE.
- 5. Officers will not use the "Let's Go" program to determine the status of a driver's license or take any official police action such as issuing a citation. DL status must be determined through dispatch or by running the DL through SPILLMAN MOBILE.
- 6. Once the relevant identifying information has been populated on the citation, the officer will fill in the location and offense information (by checking the appropriate box). Other information required on an E-citation is:
  - a. Whether the officer is working regular duty or traffic overtime duty;
  - b. Time of offense;
  - c. Details of the offense; and
  - d. Court date.
- 7. E-Citation then requires the officer to validate the citation or warning. After validating a citation, if errors are discovered, the citation must be voided and a new citation issued.
- 8. If the citation is filled in, the officer will print the citation. If any errors are indicated, the officer will correct them and then print the citation on the thermal paper for the defendant to sign.

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9. Officers then are required to print the “Court” copy, complete a transmittal form, and sign the court’s copy of the citation at the magistrate’s office.
10. All officers will transfer all tickets at the end of every shift.