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| SUNRISE POLICE DEPARTMENT POLICIES AND PROCEDURES MANUAL CHAPTER 45 CONDUCTING VEHICLE STOPS | Effective Date | 05/01/87 |
| | Revision Date | 07/01/11 |
| | Revision No. | 1.1 |
| | Page No. | 1 of 11 |
| | Approval: | |

45. PURPOSE

The purpose of this policy is to provide Department members guidance for conducting traffic stops in both conventional and felony/high risk situations.

45.1. REVISION HISTORY

| <u>Date</u> | <u>Rev. No.</u> | <u>Change</u> | <u>Reference Section</u> |
|-------------|-----------------|---|------------------------------|
| 05/01/87 | 1.0 | New Policy | Vehicle Stops – Conventional |
| 07/01/11 | 1.1 | Reformatted policy, incorporated Felony/High Risk Stops from Chapter 46 | 45.6.5. |

45.2. PERSONS AFFECTED

All Police Personnel

45.3. POLICY

It is the policy of the Police Department to provide the best practices for officers to effectively conduct vehicle stops in a variety of situations.

45.4. DEFINITIONS

Reserved for future use.

45.5. RESPONSIBILITIES

45.5.1. All police personnel are responsible for complying with this policy. Supervisory Personnel are responsible for the enforcement of this policy. Violations may result in disciplinary action, up to and including termination.

45.5.2. This Policy is not intended to be all-inclusive. It is intended to be a general guideline to be read in conjunction with all other Department rules, regulations, policies and procedures, as well as other City policies, rules and ordinances.

45.6. PROCEDURES

45.6.1. When an officer decides to stop a vehicle, he/she should think survival and be prepared to take the following action:

45.6.1.1. Select a safe location to make the stop.

45.6.1.2. Determine traffic hazards that might be involved in the stop.

45.6.1.3. Observe the actions of occupant(s) in the subject vehicle.

45.6.1.4. Mentally prepare for self-protection.

45.6.2. Single Officer Unknown Risk Vehicle Stop:

45.6.2.1. Notify the Dispatch Center of the stop (via police radio), and the location, pause and allow the dispatcher to respond, and then continue with the tag number, description of the vehicle, number of occupants, and reason for the stop.

45.6.2.1.1. After the dispatcher acknowledges the transmission, activate emergency lights to stop the vehicle.

45.6.2.2. During hours of darkness, it is recommended that officers use other emergency lighting to assist in illuminating the interior of the stopped vehicle.

45.6.2.3. Use the horn or siren as necessary.

45.6.2.4. Follow the vehicle at a safe distance in case the violator brakes suddenly.

45.6.2.5. Stop your vehicle approximately fifteen to twenty feet behind the violator, if possible.

45.6.2.6. The officer should offset their vehicle to the left and at an angle to the violator's vehicle, approximately three feet to the left of the violator's vehicle. This will provide a protected walkway for the officer and the vehicle operator.

45.6.2.7. Ensure that your vehicle is stopped with the transmission securely in park. If necessary, the emergency brake may be used.

45.6.2.8. Prior to exiting your vehicle, check the rear view mirrors and determine that it is safe to get out.

45.6.2.9. The approach to the vehicle:

45.6.2.9.1. As the officer steps from the vehicle, he/she should pause behind their vehicle door to observe the actions of the occupant(s) and the surrounding area.

45.6.2.9.2. The officer must keep his/her gun hand free.

45.6.2.9.3. As the officer begins the approach, he/she should first check the rear area (trunk) of the vehicle being stopped.

45.6.2.9.4. The officer should then proceed forward, checking the rear seat area, and stop at either the rear of the driver's or passenger's door. The interior should be observed closely while requesting the operator's driver's license, vehicle registration, and proof of insurance.

45.6.2.9.5. All initial transactions should be conducted while the officer remains at the rear of the driver's door.

45.6.2.9.6. If the operator exits the vehicle or is requested to step out of the vehicle, he/she should be directed to stand on the curb and out of the roadway. The officer should maintain a position between the violator and the police vehicle.

45.6.2.9.7. The officer should return to the passenger side of the patrol vehicle and use the passenger door, or the right rear of the police vehicle, as cover to prepare citations or use the radio. The vehicle operator and occupants should be kept under observation as much as possible during this time.

45.6.2.9.8. The officer should remain standing outside the police vehicle or sit in the front passenger seat, if necessary due to rain, until the stop is completed.

45.6.2.9.9. Any approach to the vehicle, after a citation has been completed or information is to be obtained, should be done in a similar manner to the initial approach. The officer must be aware of any changes within or about the vehicle.

45.6.2.9.10. A short exchange with the vehicle operator may require that the officer remain just behind the driver's door of the vehicle being stopped. A citation may be issued with the officer in this position, if the violator remains inside the vehicle. The officer should continue to observe the interior of the vehicle for his own protection.

45.6.2.9.11. As the officer walks away from the stopped vehicle, he/she must continuously observe its occupants. The vehicle should be assisted back into traffic, if necessary. The officer will advise the dispatcher that he/she is in service only after the stop has been cleared.

45.6.3. Two Officer Unknown Risk Vehicle Stop:

45.6.3.1. The same procedures and observations used by the single officer unit apply to the two officer unit with the following modifications:

45.6.3.1.1. The officer who is driving should maintain command of the stop unless the situation dictates otherwise.

45.6.3.1.2. The officer who is the passenger should handle all radio traffic, unless the situation dictates otherwise.

45.6.3.1.3. The officer who is the passenger should continually observe the surrounding area and the vehicle being stopped.

45.6.3.1.4. Both officers should exit the patrol vehicle as soon as possible and pause behind their doors to observe the activity of the vehicle occupants.

45.6.3.1.5. Under most situations, the officer who is the driver should initiate the approach with the passenger officer following two or three steps behind and flanked to the right rear of the violator's vehicle. Situations may dictate a need for the passenger officer to initiate the approach and the officer who is driving to assume the position at the right rear of the violator's vehicle.

45.6.3.1.6. As the officer making contact with the vehicle operator returns to their vehicle, the second officer should be constantly aware of the vehicle, its occupants, and surroundings.

45.6.4. Unknown Risk Vehicle Stop - Officer Safety Considerations:

45.6.4.1. Do not concentrate too much on an unoccupied rear seat until the occupants of the front seat are determined to be clear of any weapons or contraband.

45.6.4.2. Do not sit in the patrol vehicle to write a citation or conduct any business unless there is heavy rain.

45.6.4.3. Do not permit the violator to sit in the patrol vehicle while a citation is being written.

45.6.4.4. Do not stand or permit the violator to stand between the vehicles or next to the police vehicle doors.

45.6.4.5. Do not direct more people to exit a vehicle than you can control.

45.6.4.6. Do not allow occupants to wander about. Keep them under control and together.

45.6.4.7. Do not hesitate to request a back-up unit.

45.6.4.8. Do not allow a violator to stand on your gun side.

45.6.5. Felony/High Risk Vehicle Stops:

45.6.5.1. The felony or high risk vehicle stop occurs when an officer has advanced knowledge or reasonable cause to believe the vehicle contains a felony suspect.

45.6.5.1.1. Reasonable cause may be based on the officer's personal observation, knowledge of an outstanding felony warrant, information received by police radio, or other means on which he may reasonably rely.

45.6.5.1.2. The Felony/High Risk procedure requires more than a mere suspicion.

45.6.5.2. The primary unit which initially observes the vehicle will notify the Dispatch Center immediately and provide the following information:

45.6.5.2.1. Location, direction of travel, speed, number of occupants, license number, description of the vehicle, any weapons seen, and the nature of the crime.

45.6.5.2.2. Request a back-up unit.

45.6.5.3. The primary unit should follow and observe at a discreet distance and formulate a plan of action to include:

45.6.5.3.1. The number of back-up units needed if more than one.

45.6.5.3.2. The location at which the stop is to be made.

45.6.5.3.3. The position back-up unit(s) will take.

45.6.5.3.4. Contingency responses to unforeseen actions such as flight or evasive action by the suspect.

45.6.5.3.5. The primary unit will advise Communications and other affected units of the plan of action.

45.6.5.4. Radio traffic will be held to a minimum by all units not involved in the stop. The channel should be cleared for emergency traffic.

45.6.5.5. The primary unit will take full control of the situation when the stop is made. Additional officers will assist until the situation is stabilized.

45.6.5.6. Single Officer Felony/High Risk Vehicle Stop:

45.6.5.6.1. A single officer will not intentionally make a felony stop alone. It is expected that the single officer will follow the suspect until assistance arrives and the proper plan of action can be implemented.

45.6.5.6.2. If the officer determines that help is not readily available, he/she should maintain surveillance and keep the Dispatch Center informed until assistance can respond. If the subject stops, the officer should avoid direct confrontation, if possible, pending arrival of back-up units.

45.6.5.6.3. Should circumstances dictate that the officer handle the stop themselves, conventional single officer vehicle stop procedures will be used with the following modifications:

45.6.5.6.3.1. Notify the Dispatch Center of the location where the stop is being made and request back-up units for assistance.

45.6.5.6.3.2. Roll the driver's window down, as the glass inside the door will increase the stopping power of the door.

45.6.5.6.3.3. Immediately swing the door open and take cover in the "V" between the door and the windshield post. The officer's body, including feet, should remain inside the patrol vehicle.

45.6.5.6.3.4. Display your weapon in the "aimed position."

45.6.5.6.3.4.1. The aimed position of a firearm is defined as follows:

45.6.5.6.3.4.1.1. Handgun - removed from the holster and pointed at the suspect.

45.6.5.6.3.4.1.2. Rifle/Shotgun - removed from the stored position and pointed in the general direction of, but not directly at, the suspect with a round chambered and the safety off.

45.6.5.6.3.5. Order the driver and all occupants to remain inside the vehicle and face forward.

45.6.5.6.3.5.1. Passengers in the rear of the vehicle will be ordered to place their hands on top of their heads.

45.6.5.6.3.5.2. The driver and other passengers in the front of the vehicle will be ordered to place their palms up on the inside of the windshield.

45.6.5.6.3.6. Use the public address system of the unit, if feasible.

45.6.5.6.3.7. Use short, terse, audible, and understandable commands.

45.6.5.6.3.8. Preface your order to indicate who you are addressing, such as "Driver" or "Man with the red shirt, face front!"

45.6.5.6.3.9. If the driver or passengers leave the vehicle before commanded, order them to face forward with their hands open and extended upward. Order all suspects into one easily observed area, preferably in the street.

45.6.5.6.3.10. Use restraint and sound judgment regardless of the suspects' reactions.

45.6.5.6.3.11. Be prepared and anticipate the unforeseeable. Do not chase a single running suspect and leave others standing at the scene of the stop.

45.6.5.6.3.12. Remain behind cover in the police vehicle whenever possible.

45.6.5.6.3.13. Order the driver to roll the window down and/or remove the keys with their left hand and throw them out the window.

45.6.5.6.3.14. Keep all suspects in the vehicle until back-up units arrive.

45.6.5.6.3.15. If necessary, remove all occupants, one at a time, from the driver's side of the vehicle.

45.6.5.6.3.16. Stagger the positions of the suspects and face them in different directions to minimize their communication with each other.

45.6.5.7. Two Officer Felony/High Risk Vehicle Stop:

45.6.5.7.1. Although a two officer unit can effectively control most felony apprehensions, it is not intended that felony stops be attempted by a two officer unit.

45.6.5.7.1.1. The superiority of personnel, acting in conjunction with an established plan, cannot be overemphasized. Three officers are considered a minimum whenever possible.

45.6.5.7.1.2. A two officer unit should follow the same radio notification and surveillance described above for a single officer unit.

45.6.5.7.2. If circumstances beyond the control of the officers force them to handle the stop, the officers should plan the stop beforehand and follow the procedure for the single officer stop with the following modifications:

45.6.5.7.2.1. Normally, the officer driving takes control of the stop. The driver will provide the location, including direction of travel, the nearest cross street, and approximate distance from the cross street.

45.6.5.7.2.2. The officer driving should immediately swing the door open and take cover in the "V" between the door and the windshield post. The officer driving must leave room for the passenger officer to exit from the driver's side door.

45.6.5.7.2.3. The passenger officer should slide across the seat and exit the left side of the vehicle, keeping a low silhouette and take a shotgun with him/her, if available. The passenger officer should take a position behind the right rear of the patrol unit.

45.6.5.7.2.4. The passenger officer may prefer to exit from the right side of the vehicle. However, this decision will leave the officer exposed for the time it takes him to reach the rear of the vehicle.

45.6.5.7.2.5. Display the weapons in the "aimed position."

45.6.5.8. Felony/High Risk Vehicle Stop – Back-up Units:

45.6.5.8.1 If the primary units have already stopped the vehicle, back-up officer(s) will not respond to the scene in such a manner as to place themselves in jeopardy on the final approach. They should ascertain that the primary unit is not under fire or cornered before committing themselves.

45.6.5.8.1.1. Once the stop is initiated, all units with the exception of the primary unit will remain off the radio, unless the situation dictates otherwise. Other units will have to monitor for directions from the primary unit.

45.6.5.8.1.2. Upon securing all suspects at the location, additional units should be cancelled if the situation is under control.

45.6.5.8.2. The parking position of back-up units will be affected by the roadway conditions and terrain of the area where the stop is made. Some degree of modification will therefore be required in some instances. The basic position should be followed as closely as possible.

45.6.5.8.2.1. The first back-up unit should take a position to the left of the primary unit.

45.6.5.8.2.1.1. The passenger officer should swing his/her door open and take cover in the "V" between the door and the windshield post with his/her handgun displayed in the "aimed position."

45.6.5.8.2.1.2. The officer driving should swing his/her door open and take a similar position.

45.6.5.8.2.2. Additional back-up units should park behind the primary unit, being certain to extinguish headlights and spotlights to avoid silhouetting the other officers. These units should leave the parking lights on.

45.6.5.8.2.3. When officers from the primary unit move forward, the rear position back-up officers will move forward to assume the position(s) vacated by the primary unit or to assist with searching and handcuffing prisoners at the appropriate time.

45.6.5.8.2.4. A single officer rear position back-up unit assisting a single officer primary unit moves forward to become a two officer primary unit.

45.6.5.8.2.5. Normally, back-up officers should not approach the suspects or leave the protection of their vehicles without the direction and concurrence of the primary officer.

45.6.5.8.2.6. Back-up officers should stay in a low silhouette protected position behind the police vehicle or its open doors until directed otherwise.

45.6.5.8.2.7. When possible, vehicles and/or officers approaching from other angles should be directed by the primary officer to advantageous positions as necessary. This reduces the chance of officers being caught in crossfire and being blinded by police vehicle lights at night.

45.6.5.8.2.8. One back-up unit might be sent to the area near the first intersection ahead of the subjects. This officer should park his/her unit to block traffic from approaching the scene of the stop. The vehicle's emergency lights should be on. The officer should immediately leave the vehicle and take a position on the side of the street out of any crossfire and behind strong cover.

45.6.5.8.2.8.1. Any officer in this position should not fire at the subject vehicle to avoid placing the primary officers in danger from crossfire.

45.6.5.9. Removing the Subjects from their Vehicle:

45.6.5.9.1. When all the necessary police units are in position, the following procedure will be used to remove the subjects from their vehicle:

45.6.5.9.1.1. Address the first occupant you want to leave the vehicle by description, using the following commands as examples:

45.6.5.9.1.1.1. "Driver, with your left hand, reach outside the vehicle and open the door, DO IT NOW."

45.6.5.9.1.1.1.1. If the driver has unlatched the door, but has not pushed it open, have him kick it open with his left foot.

45.6.5.9.1.1.2. "Driver, keep your hands high in the air, exit the vehicle, DO IT NOW."

45.6.5.9.1.1.3. "Driver, turn and face away from my voice, DO IT NOW."

45.6.5.9.1.1.4. "Driver, take (one or two) steps to the left, DO IT NOW."

45.6.5.9.1.1.5. "Driver, with your right foot, close the door, DO IT NOW."

45.6.5.9.1.1.6. "Driver, start backing toward my voice, DO IT NOW." Order the driver to slowly walk backwards until they are between but to the front of the doors of the two police units, and then order them to stop.

45.6.5.9.2. Order the subject into a search position. The cross legged kneeling position is recommended.

45.6.5.9.2.1. A back-up officer will then search and handcuff the subject while the primary officer covers the search. Other officers will continue to cover the remaining subjects within the vehicle.

45.6.5.9.2.2. The search officer will holster their weapon.

45.6.5.9.2.3. The search officer will handcuff the subject behind the back.

45.6.5.9.2.4. A quick frisk may be made prior to handcuffing if the situation warrants. This should be done with the subject kneeling, hands on top of his/her head, ankles crossed. Handcuffing should be done with the subject in the kneeling position.

45.6.5.9.2.5. Search the arrested subject after he/she is handcuffed and while he/she is still in the kneeling position. The search may also be completed with the subject face down on the ground.

45.6.5.9.2.6. The search officer must remember never cross in front of the firing line of the primary officer.

45.6.5.9.2.7. The primary officer will never point his/her weapon at the search officer.

45.6.5.9.2.8. The search officer will secure the subject in a police unit or turn him/her over to another back-up officer.

45.6.5.9.2.9. Repeat these commands for the other occupants, individually, until all subjects have exited the vehicle.

45.6.5.9.2.10. Repeat these procedures until all subjects, individually, have been secured.

45.6.5.10. Searching and Securing the Subject Vehicle:

45.6.5.10.1. When the last visible occupant has been removed, handcuffed, and safely secured in a police vehicle, the officers will not relax or assume that no additional subjects are hiding inside the vehicle.

45.6.5.10.2. Prior to approaching the subject vehicle, order possible hidden subjects to exit the vehicle. The officer of the primary unit will secure their weapon and approach the subject vehicle with their firearm in the ready position, using all available cover and concealment.

45.6.5.10.3. The other officers must watch the subject vehicle continuously to cover the search officer. If the need to discharge a firearm occurs, the officers must remain aware of the securing officer's position and avoid shooting in their direction.

45.6.5.10.4. The search officer will check the trunk or rear area of the vehicle either visually or by pulling on the trunk lid to be sure it is latched.

45.6.5.10.5. Visually check the interior of the vehicle for additional subjects. At this point, the search officer is very vulnerable. In order to minimize exposure, the officer must keep his/her body behind the doors and use the "quick peek" method to look into the vehicle.

45.6.5.10.6. If there are no visible subjects inside the vehicle, the officer will request the assistance of a back-up officer. The two officers will cover each other while checking for any places where additional subjects could be hiding.

45.6.5.10.7. When the search officer is certain that there are no additional subjects, he/she should notify the Dispatch Center.