

Chattanooga Police Department - Policy Manual

OPS-37 – MOTOR VEHICLE STOPS

Amends/Supersedes: OPS-37 (11/23/23)

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CALEA 61.1.7 (6th Ed.)

PURPOSE

The purpose of this general order is to establish guidelines for stopping and approaching motorists in a manner that promotes the safety of the officer and the motorist.

I. POLICY

Although stopping motorists on the highway for traffic violations or other purposes is often considered a routine function of patrol officers, it is one that has been demonstrated to be potentially dangerous for both officers and motorists even during apparently "routine" situations. Motor vehicle stops shall be performed professionally and courteously, and with a view towards educating the public about proper driving procedures while consistently recognizing and taking the necessary steps to minimize the dangers involved in this activity for the officer and the motorist.

II. DEFINITIONS

- A. Low risk stop – Stop in which there is an unlikely potential for felonious assault
- B. Unknown risk stop – Stop in which there is an unknown potential for felonious assault
- C. High risk stop – Stop in which there is a likely potential for felonious assault

III. STOPPING AND APPROACHING TRAFFIC VIOLATORS [61.1.7a,b]

- A. Officers shall perform vehicle stops only when they have legal and articulable reasons to do so.
- B. Once an initial decision has been made to stop a motorist, the officer shall select an area that provides reasonable safety, avoiding curves, hills, heavily trafficked and poorly lit areas and roads without shoulders. Whenever possible, the officer shall also avoid the use of private drives, business locations and areas where a large volume of spectators are likely to gather.
- C. When a location has been selected for the stop, the officer shall notify the communications center of the reason for the stop, provide unit number, location, the number of occupants, a description of the vehicle, and vehicle tag number. At the officer's discretion or dispatcher's request, additional information may be exchanged.
- D. At the desired location, the officer should signal the operator to stop at the far-right side of the roadway or at the safest shoulder by activating the emergency lights and siren as necessary.
 - 1. On multi-lane roads, the officer may facilitate movement to the right shoulder by gradually changing lanes behind the violator until the right side of the roadway is reached.
 - 2. Should the violator stop abruptly in the wrong lane or location, the officer should instruct them to move by using the appropriate hand signals or by activating the vehicle's public address system.
 - 3. All stops shall comply with [OPS-63](#), Digital Recording Systems.
 - 4. Emergency lights are required for investigatory stops.
- E. Once properly stopped, the officer should position the police vehicle in a manner best suited to the situation, either 3 or 20 feet to the rear of the violator's vehicle approximately 3 feet to the left or right side of the violator's vehicle.

F. At night, the takedown lights should be used to illuminate the vehicle's interior once stopped. The officer should use the patrol vehicle's low beams if high beams would blind oncoming motorists.

G. When exiting the patrol vehicle, the officer should be particularly alert to suspicious movements or actions of the vehicle operator or passengers.

H. For a low risk stop, the officer may approach the driver's or passenger's side. The officer should be observant of the passenger compartment and stop at a point to the rear of the trailing edge of the front door in order to communicate with the driver.

1. Where circumstances dictate, particularly where traffic is close enough to create a potential problem, the officer may choose to approach the violator's vehicle from the right-hand side and stop at the trailing edge of the right front door. Such an approach shall not be made by walking between the violator's vehicle and the patrol vehicle.

2. In two-officer police vehicles, the passenger officer should be responsible for radio communications, and note taking. They shall also act as an observer and cover for their fellow officer.

I. For those stops assessed as "UNKNOWN RISK", the officer should not approach the violator's vehicle; rather have the driver exit the vehicle and approach the patrol vehicle to either the driver's or passenger side of the patrol car. The officer must give consideration to the safety of the citizen when requiring them to exit the vehicle. **[61.1.7a]**

J. Officers operating unmarked patrol vehicles may make vehicle stops for routine traffic violations if their vehicle is equipped with emergency lights and siren.

K. Citizens may become fearful when being stopped by unmarked or slick-top vehicles after dark and proceed to a well lighted area before yielding to the stopping officer. Such action by a citizen is NOT to be construed as evading or failure to stop for a police vehicle.

IV. ISSUING CITATIONS

A. When issuing citations, conducting roadside sobriety tests or conversing with the violator, the officer and other parties shall be positioned to the side of the road, clear of the motor vehicles.

B. During the stop, the violator should remain in their motor vehicle while the officer writes the citation or conducts other business, unless otherwise directed by the officer. Violators shall not be permitted to sit in patrol vehicles while citations are being prepared or other police business is being conducted.

C. When preparing citations, the officer should position paperwork and related materials in a manner that allows them to maintain observation of the actions of the violator and other occupants.

V. MAKING HIGH-RISK VEHICLE STOPS [61.1.7b]

A. When planning to stop the suspect vehicle, the officer shall notify the communications center, describe the nature or reason for the stop, provide information on the vehicle, tag number, and number of occupants, and request appropriate assistance to make the stop.

B. An officer should not individually initiate high-risk vehicle stops unless back-up units will not be available in an appropriate amount of time or the urgency of the situation demands immediate action.

C. After selecting an appropriate location and with adequate support units in position, the officer should signal the suspect to stop.

D. Officers should position their vehicles approximately 20 feet behind the suspect vehicle, in locations that shall maximize opportunities for cover and in a manner that will illuminate the interior of the vehicle to the occupants' disadvantage.

E. The officer initiating the stop, or the officer with the best observation point, should issue verbal commands to vehicle occupants through the patrol vehicle's public address system, if available. Only one officer at a time shall issue commands.

F. Once the suspect vehicle has stopped, officers should assume positions of cover, within or immediately outside their vehicles.

G. The officer in charge shall first identify themselves and then notify the occupants that they are considered to be armed and dangerous and that all instructions are to be followed without hesitation or suspicious movements.

H. The operator of the suspect vehicle should be ordered in separate commands to do the following: lower their window, remove the ignition keys with their left hand, drop them on the ground, open the door from the outside, step out of the vehicle, face away from the officers, walk backward until commanded to stop and lie face down on the ground with hands stretched far to the sides. The operator shall then be handcuffed and searched, then secured in another police vehicle. Subsequent occupants should be similarly commanded until all are handcuffed, searched, and secured.

I. With appropriate cover, officers should then approach the suspect vehicle to inspect the passenger compartment and trunk.

VI. MISCELLANEOUS STOPS [61.1.7a,b]

A. Stopping an Approaching Motorist – In cases in which a motorist must be stopped from oncoming traffic, the following actions may be taken:

1. Drive the police vehicle to the extreme right portion of the roadway and after the violator passes, turn around with due care and follow stopping procedures outlined in III. STOPPING AND APPROACHING TRAFFIC VIOLATORS, above.
2. Because of the potential hazard involved, an officer shall not leave their vehicle when attempting to stop oncoming motorists.
3. If the subject motorist complies with the instructions, the police vehicle may then be turned around with due care and appropriately positioned to the rear of the violator's vehicle.

B. Stopping a Following Violator – When stopping a motorist to the rear of the police vehicle, the officer shall allow the vehicle to pass the officer's vehicle prior to making the stop.

C. Stopping Commercial Vehicles – In the event an officer needs to stop commercial and similar vehicles, the following procedures should be followed:

1. Select a location for the stop that provides enough room for the vehicle and sufficient stability to support the vehicle's weight and allow the operator sufficient time and distance to make the stop.
2. Approach the cab from the front, looking through the front windshield to observe the driver and activity in the cab.
3. Avoid climbing onto the vehicle to make contact with the operator. The officer shall signal or command the violator to exit the vehicle.
4. In situations involving commercial vehicle violations, the officer may contact the Tennessee Highway Patrol Commercial Vehicle Enforcement Division for assistance.



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