

COLUMBIA POLICE DEPARTMENT

Policy and Procedure Manual

TRAFFIC STOPS/APPROACHES AND VIOLATOR CONTACTS

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CALEA 6th Edition Standard: 1.2.9; 61.1.7

506 TRAFFIC STOPS/APPROACHES AND VIOLATOR CONTACTS

506.1 PURPOSE

The purpose of this policy is to provide guidance and procedures for officers conducting unknown risk and high risk traffic stops of motorists to include:

- Procedures for making effective stops that are safe for the officer and motorist;
- Approach procedures;
- Making contact with the offending motorist; And
- The responsibilities of the officer making the stop.

506.2 POLICY

Officers of the Columbia Police Department will, as part of their daily operations, make contact with motorists due to a variety of circumstances to include traffic law enforcement, investigative stops, and suspicious activity calls among others. In doing so, officers will follow these general guidelines and procedures when conducting these activities and do so in as courteous and professional manner possible, as dictated by the situation, while considering the safety of the public, officer, and motorist. All traffic/motorist stops shall be considered either an unknown risk stop, due to the potential danger of all stops, or a high risk stop due to a clear and articulable risk to the officer's safety.

The Columbia Police Department prohibits the practice of routinely stopping motorists, based solely on their status as a member of a minority group, for violations of vehicle laws as a pretext for investigating other violations of criminal law (§ 590.650, RSMo) (additional information provided in policy 402 BIASS-FREE POLICING).

506.3 DEFINITIONS

Unknown risk stop: All traffic stops should be considered "unknown risk" unless the traffic stop is a felony "high risk" stop.

High risk stop: Any stop which possesses a significant risk to the officer when dealing with the occupants of a motor vehicle. These situations typically involve known or suspected felons, an armed individual(s), or any potentially dangerous person.

506.4 UNKNOWN RISK STOP PROCEDURE

All traffic stops have unique circumstances and are fluid events. Officers need to be able to adapt to changing conditions and circumstances. The following are general procedures for conducting unknown risk traffic stops.

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506.4.1 INITIAL STOP (UNKNOWN RISK)

1. When possible activate body worn camera and vehicle camera as soon as the potential for a vehicle stop is recognized.
2. Prior to initiating the stop, when possible, check the vehicle registration for any wants or warrants.
3. Pre-plan the stop location, when possible, and choose a location based on the safety of the public, officer, motorist, and the potential cover options should it become necessary. Avoid Hill crests, curves, and intersections.
4. Notify Boone County Joint communications by radio of the vehicle registration, stop location and number of occupants if multiple. If registration information is not visible, provide a vehicle description and other identifiers.
5. Activate emergency lights and initiate the vehicle stop. Use horn and or siren if needed to get the drivers attention. Use available light sources on patrol vehicle to illuminate the inside of the stopped vehicle.
6. Stop the patrol vehicle approximately fifteen (15) feet behind the stopped vehicle. Position the patrol vehicle approximately 3 feet into the traffic lane or in such a manner to maximize cover. Leave the engine running and vehicle unlocked taking into consideration the presence of other people in the immediate area.
7. Be observant of the actions and movements of the vehicle occupants.
8. Request backup as necessary based on the conditions of the stop.

506.4.2 APPROACH AND CONTACT (UNKNOWN RISK)

1. Consider weapon readiness on every stop and maintain tactical advantage. Be thinking of potential escape routes and positions of cover.
2. If the driver exits the vehicle without being instructed to do so, a decision needs to be made, based on the circumstances and the person's demeanor, whether to order the driver back into the vehicle or order the driver to stop all movement. Consideration should be given to the position and location of the driver's hands and the potential for a weapon located on the driver or inside the drivers vehicle. The officer should be prepared to take evasive action should the driver continue to advance.
3. When approaching the vehicle, stay as close to the vehicle as possible, observe the occupants, check that the vehicle trunk is latched, and scan the interior of the vehicle for weapons, contraband, hidden passengers, or other dangers.
4. During times of darkness, avoid passing between the lights of the patrol vehicle and the violator's vehicle.
5. Make contact with the driver, introduce yourself and the agency you work for, and provide the reason for the stop. Keep a constant view of the driver's hands and the interior of the vehicle. Avoid using your gun hand to receive items such as license, registration and proof of insurance from the driver. Gather the necessary information to conduct the business of the contact.

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6. While being mindful of the violator, other occupants, traffic, and your surroundings, from a position that is most tactically sound, conduct necessary checks for driving status, outstanding warrants, and complete citation if applicable.
7. Return to the vehicle, again maintaining tactical awareness, and issue citation, warning, conduct search etc. as dictated by the situation.
8. Complete the stop, provide traffic stop information and return to service. If applicable, allow the stopped vehicle to re-enter traffic first and if necessary assist them in safely doing so (e.g. directing traffic, pulling out with lights activated to stop oncoming traffic to allow them to enter safely).

506.5 HIGH RISK TRAFFIC STOP PROCEDURE

All traffic stops have unique circumstances and are fluid events. Officers need to be able to adapt to changing conditions and circumstances. The following are general procedures for conducting high risk traffic stops.

506.5.1 INITIAL STOP (HIGH RISK)

1. When possible activate body worn camera and vehicle camera as soon as the potential for a vehicle stop is recognized.
2. Notify Boone County Joint communications by radio of the vehicle registration, and communicate your intentions to conduct a high risk/felony traffic stop and supporting information for the stop. Provide location, direction of travel and request back-up units. Provide Boone County Joint communications with additional information as appropriate such as number of occupants if multiple. If registration information is not visible, provide a vehicle description and other identifiers.
3. If possible, do not initiate the stop of the vehicle until your back-up officers are positioned behind you. Plan the stop location, when possible, and choose a location based on the safety of the public, officer, motorist, and the potential cover options should it become necessary. Avoid Hill crests, curves, and intersections.
4. Activate emergency lights and initiate the vehicle stop. Use horn and or siren if needed to get the drivers attention. Position the patrol vehicle in such a manner as to be tactically safe and assume the role of contact officer.
5. Back-up units should position vehicles according to training, and circumstances at hand which allow them to perform in the role of a cover officers for the contact officer.
6. All patrol vehicles involved should use available light sources to illuminate the inside of the stopped vehicle.
7. Once the stop has been made, notify Boone County Joint Communications of the exact location of the stop and ask to have a channel restricted until the scene is stable and the safety threat no longer exists.
8. All officers involved shall use available and effective cover when possible.

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506.5.2 INITIAL INSTRUCTIONS TO OCCUPANTS (HIGH RISK)

The officer conducting the stop should use the patrol vehicles public address system to communicate with the occupants of the stopped vehicle. Directions should be announced clearly and concisely. Each situation will be unique and officers should adjust as circumstances dictate. The following are general procedures and EXAMPLES of language to be used for announcing directions to the driver and passengers of a vehicle in a high risk stop (specific language may vary due to circumstances and officer preference):

1. "Driver, roll down all windows and then turn off the engine and remove the keys"
2. "Driver, with your right hand, reach out the window and drop the keys on the ground"
3. "Driver and all passengers in the front of the vehicle, raise your hands and touch the windshield and do not move until told to do so"
4. "Rear seat passengers, place your hands on the back of the front seat head rest and do not move until told to do so"

506.5.3 REMOVAL AND CONTROL OF OCCUPANTS (HIGH RISK)

In order to reduce risk to officers, occupants should be removed from the vehicle one at a time and secured. The contact officer should coordinate with cover officers and assignments should be given for taking subjects into custody prior to removing occupants. When ready to remove the occupants of the vehicle, the contact officer should announce the directions clearly and concisely. Again, each situation will be unique and officers should adjust as circumstances dictate. The following is an EXAMPLE of the instructions that may be given to remove occupants and clear a vehicle (specific language may vary due to circumstances and officer preference):

1. "Driver, reach your right hand out of the window and open the door from the outside"
2. "Step out of the vehicle, face away from me, and place your hands on the back of your head"
3. "with your right hand, lift the bottom of your shirt as high as possible exposing your waistline"
4. "At my direction, turn slowly in a circle until I tell you to stop" when the driver has completed a full 360 degree circle, have them stop while again facing away from you. Take your time and make sure you are confident in the visual inspection of the driver's waistline. Any visible weapons should be called out by officers.
5. "Place your right hand back on your head, lace your fingers together, and walk backwards towards my voice until I tell you to stop" (have the driver move left or right as necessary)
6. When positioned correctly, instruct the subject to go to a kneeling position and keep hands on head or prone position and place arms and hands out away from the body, palms up and cross their ankles.
7. Instruct the subject to turn head away from cover officer. Cover officer should assume giving commands and handcuff the subject. Search the subject for weapons and secure in a patrol vehicle.
8. Repeat the process for other occupants until no more responses are received.
9. Contact and cover officers should then approach and clear the vehicle to include the trunk area. Maximize officer safety and be mindful to avoid cross fire situations.

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10. After the vehicle is confirmed clear, the driver and occupants shall be dealt with in a professional manner.

506.6 OFFICER AND VIOLATOR RELATIONS

Traffic law enforcement is a common duty performed by patrol officers, but for the average motorist is frequently an emotional experience. Officers should keep this in mind and strive to make every contact educational, thereby leaving the violator with the impression that the officer has performed a necessary task, in a professional and courteous manner.

Traffic stops have three objectives which the officer seeks to achieve. The first objective is to take appropriate enforcement action; the second is to favorably alter the violator's future driving behavior; the third is to educate the driver about traffic law, including any changes, and safe driving behavior. This requires an understanding of human relations and flexibility of the officer. The following procedures are recommended to minimize conflict between the officer and violator and assist in achieving both objectives.

Once the officer has stopped the violator, the officer and violator relations have begun. The officer should:

1. Be alert for the unexpected, but not obviously apprehensive;
2. Be certain that the observations of the violation were accurate and without reservation;
3. Present a professional image in dress, grooming, language, bearing and emotional stability;
4. Be prepared by having the necessary forms immediately available;
5. Decide on the appropriate enforcement action based upon the violation, not the attitude of the violator;
6. Greet the violator with the appropriate title and in a courteous manner;
7. Inform the violator of the traffic law he/she has violated;
8. Ask for and accept the violator's driver's license, registration and proof of insurance information;
9. Ask for another form of identification if the driver has no driver's license on his/her person;
10. Allow the driver to reasonably discuss the violation;
11. Should the violator refuse to follow lawful instructions or refuse to provide basic identifying information, the officer should, if circumstances allow, request another unit to assist and request a supervisor. Decisions made in these situations should be based on a totality of articulable circumstances;
12. Complete the forms required for the enforcement action taken or issue a verbal warning;
13. Explain exactly what he/she is supposed to do in response to the action taken;
14. Explain when and where to appear if the enforcement action requires a court appearance, explaining any alternatives, but avoiding predicting the actions of the court;
15. Refer any questions regarding the court appearance to the appropriate prosecuting attorney;
16. Should the violator refuse to sign a uniform traffic citation, and a high likely hood exists that the situation will escalate to using physical force, the officer may elect to release the violator without obtaining his/her signature as long as the violator has been positively identified. Decisions regarding

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these situations will be made on a case by case basis depending on the totality of articulable circumstances in each case. In such cases, the officer shall do the following:

- a. Write refused on the bottom of the citation where the violator would have signed;
 - b. Provide the violator with a copy of the citation and explain that the lack of a signature does not remove him/her (violator) from their obligation to appear in court;
 - c. Tag and properly categorize his/her body worn camera footage and MAV footage for retention;
 - d. Document the refusal by the violator as appropriate.
17. Be alert for any signs of emotional stress exhibited by the driver. Depending on the circumstances, information may need to be repeated and the driver returned to a more calm demeanor before resuming driving;
 18. Return the violator's driver's license and other information;
 19. Assist the violator in safely re-entering traffic.