P.O. 1103 Checkpoints			
Effective From:	10/15/2012	Effective To:	Current

P.O. 1103 – Checkpoints

1. ROADSIDE SAFETY CHECKPOINT PROCEDURES
   - i) The procedures set forth in this section shall be applicable to all LSP established checkpoints.
   - ii) The Troop/Section Commander, or their designee, who shall be a supervisor, shall complete an operational plan for all checkpoints, which shall contain the following provisions or statements:
     - a) The specific location, time, and duration of the checkpoint and other regulations for the operation of the checkpoint.
     - b) Include the following language located in quotation marks: "Advance warning will be given to the approaching motorists by use of…"
       1) Advance warning shall be given by using signs, flares, and/or other warning devices.
       2) This section shall also explain how these devices will be used to "alert motorists of the checkpoint's official nature and of the impending stop."
     - c) Include the following language located in quotation marks: "Motorists shall not be detained unless there is articulable probable cause or reasonable suspicion sufficient to justify a belief in the existence of another offense. These motorists shall be detained for a minimal length of time."
     - d) Include the following language located in quotation marks: "The selection sequence of the vehicles to be stopped shall be prescribed and uniformly applied as…. No random stopping of vehicles will be allowed or tolerated."
   - iii) A copy of the operational plan shall be submitted with the arrest report, which will be forwarded to the District Attorney's office and the Office of Motor Vehicles.
   - iv) Checkpoints may be established on any public highway as defined in LRS 32:1 et seq., and subject to the conditions of this order.
   - v) Shift Commanders shall ensure that a sufficient number of officers are scheduled to safely perform a checkpoint.
   - vi) Officers shall utilize all issued and/or available safety equipment when conducting a checkpoint.
   - vii) Sobriety Checkpoints should be publicized by the Troop PIO. Safety Belt and Child Restraint and Insurance Violation checkpoints do not have to be publicized; however, if they are conducted in conjunction with a Sobriety checkpoint, they should be publicized. The specific location and duration of the checkpoint shall be given at the discretion of the Troop/Section Commander.
   - viii) A field supervisor shall be present on the scene to guide operations. Should it be necessary for the field supervisor to leave the scene, an acting supervisor shall be appointed.
   - ix) Locations will be selected that permit the safe flow of traffic through the checkpoint and a minimum amount of intrusion or motorist inconvenience.
     - a) Consideration should be given to posted speed limits, traffic volume, and visibility.
     - b) Ensure sufficient adjoining space is available to pull vehicles off the travel portion of the roadway.
     - c) Consider other conditions that may pose a hazard.
   - x) The location to be used shall fulfill certain minimum requirements:
     - a) A secondary screening area free from business and residential driveways, alleys, and intersecting streets or highways.
     - b) Well-drained, all-weather roadways and parking areas.

c) Reduced opportunity for avoiding or escaping the checkpoint site.

xi) Checkpoint Construction
   a) Advance warning signs specific to the purpose, flares, and other devices shall be utilized to warn motorists of the impending checkpoint.
   b) Officers should utilize checkpoint construction diagrams to assist with placement of safety devices.
   c) The initial sign advising motorists of the establishment of a checkpoint shall be placed at least 500 feet prior to the beginning of the checkpoint.
   d) Marked patrol units should be positioned in such a way as to provide maximum visibility.

xii) The detail supervisor and all other personnel and equipment shall be in the proper place and operational before the first subject vehicle is stopped.

xiii) Assigned officers do not have the authority to change the operational plan. The detail supervisor shall gauge whether anxiety of motorists, average length of detention, or safety considerations necessitate the cancellation or modification of the checkpoint order. The detail supervisor shall document the time and reason(s) for the adjustments on the Roadside Safety Checkpoint Report.

xiv) Motorists who wish to avoid the checkpoint by turning before entering the checkpoint area should be allowed to do so unless a traffic violation is observed or probable cause exists to take other action.

xv) If a driver voluntarily presents a driver's license for inspection prior to being told the purpose of the checkpoint, the officer is authorized to inspect the license. A computer check of the driving record is authorized only pursuant to a driver's license inspection.

xvi) Checkpoints shall not be utilized as a subterfuge for conducting searches, seizures, or arrests inconsistent with law or Departmental policy.

xvii) Commissioned officers from other law enforcement agencies may participate in checkpoints established by the LSP. The detail supervisor shall brief all assisting officers on checkpoint procedures prior to the assisting officer's participation.

xviii) The detail supervisor shall ensure that LSP personnel and all assisting officers conduct themselves in a professional manner and conform to the LSP checkpoint procedures established.

xix) When LSP officers assist other agencies with checkpoints, they shall comply with the procedures established by the LSP checkpoint policy.

xx) At the conclusion of a checkpoint, the detail supervisor shall complete the LSP Roadside Safety Checkpoint Report located in the Lotus Notes Roadside Safety Checkpoint database.

2. SOBRIETY CHECKPOINTS

i) Site Selection: The Department must be able to objectively outline criteria utilized in the site selection process:
   a) Alcohol/Drug related traffic experiences
      1) Unusual incidence of alcohol/drug related crashes.
      2) Alcohol/drug impaired driving violations.
      3) Unusual number of nighttime single-vehicle crashes.
      4) Any other documented alcohol/drug related vehicular incidents.
   b) The site should have maximum visibility from each direction and sufficient illumination. If permanent lighting is unavailable, ensure that lighting is provided with the use of portable lighting or the use of spotlights or vehicle headlights.

ii) Sobriety Checkpoint Briefing Guide
   a) Prior to conducting the sobriety checkpoint, the checkpoint supervisor shall discuss and thoroughly explain to all officers participating in the detail the following items:
      1) The goals of the roadside sobriety checkpoint.
      2) The checkpoint location and the statistical data supporting the chosen

checkpoint site.

3) The need for safety for both the officers and motorists.
4) The placement of personnel and traffic control devices which shall be in conformance with roadside sobriety checkpoint guidelines.
5) A systematic approach to stopping the vehicles as they enter the checkpoint location.
6) The supervisor should ensure that the sequence of vehicles being stopped is explained to and understood by all participating officers.

b) Have participating officers explain the purpose of the checkpoint to the motorists as they approach the vehicle. A uniform statement/question to the driver should be used, for example: "Good evening. You have been stopped at a Louisiana State Police sobriety checkpoint. We are utilizing checkpoints in an effort to detect and deter the impaired driver. Have you consumed any alcohol or controlled dangerous substances today?"
   1) If the driver's answer is no and there is no other compelling reason to detain the vehicle, the officer should permit the motorist to proceed.
   2) If the driver's answer is yes, ask how much and when. Depending on the answers and other circumstances, the officer should determine if further investigation is warranted. If so, direct the driver to safely exit the vehicle and escort him to the designated area for further investigation. If not, permit the motorist to proceed. At no time should a suspected impaired driver be allowed to remove their vehicle from the inspection location.

c) Officers should inspect the driver for the smell of alcoholic beverages or other drugs, bloodshot eyes, fumbling fingers, slurred speech, admission of drinking or drug use, abusive language, inconsistent responses, etc. Be observant of the interior of the vehicle for alcoholic beverage containers, drug paraphernalia, or other contraband that are in plain view.

d) Those persons suspected of impairment should be subjected to the battery of Standardized Field Sobriety Tests. If impairment is obvious and the blood alcohol level (BAC) is low or does not equate to the level of impairment observed, a Drug Recognition Expert (DRE) should evaluate the subject or be consulted according to policy.

e) Troops should arrange for the transportation and further testing of subjects, preferably not to interfere with the continuance of the checkpoint.

3. SAFETY BELT AND CHILD RESTRAINT CHECKPOINTS

i) Safety belt and child restraint checkpoints shall be conducted at a time and location designated by the Troop Commander, or their designee.
ii) Officers shall explain the purpose of the checkpoint to the motorists upon approaching the vehicle.
iii) In addition to issuing citations for a violation of LRS 32:295 or 32:295.1, officers may distribute educational material encouraging future use of safety belts and child restraints.

4. INSURANCE VIOLATION CHECKPOINTS

i) Insurance checkpoints shall be conducted at a time and location designated by the Troop Commander, or their designee.
ii) Officers shall explain the purpose of the checkpoint to the motorists as they approach the vehicle.
iii) Drivers shall be asked to present proof of compulsory insurance as required by LRS 32:863.1. If such proof is not provided, the driver shall be issued a Notice of Violation (NOV), DPSSP 6615.