Department of State Police
General Order

Effective Date:	Number:
July 31, 2025	**TRF-15**
Subject:	
Sobriety Checkpoints	

1. Purpose.

The primary purpose of Sobriety Checkpoints is to deter impaired driving, not to increase arrests. Police generally arrest impaired drivers detected at checkpoints and publicize those arrests, but arrests at checkpoints should not be used as a measure of checkpoint effectiveness.

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2. Key Considerations.

In the preparation and execution of any Sobriety Checkpoint, the following considerations shall receive special attention:

a. When utilized, Sobriety Checkpoints shall be conducted in conformance with judicial guidelines;
b. Motorist safety shall be prioritized;
c. Motorist inconvenience shall be minimized;
d. The action undertaken shall be in accordance with a written plan devised by supervisory personnel and developed prior to implementation of the checkpoint;
e. Advance public notice shall be given to reduce motorist surprise, fear, and inconvenience; and
f. A trained Commissioned Officer shall be in charge.

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3. Site Safety.

The Officer In Charge (OIC) of the Sobriety Checkpoint shall ensure compliance with the following Work Zone Safety Guidelines:

a. Physical barriers shall not be used;
b. Sufficient warning signs shall be placed ahead of the checkpoint to provide advance notice for on-coming vehicles;
c. Signs should be illuminated or constructed of highly reflective material;
d. Sufficient reflectors, or cones should be used to control traffic safely;
e. Auxiliary and/or sufficient street lighting should be in place to illuminate the checkpoint;
f. There shall be sufficient law enforcement presence to reduce fear and apprehension, minimize inconvenience, and ensure compliance;
g. All officers shall be in an authorized uniform;

h. All officers shall comply with work zone safety guidelines regarding the use of an issued traffic vest or high visibility jacket;
i. Officers shall position themselves so motorists can easily observe them;
j. Visual stop/start commands should be given by either the officer or by signage;
k. Marked cruisers shall be utilized as site safety vehicles;
l. All safety vehicles shall have operable visual emergency warning devices; and
m. Safety vehicles shall be positioned in compliance with the pre-determined plan.

Vehicles shall be waved through the Sobriety Checkpoint without stopping when:
a. Traffic is backed up to the safety officer;
b. A commercial vehicle with a gross vehicle weight rating (GVWR) greater than 10,000 pounds causes sight obstructions;
c. Vehicles transporting flammable liquids (including compressed gas as a motor fuel), hazardous materials or explosives as the cargo or a part thereof shall be allowed to pass through the checkpoint without stopping; and/or
d. Due to articulable reasons, the member in a safety vehicle deems safety of the motorists would be best served by allowing traffic to pass.

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4. <u>Site Selection.</u>

Individual site selection shall be made based upon selective enforcement identifiers of alcohol related traffic crashes or prior OUI violations such as:
a. Time;
b. Day of the week; and
c. Location.

Site selection data for each Sobriety Checkpoint shall be retained by the Troop Traffic Programs Officer for a minimum period of five (5) years.

Safety considerations for the site location should include:
a. Motorist/officer safety;
b. Sight visibility;
c. Traffic volume and pattern;
d. Operator reaction time; and
e. Operator stopping distance.

Parking lots, rest areas, or wide shoulders immediately adjacent to the Sobriety Checkpoint should be available and accessible for use as a screening area. This will ensure that vehicles can be directed out of the normal flow of traffic without creating a traffic safety hazard.

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5. Advance Notifications.

The OIC shall coordinate activities with Media Relations to ensure that:

a. Announcements to the appropriate electronic and print media shall be made, at a minimum, three (3) business days prior to the implementation;
b. The press release provides the overall purpose of the Sobriety Checkpoint, thereby allowing the Department to gain the public acceptance, support, cooperation, and voluntary compliance of the endeavor;
c. The press release specifies the county the Sobriety Checkpoint shall be conducted in, but does not detail the precise location or hours of implementation; and
d. Any inquiries pertaining to the Sobriety Checkpoint are referred to the appropriate Troop Commander.

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6. Operational Plans.

Individual Sobriety Checkpoint plans shall be prepared in advance of the date of actual implementation. These plans shall include, at a minimum:

a. Date;
b. Time and duration;
c. Site selection and justification;
d. Set patterns of vehicles to be stopped;
e. Personnel, assignments, and responsibilities;
f. Training for this particular Sobriety Checkpoint;
g. Field sketch detailing the Sobriety Checkpoint logistics and site configuration;
h. Other law enforcement agencies involved and their roles;
i. Notifications; and
j. Equipment and materials needed, which may include technological and investigative support equipment, if applicable.

These plans shall be strictly adhered to. There shall be no arbitrary or random modification of Sobriety Checkpoint procedures. In unforeseen circumstances, Sobriety Checkpoints may be started later than the planned time or end earlier than stated within the Operational Plan by direction of the OIC.

Officers may make suggestions for changes due to extenuating circumstances, but only the OIC can authorize and approve any plan changes .

All officers shall be briefed and trained on details of the specific plan prior to the start of each Sobriety Checkpoint.

Operational plans shall be maintained at the Troop Headquarters and retained for a minimum period of five (5) years. A copy shall be forwarded to the Traffic Programs Section.

7. Site Configurations.

Site configuration shall be as follows:

a. Each Sobriety Checkpoint shall have clearly marked advanced warning signs;
b. A "STOP" sign shall be placed at each initial greeting area;
c. A special purpose sign shall also indicate that "Audio/Video Recording is in Progress";
d. All signs, signals, markers, traffic cones, or reflectors shall be placed in accordance with MassDOT Work Zone Safety Guidelines;
e. The position of the cones, or reflectors should guide vehicles to the appropriate lane of travel and are parallel to the stop location; and
f. The position of the cones, or reflectors around the stop location should provide as much protection to the officers in that location as possible.

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8. Stopping Vehicles.

The selection of vehicles to be stopped shall be either:
a. Every vehicle; or
b. An objective set pattern, e.g., every other, every third vehicle, or other set number desired.

Vehicles stopped at the greeting officer should be met for a period of one (1) minute or less.

If there is reasonable suspicion, based upon articulable facts, that the operator and/or passenger(s) is committing or has committed an OUI violation or other violation of law, that vehicle should be directed from the normal flow of traffic and the offender(s) checked further.

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9. Vehicles Refusing to Stop.

Vehicles failing to stop for a Sobriety Checkpoint pose an immediate public safety hazard. In the event a pursuit is initiated, the pursuing member(s) shall immediately notify the Troop Duty Office and follow the provisions of TRF-04 "Motor Vehicle Pursuits".

Tire Deflation Devices*:* When safe to do so, tire deflation devices shall be prepositioned and utilized on vehicles that refuse to stop when directed at a Sobriety Checkpoint, in accordance with TRF-21 "Tire Deflation Devices".

Pursuit Management Technology*:* Cruisers and members shall be prepositioned to deploy pursuit management technology in accordance with TRF-04B "Pursuit Management Technology", when such equipment is available, and as directed by the OIC.

Members shall attempt to locate any vehicles that fail to stop at a sobriety checkpoint, including those that have been struck by tire deflation devices and/or targeted with pursuit management

technology. In the event that a pursuit is not initiated or the vehicle is not located, a be-on-the-lookout (BOLO) broadcast shall be made to Department cruisers and local police departments in the area.

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10. Personnel.

The number of uniformed officers needed for a Sobriety Checkpoint may vary according to site and may take into consideration visible authority, motorist safety, and minimizing inconvenience.

There shall only be one (1) Commissioned Officer designated as the OIC of a Sobriety Checkpoint.

Personnel shall place Department vehicles in such a manner as the OIC deems appropriate for safety purposes.

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11. Responsibilities.

Position	Duties
Division Commander of Field Services	Shall: a. Annually, confer with the Traffic Programs Section regarding the efficiency of Sobriety Checkpoints; b. Determine whether or not such checkpoints shall be utilized as a component of the OUI Countermeasures Program; and c. Issue an Operations Order directing all Troop Commanders to gather intelligence regarding potential sites for checkpoint deployments during the coming year, if such checkpoints are to be utilized.
Troop Commanders	Shall: a. Designate a Commissioned Officer to conduct the site selection and operational planning for each Sobriety Checkpoint; b. Approve the written operational plan and site selection; and c. Designate a Commissioned Officer to be the OIC of the Sobriety Checkpoint.

Sobriety Checkpoint OIC	Shall ensure: a. The safety of all motorists and officers at the checkpoint; b. Motorists are directed to the screening area by at least one (1) officer; c. At least one (1) but preferably two (2) officers interact with motorists during the screening process; d. Motorists not arrested are released as quickly as possible; e. Arrested motorists' vehicles are inventoried and towed, if applicable, in accordance with TRF-09 "Towing" and TRF-10 "Vehicle Inventory"; f. If practical, the vehicle may be released to a licensed and sober operator, before towed from the screening area, if the detainee completes a valid breath test; and g. Guidance is issued for the deployment of Tire Deflation Devices per TRF-21 "Tire Deflation Devices".
Safety Vehicle Officer(s)	Shall: a. Assist with the setup of the work zone prior to the start of the checkpoint; b. Observe traffic for vehicle operation indicating OUI; c. Observe traffic to forewarn other officers and motorists of approaching dangerous drivers; d. Observe traffic for violations of law and notify the OIC; e. Ensure that visual warning devices are activated; f. Monitor traffic for backup; and g. Consider use of speed measuring devices to ensure safety.
Sobriety Checkpoint Greeting Officers	Shall: a. Be courteous and polite when interacting with motorists. The element of voluntariness reduces the intrusiveness of the procedure; b. Ensure all contacts are brief, with a short greeting such as "Good evening, this is a State Police Sobriety Checkpoint." c. Minimize the inconvenience to motorists; d. Direct the vehicle to the screening area if reasonable suspicion that an OUI offense or any violation of law has occurred,; and/or e. Ensure the safety of motorists being checked further by directing them to an appropriate location to park in the OUI screening area.
Sobriety Checkpoint Screening Officers	Shall: a. Minimize the inconvenience of motorists by screening them for OUI as efficiently as possible and administering Standardized Field Sobriety Tests, roadside assessments that may include a preliminary breath test device (PBT), and/or oral fluid drug screening device; and b. If probable cause is established for OUI, the member shall arrest the subject, barring extenuating circumstances dictating alternative enforcement action(s).

12. <u>References.</u>

a. M.G.L. c. 90 § 24;
b. Commonwealth v. McGeoghegan 449 N.E.2d 349;
c. TRF-09 Towing; TRF-10 Motor vehicle Inventory; TRF-14 Operating Under the Influence;
d. MassDOT Work Zone Safety Guidelines;
e. NHSTA Countermeasures That Work, Fifth Edition, 2010;
f. MPAC: 61.1.6, 61.1.10, 61.1.11.

Promulgated by:

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