

# WOONSOCKET POLICE DEPARTMENT

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CHIEF OF POLICE



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INDEX		DISTRIBUTION	
Traffic		Sworn Personnel	

## TRAFFIC ENFORCEMENT

### I. PURPOSE

The purpose of this policy is to establish procedures for traffic law enforcement activities, including general and specialized enforcement, traffic stops and physical arrests, summons, and citation procedures.

### II. POLICY

It is the policy of the Woonsocket Police Department to protect the lives and property of any persons using the highways within the City of Woonsocket through professional and impartial traffic enforcement.

### III. PROCEDURE

#### A. GENERAL

1. A conscious effort must be made by all officers to make contacts as positive as possible, considering the circumstances, thereby enhancing the public perception of this department.

2. All contact made with the public in connection with traffic enforcement will be professional and impartial and will be carried out in a firm, courteous, and fair manner.
3. The ultimate goal of traffic law enforcement is to achieve voluntary compliance by all persons using the highways, to reduce collision rates.
4. Enforcement will not be based on quotas, but will be of a directed nature based on identified needs and resulting from information based upon:
  - a. Accident locations and severity;
  - b. Citizen complaints;
  - c. Officers' observations;
  - d. Enforcement activity records;
  - e. Traffic conditions.
5. Officers shall not consider a person's race, ethnicity, national origin, religion, gender, disability, or sexual orientation in deciding which vehicles to subject to a traffic stop, search, or other post-stop action, except where officers are on the lookout for or are seeking to stop, detain or apprehend one or more specific persons who are identified or described in part by these characteristics.

**RI 11.1.a**

**B. PHYSICAL ARRESTS**

1. Officers should arrest persons for any serious traffic offenses, including:
  - a. Driving without the consent of the owner;
  - b. Possession of stolen vehicle or parts;
  - c. Operating on an out-of-state license that is suspended for a fourth or subsequent offense;
  - d. Driving after denial, suspension, or revocation of license (when an out-of-state resident or not providing identification) and driving without first obtaining for a fourth or subsequent offense;
  - e. Leaving the scene of an accident – death or personal injury or damage to the attended vehicle;
  - f. Driving to endanger, death, or serious injury resulting;
  - g. Driving under the influence of liquor or drugs;
  - h. Reckless driving, drag racing, eluding a police officer;
  - i. Obstructing an officer by failing to provide or falsifying his/her identification;
  - j. Any outstanding wants or warrants, which have been verified;
  - k. Any misdemeanors or felonies under state law.
2. When an adult is arrested for a traffic offense, court complaints, and prosecution paperwork will be completed in addition to any violation.

**RI 11.4.b**

**C. SUSPENDED, REVOKED, EXPIRED, WITHOUT A LICENSE, OR CANCELLED LICENSE**

1. If during their duty, an officer encounters a driver whose privileges have been suspended, canceled, revoked, or expired or who operates without a valid license, the officer will charge the person under Rhode Island General Law [\(RIGL\) §31-11-18](#).
  - a. For a first, second, or third offense, operators may not be taken into custody or arrested for the sole offense of a violation of [§31-11-18](#). In those cases, a citation will be issued. These citations will be documented in the RMS as an Offense Report (OF).
  - b. For a fourth or subsequent offense, operators may be taken into custody or arrested for the sole offense of a violation of [§31-11-18](#). In those cases, a summons will be issued after processing according to statutory requirements. These cases will be documented in the RMS as an Arrest Report (AR).
    - 1) Any person so charged must be brought to headquarters, booked, photographed, fingerprinted, and released with a summons once the officer establishes positive identification of the subject.
2. If during their duty, an officer encounters a driver whose privileges have been suspended, canceled, or revoked as a result of a previous charge of operating under the influence of a narcotic drug or intoxicating liquor, refusing to submit to a chemical test, reckless driving, manslaughter from the operation of a motor vehicle or operating to endanger resulting in death or three (3) moving violations with one year, the officer will charge the person under [§31-11-18.1](#).
  - a. Persons so charged may be taken into custody, transported to the station, booked, processed, and secured in a cell.
  - b. Persons operating under a “Hardship License” issued pursuant to an alcohol-related offense may be charged under this statute if operating outside of the parameters of their “Hardship License.”
3. Vehicles will be towed or, with permission of the operator, turned over to a licensed operator.
4. When issuing a summons, which requires a District Court appearance, the violation will include the court date, time, and address of the court and be attached to the complaint if the offender is taken into custody. The officer shall also issue the offender a separate District Court summons as per the order of the Court.
5. The provisions for citing a person for operating with an expired license provide for the operator to obtain or renew their license and, within ten days bring that license and summons to the police station, and the violation will be voided.

**RI 11.3.a**

**D. CITATION (RHODE ISLAND TRAFFIC TRIBUNAL)**

RI 11.3.b  
RI 11.3.c  
RI 11.3.d

1. Issuance of citations.
  - a. Citations will be issued based on probable cause, which satisfies the elements of the specific violation being charged.
  - b. Discretion may be used when enforcing violations.
  - c. When issuing a citation, the officer will give instructions to the violator explaining his/her options to pay by mail or explain the pre-assigned trial date indicating the court location.

2. Processing the citation.
  - a. After issuing a citation, the remaining copy will be submitted to either the Municipal or Rhode Island Traffic Tribunal (RITT) Prosecutors.
  - b. Officers should complete a brief narrative describing attendant factors and circumstances to support the violation, the officer's location at the time of the violation, conditions/hazards present, and the operator's demeanor, statements and/or admissions. (When completing an eCitation, this can be completed in the narrative section in the Records Management System (RMS))
  - c. Officers will enter all traffic citation data into the RMS and ensure that each entry has the applicable racial profiling data entered into the computer.
  - d. The Traffic Division and Municipal Court shall retain copies of their respective violations, for prosecution purposes.
  - e. The Traffic Division will be responsible for distribution to the proper authority.

RI 15.8.c  
RI 15.8.a  
RI 15.8.b

3. Supply and distribution.
  - a. Traffic citations will be secured within the Traffic Division, however are no longer utilized.
  - b. All issued eCitations are managed by the prosecution division.
  - c. eCitation printer paper will be stored in the report writing room.
  - d. The Traffic Division supervisor is also responsible for the preparation of documents for periodic state audits.

4. Voidance of Citation.
  - a. Only the Chief of Police, or designee, can void a citation, and will be done so by completing a Void Citation Form.
  - b. Citations may be voided under the following circumstances:
    - 1) If an error is made on a citation.
    - 2) If the citation has been lost or damaged.
    - 3) If an investigation discloses that an improper charge has been filed, the violation may be voided and reissued with the correction or rescinded.

- c. An interoffice memorandum indicating the reason for the void and the number of any replacement violations will be forwarded to the Traffic Division along with all copies of the violation.
- d. The Traffic Division will perform audits on all voided citations.

**RI 11.1.c**

- 5. Verbal Warnings and Written Warnings.
  - a. An officer may elect to give a verbal warning for a non-criminal infraction.
  - b. Only the officer's assigned to the Traffic Division can issue written warnings.

**E. INSURANCE VIOLATIONS**

- 1. Rhode Island General Laws, regarding insurance, apply to all vehicles registered and operated in this state both private passenger and commercial. Exceptions are vehicles for hire (taxis, buses) public vehicles, (police, fire, rescue vehicles), and government-owned vehicles. (See RIGL [§31- 47-9](#)).
- 2. Accident Investigation
  - a. If proof of insurance is not provided during an accident investigation, a citation to appear before the Rhode Island Traffic Tribunal will be issued to the operator.
  - b. If a registered owner is not the operator, the officer will complete an "Owner Proof of Insurance Form" and mail a separate violation to the registered owner.
- 3. Motor Vehicle Stop
  - a. When a vehicle is stopped for cause, evidence of insurance must be shown.
  - b. If no evidence of insurance can be produced or coverage is not in effect, a citation to appear before the Rhode Island Traffic Tribunal will be issued to the operator. If a registered owner is not the operator, the officer will complete an "Owner Proof of Insurance Form" and mail a separate violation to the registered owner.
  - c. Policies covering other vehicles owned by the insured DO NOT cover the vehicle in question unless the owner can prove it is a replacement vehicle or purchased as an additional vehicle within the last 30 days.

**F. OTHER VIOLATIONS**

**RI 11.4.e**

- 1. Equipment violation.
  - a. Enforced through the issuance of Notice and Demand, Violation, or verbal warning.

- b. In deciding to cite or warn, the officer may consider whether the violation presents an immediate hazard to either the safe continued operation of the vehicle surrounding vehicles or pedestrian traffic. If such a hazard exists, then a violation is in order.
- c. If the violation is such that any further operation under the existing conditions would pose a danger, the officer may have the vehicle removed from the road under RIGL [§31-23-1](#) entitled, “Driving of Unsafe Vehicles – Disobedience of Requirements.”
- d. If the violation results in a motor vehicle crash with life-threatening injuries or death resulting, officers will impound the vehicle and arrange for an inspection by the Department of Motor Vehicles (DMV) by notifying the Traffic Division. Be sure to note any defects to be checked. A report will be left for the Traffic Division and left in the Traffic bin.
- e. If the violation results in a non-life-threatening motor vehicle crash, the officer will issue the offender the appropriate moving violation as well as a notice and demand for the claimed malfunction and have the vehicle towed from the scene. The DMV will not inspect such vehicles.
- f. If the violation is non-hazardous and the driver is unaware of the violation, a verbal warning may be utilized.

## 2. Vehicle Inspection

- a. Any officer who determines a vehicle to have a false certificate of inspection will take the following steps:
  - 1) Issue the vehicle operator a Rhode Island Traffic Tribunal (R.I.T.T.) violation for “False Certificate of Inspection” RIGL [§31-38-9](#) being a R.I.T.T. hearing.
  - 2) A counterfeit inspection sticker should be confiscated by the officer for his/her paperwork. This sticker can be attached to the officer’s department violation copy.
  - 3) The plates are to be left on the vehicle and the vehicle WILL BE TOWED.

### RI 11.4.i

## 3. Multiple Violations – Aggressive Driving Statute

- a. An operator of a motor vehicle who commits several flagrant violations is of special concern to an officer. The General Assembly finds that aggressive driving has become a significant public safety concern in recent years and specific legislation designed to severely curtail this problem driving behavior is in the public interest. Under [§31-27.1-3](#), aggressive driving means that an individual, coincident with operating a motor vehicle in violation of Chapter 14 of this title, engages in conduct that violates two or more specific roadway violations. Refer to the statute for specifics.

- b. It is recommended that a citation be issued in these circumstances; however, if the multiple violations are considered to be a “reckless operation” an arrest can be conducted.

**RI 11.4.d**

4. Hazardous violations

- a. Violations of traffic laws that pose a threat to the public should be treated appropriately. The officer should base his/her decision of enforcement action on their training, experience, and common sense.

**RI 11.4.g**

5. Non-hazardous Violations

- a. Violations of traffic laws, which do not pose a direct threat to the public (i.e., wearing headsets, no turn signal), will be enforced by either a verbal warning or citation, depending on the circumstances.

**RI 11.4.f**

6. Public Carrier / Commercial Vehicles Violations

- a. No special consideration should be given to the public carrier or commercial vehicles.
- b. These vehicles must comply with all state, federal regulations, and municipal laws subject to citation unless specifically exempt.
- c. If the officer feels such a vehicle violates federal or state-mandated regulations, he/she may request assistance from a Commercial Enforcement Officer from this department or the Rhode Island State Police.

**RI 11.4.k**

7. Violations resulting in Traffic Accidents

- a. When a violation results in a traffic accident, an officer may issue a citation if he/she feels it is warranted. Reasons and evidence supporting the violation should be detailed in the accident report.
- b. Violations must be substantiated through physical evidence, witness statements, or admission of the violation by the offender.
- c. When a vehicle is not physically involved in an accident contributes to the cause of the accident. The vehicle and operator should be identified in the report, if possible.

**G. TRAFFIC VIOLATORS**

**RI 11.2.a**

1. Traffic offenses by non-residents

- a. Non-resident drivers are rarely confronted with unfamiliar traffic regulations. Therefore, residency should not be an enforcement consideration.

**RI 11.2.c**

2. Traffic offenses by juveniles

- a. All felony and misdemeanor traffic violations will be referred to the Juvenile Division for appropriate action.
- b. In all non-criminal infractions under the jurisdiction of the Rhode Island Traffic Tribunal or Municipal Court, juveniles 16 and over will be referred to the Rhode Island Traffic Tribunal.
- c. All juveniles under 16 will be referred to the Juvenile Division.
- d. If a permit holder is over 16 but under 18 and not following the statutory restrictions regarding driving times and/or having a supervisory driver with them, they are to be charged with “Operating without first obtaining” ([§31-11-18](#)). The Rhode Island Traffic Tribunal has jurisdiction.
- e. If a permit holder is over 18 years of age, current law only requires that they have the permit on their person. If that individual does not have their permit on their person, they can be cited with a Provisional License violation under [§31-10-6.4](#), RITT jurisdiction.
- f. A person over 18 years of age operating with a permit does not require a supervising driver to accompany them. The definition of a supervising driver: A person who has held a valid license for five (5) years.

**RI 11.2.b**

3. Traffic Offenses by Legislators

- a. According to Section [§22-4-2](#) of the R.I.G.L. Legislators are exempt from arrest during the General Assembly session, including two (2) days before the commencement and two (2) days after the termination of the session. However, issuance of a motor vehicle violation citation/summons to a Legislator is not precluded at any time.

**RI 11.2.d**

4. Foreign Diplomats / Consular Officials. Diplomatic Immunity is broadly defined as the freedom from local jurisdiction according to duly accredited Diplomatic Officers, their families, and servants.

- a. Diplomatic officers should not be detained, except for the commission of a serious crime. The U.S. Attorney’s Office is the point of contact. To contact, and notify the State Department regarding incidents involving foreign diplomats/consular officials, and/or foreign nationals.
- b. Ambassadors, Ministers, Minister-Counselor, Counselors, First Secretary, Second Secretary, Third Secretary, and Attaché along with their families, are protected by unlimited immunity from arrest, detention, or prosecution concerning any civil or criminal offense.
- c. Consular Officials are titled as Consuls-General, Deputy Consuls-General, Consuls, and Vice Consuls. Such an official is immune from criminal jurisdiction only in acts performed in the exercise of consular functions, subject to court determination.
- d. **Moving** violations – When a consular official is stopped for a moving traffic violation, the officer on the scene, upon being advised by the driver that

he/she is a Consular Official and ascertaining that he/she possesses the proper credentials, should exercise discretion based on the nature of the violation and either verbally warn the violator or proceed with the issuance of the appropriate citation. The issuance of a traffic citation/summons does not constitute arrest or detention.

**RI 11.2.e**

5. Traffic Offenses by Military Personnel

- a. Defined as those on active military duty.
- b. Required to obey all state and local laws on traffic enforcement.
- c. Personnel who commit traffic violations will be processed in the same manner as any citizen.
- d. Personnel arrested for a criminal traffic violation will be processed in the same manner as a non-resident traffic misdemeanor. The arresting officer may summon the person's superior officer or designee on his/her request.
- e. Personnel arrested for a felony will be processed like any other arrestee.
- f. Personnel may qualify as a resident, as defined in R.I.G.L. [§31-1-18](#) entitled, "Resident and non-resident."

H. PARKING ENFORCEMENT

1. All officers are responsible for parking enforcement. The purpose is to correct infractions, which may be accomplished by warning, violation, and/or towing if necessary.
2. During peak traffic hours or in areas with high volumes of traffic, consideration should be given to expeditiously resolving parking violations to avoid traffic hazards.
3. This department does have tow-away zones established by City Ordinance.
4. Handicap parking violations will be issued with an eCitation.

**RI 11.4.i**

I. PEDESTRIAN AND BICYCLIST ENFORCEMENT

1. After reviewing and analyzing accident and citation data, the Officer-in-Charge (OIC) may assign selective enforcement projects to target bicycle and pedestrian violations if deemed appropriate.

**RI 11.4.h**

J. OFF-ROAD VEHICLES

1. Officers will enforce the City Ordinance and state laws relating to the use of off-road vehicles.
2. Laws and ordinances on noise emitted from off-road vehicles will also be enforced.

**RI 11.4.c**

K. SPEED ENFORCEMENT

1. Speed violations, as determined through the use of the radar, clocked distance (minimum of 3/10 of one mile), or laser, will be enforced through the use of citation or verbal warning
  - a. Citation or verbal warning. In determining which method of enforcement is necessary, the officer should consider the seriousness of the violation (comparing the violator's speed to the posted speed limit, any hazardous conditions created by the violator, and surrounding traffic, pedestrians, weather, or road condition).
2. All sworn personnel may issue speeding citations after pacing a motorist for a distance that will accurately indicate vehicle speed in a police vehicle with current calibration.
3. Only certified officers may operate radar or laser to issue citations.

#### L. RADAR AND LIDAR USAGE

1. Specifications – the department uses several brands and types of speed-measuring devices. Specifications are kept on file in the Traffic Division.
2. Operational Procedures – Hand-held radar and Light Detection and Ranging (LIDAR).
  - a. Verify radar/laser unit is turned off before connecting it to power.
  - b. Check calibration.
  - c. Select the target.
  - d. Establish tracking history.
  - e. LED readout must be consistent with visual observations.
  - f. With tracking history established, the operator can determine the speed of a single vehicle.
3. Care and Upkeep
  - a. Equipment will be stored in the factory case, if available, and stored in the Traffic Division when not in use.
  - b. All radar and laser units are delicate instruments and are to be handled accordingly.
  - c. When radar or laser requires repair, the officer will send an interdepartmental email indicating the problem(s) with the unit and forward it to the Traffic Division. The Traffic Division OIC, or designee, will arrange the repair of the defective equipment.
4. Programmed Maintenance

- a. All radar and laser units will be examined and calibrated on an annual basis by licensed laboratory personnel.
5. Maintenance and Calibration Records
- a. Each radar and laser units records will be maintained within the Traffic Division.
  - b. Documentation of all calibration records will be available for court proposes.
6. All officers operating radar or laser units will be trained and certified.

**RI 11.4.a**

**M. DRIVING UNDER THE INFLUENCE COUNTERMEASURES**

1. During every traffic stop and while investigating every traffic accident, the officer will check the driver for signs of impairment, due to alcohol/drugs and make arrests where appropriate.
2. Officers of this department will aggressively enforce laws on alcohol use by motorists.
3. After reviewing alcohol-related data, the Traffic Division OIC may make selective enforcement assignments of personnel at a time and location where significant numbers of violations or accidents involving impaired drivers have occurred.
4. Selective surveillance of roadways on which there has been an unusual number of alcohol-related accidents to ascertain the types of violations committed by the problem drinker who drives.

**RI 11.4.a**

**N. DRIVING WHILE INTOXICATED (DWI)– ENFORCEMENT**

1. DWI Traffic stops
  - a. When an officer makes a stop of a traffic law violator and he/she believes the driver's ability to safely operate a motor vehicle is impaired due to the use of alcohol/drugs, the officer will request the driver to submit to a series of Field Sobriety Tests.
  - b. If the driver is able, he/she should be asked to move to an area that is a safe distance from the roadway and on a firm, level surface, if possible.
  - c. The officer will follow the department's standard procedures for Sobriety Testing.
  - d. The results must be documented in the offense report.
  - e. If the officer is satisfied that probable cause exists to charge the suspect with DWI, then the driver should be arrested and transported to headquarters for further investigation and testing.
  - f. The officer will not move the driver's vehicle for him/her unless it poses some type of hazard.
  - g. Advise the Communications Center you will need a breathalyzer operator (if not certified).

- h. The breathalyzer operator will complete the “alcohol influence” form and advise the suspect of his/her rights.
- i. If the suspect refuses the breathalyzer test, it is the arresting officer’s responsibility to fill out the refusal affidavit form.
- j. If breath test results are over .30, the suspect will be transported to the hospital for evaluation, after notification to a supervisor.
- k. If drug impairment is suspected, a Drug Recognition Expert (DRE), if available, will be contacted to assist in the investigation.
- l. Whenever blood and urine samples are taken as part of the DWI investigation, a toxicology sheet must be completed and placed in the case folder. All other procedures regarding the breathalyzer exam should still be followed.
- m. The RI Dept of Health has supplied kits that are designed to assist an officer in obtaining blood evidence test kits, in applicable cases. These kits can be located in the Uniform OIC’s Office.
- n. The Evidence Officer will be responsible for transportation of any blood samples obtained/seized as a result of DUI/OUI Investigation, which are transported to the RI Dept. of Health for Toxicology Screening.
- o. Charges of DWI observation will be at the OIC’s discretion.

## 2. DWI Accidents / Fatal Accidents

- a. If impairment is detected while investigating an accident, the investigating officer should inform the driver when the investigation of the accident is complete and when the criminal investigation begins.
- b. The accident scene should be checked for evidence of alcohol or drugs.
- c. Other drivers and witnesses should be questioned as to their observations concerning driver impairment.
- d. If an operator is suspected of driving under the influence of intoxicating beverages and/or drugs and is transported by rescue to a medical facility, he/she shall be accompanied by an officer to maintain observation of the operator.
- e. If the accident results in death or serious bodily injury, members of the Traffic Division will follow up on the investigation. The Accident Reconstruction Team will be responsible for utilizing other investigative tools, such as a search warrant or other subpoenas to secure the necessary evidence to further the investigation to the Attorney General for consideration even when evidence does not indicate any criminal action on the part of the driver(s). Exceptions to this policy will be accidents wherein the driver(s) is deceased or one-car collisions.
- f. Blood/urine samples must be tagged as evidence and placed in the refrigerator in the first-floor armory. Samples should be marked “BIOHAZARD.”
- g. Charges may be withheld pending results from the State Toxicologist.

## O. TRAFFIC ENFORCEMENT PRACTICES

1. Visible Traffic Patrol (Area, Line, and Directed) Based on the principle that the effective deterrent to traffic law violation is highly visible patrol in a distinctly marked vehicle, enforcement activities will be conducted in the following manner:
  - a. Area patrol will be used primarily in traffic enforcement in the entire City of Woonsocket.
  - b. Officers may be used on roadways identified as a selective enforcement problem due to traffic volume, accident statistics, citizen complaints, or the number of violations.
  - c. Directed patrol is patrol specifically directed to a particular problem, such as DWI enforcement, or at times and locations determined through analysis to present a traffic problem.
2. Stationary Observation
  - a. In areas where stationary observation is necessary to maximize the effectiveness of a selected enforcement effort, officers will park in a conspicuous location (overt) and in such a manner that traffic flow is not impeded.
  - b. Covert selected-enforcement should only be used in problem areas indicated by volume or seriousness or accident or violation, but should never be used as a “speed trap.”
  - c. Traffic law enforcement will include the use of roadside safety checks.
3. Unmarked vehicles
  - a. Unmarked or unconventional vehicles will not be assigned for traffic enforcement without the permission of the Uniform Captain.

#### RI 11.5

#### P. STOPPING AND APPROACHING TRAFFIC VIOLATORS

1. Officers should strive to make each citizen contact educational and leave the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.
2. Traffic stops have two objectives:
  - a. To take enforcement action.
  - b. To favorably alter the violator’s future driving behavior.
3. Procedures for officers initiating a traffic stop are:
  - a. Choose the stop location carefully, avoiding poorly lit areas, intersections, and blocking entrances to businesses and residences. Consider locations where cover is available, if necessary.

- b. Before initiating contact with a violator, advise Communications of a vehicle registration number, a brief description, and the location of the stop.
  - c. Activate emergency lights, and use a horn or siren, if needed, to alert the driver of the stop.
  - d. Position the patrol car behind the stopped vehicle and offset it to the left. Leave the vehicle running and the driver's door unlocked. Consider who may be in the immediate area when leaving the patrol car unlocked.
  - e. Before exiting the vehicle, observe the occupants in the stopped vehicle for unusual movement.
  - f. At night, high headlight beams, spotlights, and takedown lights should be used to conceal the officer's movements from the violator and for better visibility inside the stopped vehicle.
  - g. If the operator exits the vehicle, the officer should determine whether the subject should walk to the curb or get back into the car. Exiting the car is uncommon and the officer should use caution.
  - h. Officers should consider weapon readiness at every stop.
4. When approaching the vehicle, the officer should:
- a. Watch occupant(s).
  - b. Check for altered license plates.
  - c. Check the trunk to see if it is closed and locked.
  - d. Observe the interior for possible weapons or hidden passengers.
  - e. If dark, the officer should order the operator to turn on his/her interior lights in compliance with [§31-22-24](#).
  - f. Officers should avoid passing between the lights of the police vehicle and the violator's vehicle.
  - g. Officers should stand beside the vehicle, as close as possible, to the rear of the driver, and watch the passengers carefully.
  - h. Officers should always keep a constant view of the violator's hands. Have the violator reach outside. The officer should take the driver's license or other identification with his/her non-gun hand.
5. Once the officer has stopped the violator and established control to a point where communications with the violator can begin, the officer should:
- a. Be alert at all times.
  - b. Be certain of the observed violation or action.
  - c. Present a professional image in dress, grooming, language, bearing, and emotional stability.
  - d. Have the necessary forms available. Decide on appropriate enforcement action based on the violation, not the violator's attitude.
  - e. Courteously greet the violator.

RI 11.1.b

- f. Request and accept the violator's driver's license and vehicle registration form, if needed.
- g. Inform the violator of the reason for the stop and the intended enforcement action, if necessary. Do not keep the violator in suspense.
- h. Attempt to obtain another form of identification if the driver has no driver's license.
- i. Allow the driver to reasonably discuss the violation.
- j. Make sure the driver is made aware of the proper instruction to dispose of the violation listed on the reverse side of the ticket. Notify the operator of the court date, time, and location, if necessary. Explain any alternatives to the violator, but do not predict the action of the court.

RI 11.3.a

RI 11.3.b

RI 11.3.c

RI 11.3.d

- k. Give the driver his/her copy of the violation, explaining the pay-by-mail option, if available, court date, time, and location or to expect notice or date in the mail.
  - l. Return the violator's license and registration.
  - m. Assist the violator in safely re-entering traffic, if necessary.
6. A motorist and/or passenger shall only be detained as long as necessary to accomplish the purpose of the stop. Once the officer's suspicions are dispelled, the detention must end or additional facts must arise to support further detention. Circumstances that give rise to an extended detention period shall be documented in the officer's report, field interview card, or relayed to dispatch for inclusion in the Computer-Aided Dispatch (CAD) entry notes.
7. High-Risk Vehicle Stops (Vehicle stops where the officer is aware of factors that increase the potential danger to an officer. Ex. Operator is suspected of the crime of violence or a felony, presence of weapons, etc.)
- a. When planning to stop a suspect vehicle the officer shall notify the Communications Center, describe the nature of or the reason for the stop, provide information on the vehicle, registration, and the number of occupants, and request appropriate assistance to make the stop.
  - b. An officer should not individually initiate high-risk vehicle stops unless backup 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 thirty (30) feet behind the suspect vehicle, in positions that will maximize opportunities for cover and in a manner that will illuminate the interior of the vehicle.
  - e. Once the suspect vehicle has stopped, officers should assume positions of cover.
  - f. The primary officer initiating the stop, or the officer with the best observation point, should issue verbal commands to vehicle occupants

through the vehicle's public address system. Generally, only the primary officer shall issue commands.

- g. The primary officer shall first identify himself and then notify the occupants of the vehicle that they are under arrest and that all instructions are to be followed without hesitation or suspicious movements.
- h. The operator of the suspect vehicle should be ordered to follow all commands, such as: lower his window, remove the ignition keys with his/her left hand, drop them on the ground, open the door from the outside, step out of the vehicle, turn completely around, face away from the officers, walk backward toward the officers, and to stop and lay face down on the ground with arms out. All other occupants should be similarly commanded until all are in a position to be handcuffed and searched.
- i. With appropriate cover, officers should then approach the suspect vehicle to inspect the passenger compartment and trunk.

#### RI 11.4.j

#### Q. NEWLY ENACTED LAWS AND/OR REGULATIONS

When new laws are enacted or new traffic control devices are installed, enforcement action may be taken by:

1. Verbal warning or citation.
2. A verbal warning may be used in place of citations, during a grace period for new laws or traffic control devices.

#### R. DRIVER RE-EXAMINATION

1. Officers of the department who encounter a motorist whose driving ability is questionable due to a mental or physical condition may request that the motorist be re-examined regarding his/her driving ability.
2. Incomplete knowledge of traffic laws alone is not sufficient grounds to justify involuntary re-examination.
3. Driver re-examination requests are submitted in two (2) ways:
  - a. The driver in an accident may be reexamined if the investigating officer makes the appropriate entry in the narrative of his/her report and forwards the same to the Traffic Division, which will mail it to the DMV Board of Medical Review.
  - b. If not an accident case, a report should be prepared by the Traffic Division and mailed to the Medical Review Board.

**Per order,**

*Thomas F. Oates, III*

**Chief of Police**

*Written directives published within PowerDMS are in full force and effect on the referenced dates and have been approved by the Chief of Police*