



POLICY & PROCEDURE

PORTAGE POLICE DEPARTMENT

SUBJECT: **TRAFFIC STOPS**

SCOPE: All Sworn Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE:

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 RESCINDS
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PURPOSE: The purpose of this Policy & Procedure is to provide guidelines for members of the Portage Police Department for stopping and approaching traffic law violators.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. GENERAL CONSIDERATIONS
- III. REASONS FOR VEHICLE CONTACT
- IV. THREAT ASSESSMENT OPPORTUNITY
- V. LEVEL/STAGE/DEGREE OF STABILIZATION
- VI. OFFICER SAFETY DURING TRAFFIC STOPS

I. POLICY

- A. The Portage Police Department shall maintain a policy calling for enforcement action against violators of the traffic code within jurisdictional boundaries.

II. GENERAL CONSIDERATIONS

- A. Traffic enforcement patrol by the uniform patrol shifts shall be conspicuous to act as a deterrent to traffic code violations.
- B. The officer shall handle traffic contacts in a professional and courteous manner.

- C. Officers, when stopping moving traffic violators, shall make the vehicle stop in a location that is safe for both the officer and the violator if possible. The positioning of the police vehicle should be such as to provide safety to the officer at the scene of the stop, taking into consideration time of day, type of violation, and potential hazards.
- D. Officers, when stopping moving traffic violators, shall make a reasonable attempt to position the squad car safely in a manner allowing the in-squad video camera to capture the traffic stop/contact.

III. REASONS FOR VEHICLE CONTACT

- A. Any law enforcement officer may initiate a vehicle contact in the following situations:
 - 1. The officer has probable cause for a traffic or equipment violation.
 - 2. The officer has probable cause to arrest a driver or passenger for a crime.
 - 3. The officer has reasonable suspicion that a driver or passenger has committed, is committing, or is about to commit a crime.
 - 4. The officer is assisting a motorist who is in apparent need of help.
- B. Officers shall NOT base any traffic stop upon racial profiling or any other factor except for the lawful reasons as noted above. Also refer to Policy & Procedure 1.12 Biased Based Policing.

IV. THREAT ASSESSMENT / OFFICER SAFETY

When conducting traffic stops, officers for their own safety and the safety of the community at large will conduct the stop taking into consideration officer safety factors included but not limited to:

- A. Prior Experience
 - 1. If the officer has dealt with this individual before, they will have some basis for predicting how he or she will respond to the officer now.
- B. Violation
 - 1. The nature and severity of the offense that prompted the contact may have implications for the level of threat posed by the suspect.
- C. Pre-Signal Behavior
 - 1. All behaviors that the officer observed prior to the stop should give some indication of the level of threat presented. These behaviors shall be noted by the officer.

D. Signal Reaction

1. Any unusual response to the officer's signal or emergency lights should heighten the threat level.

E. Vehicle

1. If the vehicle itself poses a danger to the officer or proves to be a disadvantage, the officer shall have a higher threat level i.e. – tinted windows, large vehicles, or motorcycles.

F. Special Circumstances

1. When the officer chooses to initiate a stop, they need to consider the location before turning on their emergency lights. The three general aspects of a location to consider are:
 - a) Traffic hazards - hill crests, curves, construction zones, intersections, and high traffic areas.
 - b) Complications - private property, little or no light, hostile crowds, and pedestrian traffic.
 - c) Escalation or disengagement - cover and concealment, vehicle escape routes, and on-foot escape routes.
 - d) Back up considerations - Officer(s) may always request additional back up if needed.

V. LEVEL/STAGE/DEGREE OF STABILIZATION

- A. The level/stage/stabilization refers primarily to the type of contact the officer chooses to make.

1. Approach contact – low threat level
 - a) Make the decision to stop the vehicle
 - b) Report the location of the contact and vehicle description to dispatch
 - c) Initiate the contact by signaling the driver to pull over by utilizing emergency lights and/or siren
 - d) Position officer's vehicle properly
 - e) Approach the subject vehicle properly - at times, depending on the circumstances; officers may be better served to approach the vehicle on the passenger side.
 - f) Make contact with the subject

- g) Return safely to the squad car and handle paperwork, radio, laptop
 - h) Re-contact the driver
 - i) Return safely to the squad and assist vehicle into traffic
 - j) Complete paperwork
2. Non – Approach Contact - threat assessment suggests that it is unsafe for an approach but the perceived risk does not warrant a high-risk vehicle contact. In this instance officers should consider a backup officer respond.
- a) Make the decision to stop the vehicle
 - b) Report the location of the contact and vehicle description to dispatch
 - c) Initiate the contact by signaling the driver to pull over by utilizing emergency lights and/or siren
 - d) Position officer's vehicle properly
 - e) Remain in the squad and use the PA system to give directions to the subject(s).
 - f) Have the driver gather their driver's license or identification and have it in hand
 - g) Have the driver exit vehicle and walk towards the front of the officer's squad
 - h) The officer will then position them self either by the driver's side or passenger front fender to have personal contact
 - i) The officer will gather all needed information and have the subject return to their vehicle
 - j) Return to the squad and run checks, use radio, laptop
 - k) Re-contact the driver at their vehicle
 - l) Return safely to the squad and assist motorist into traffic
 - m) Complete paperwork
3. High Risk vehicle contacts - High threat level with four considerations are nature of the offense, occupants with warrants for violent offenses, pursuits, and occupant with violent history.
- a) Report location and vehicle information to dispatch and request back-up
 - b) Coordinate other responding officers
 - c) When the officers are in position, make the stop

- d) Position law enforcement vehicles/personnel properly
- e) Order occupants out one at a time and secure them
- f) Clear the vehicle properly

VI. OFFICER SAFETY DURING TRAFFIC STOPS

- A. Officer safety shall be a primary consideration when taking any traffic enforcement action, refer to Policy & Procedure 6.06: Traffic, I. F.

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Chief of Police

This Policy & Procedure cancels and supersedes any and all previous written directives relative to the subject matter contained herein.

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