

CHAPTER 3
ENFORCEMENT STOPS
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CHAPTER 3

ENFORCEMENT STOPS

1. INTRODUCTION. The officer is confronted with a unique set of circumstances during enforcement stops. The officer may not be aware if the person being stopped has committed another, more serious offense. It is this unknown risk factor which demands all enforcement stops be made with the safety of the officer and the public in mind.

2. MAKING THE STOP.

a. Quick Apprehension. Upon observing a violation, the officer should stop the violator's vehicle as soon as possible. Many problems may be generated when the officer waits too long before stopping the violator.

(1) The farther the violator is pursued, the longer the officer is exposed to the hazard of high-speed driving and their safety can be greatly affected.

(2) It may appear that the officer is attempting to see how many violations they can catch the violator committing before the stop is made.

(3) With some violations, speeding as an example, a defense can be raised contending that if the violation was so hazardous, why did the officer allow it to continue and not stop the violator immediately.

(4) Excessive time lag between the violation and the stop may give the violator an opportunity to plan an escape or resistance.

(5) The deterrent effect on other motorists may be diminished or lost if they witness a violation without timely enforcement action being taken.

b. Choosing a Safe Location. The officer should be well acquainted with their beat to allow for stopping violators in a safe place, clear of traffic. Knowledge of the beat is a critical and useful enforcement tool for all officers.

(1) The officer should select a safe location to stop the violator, keeping in mind their own safety, as well as that of the violator and the general public. Considerations should include, but not be limited to the following:

(a) Area lighting.

(b) Shoulder width.

- (c) Safe area off the freeway (e.g., parking lot, gas station).
- (d) Area familiarity for the officer.
- (e) Accessibility for responding units.
- (f) Space for extensive investigations (e.g., driving under the influence).
- (g) Protective barriers (e.g., guardrail, concrete wall).

c. Initiating the Stop.

(1) After selecting the location intended for the stop, the officer should check other traffic, particularly to the rear.

(2) Under most circumstances, the rear amber flashing lights should be employed prior to the front red light. This indicates to those behind that a hazard may exist. Turn signals should also be used in conjunction with the rear amber lights to provide an indication of intended patrol car direction.

(3) The forward-facing red or red/blue emergency lights should then be activated. The officer should verbalize the license plate number of the violator's vehicle loud enough to be heard on any audio/video recording device in use by the officer (e.g. Body Worn Camera, Mobile Video Audio Recording System, Wireless Mobile Video Audio Recording System).

(4) The siren should be used sparingly, if at all, for the purpose of stopping the violator as it may confuse other motorists, as well as unnerve the violator. Generally, a driver will stop their vehicle in response to the use of the horn or the red light. The officer should be prepared to use the public address (PA) system to direct the violator to the desired location.

(5) As the violator responds, the officer should be prepared to brake suddenly.

(6) Once the violator's vehicle stops, the officer should stop their patrol vehicle behind the violator's vehicle, well off the roadway. [REDACTED]

(7) It is an extremely dangerous practice to park ahead of a violator. This practice should be avoided unless unusual circumstances warrant such action.

(8) If a violator fails to park far enough off the pavement, the officer should direct them to do so via the PA system.

d. Occupants. As a violator's vehicle is coming to a stop, the officer should be alert and direct their attention to the occupant(s) of the vehicle. The occupant(s) may attempt to hide objects, such as weapons or other contraband, and may endeavor to change identification, particularly when the driver's driving privilege has been suspended or revoked. There may also be an attempt made to switch drivers.

e. Fleeing Suspects. If a suspect(s) flees on foot and an officer engages in a foot pursuit, reference Chapter 8, High-Risk Apprehensions, of this manual for further information and guidance.

3. AFTER THE STOP.

a. Approaching Traffic. After the violator has been stopped and both vehicles are properly parked, the officer should check traffic approaching from the rear before opening the patrol vehicle door.

c. Exiting the Patrol Vehicle.

(1) Once the violator has been stopped, it is of primary importance for the officer to swiftly exit the patrol vehicle. It is extremely hazardous to allow the violator to approach the patrol vehicle while the officer is still seated in the vehicle.

(2) As the officer exits the patrol vehicle, they should minimize their exposure time to approaching traffic, always using the mirrors, and quickly turning to check traffic prior to approaching the violator's vehicle.

(4) Normally, if there is sufficient space, FSTs may be administered at the right side of the patrol vehicle.

(5) If there is no room to the right side of the patrol vehicle to administer FSTs, many officers have found the space in front of the violator's vehicle may provide an acceptable location.

[REDACTED]

(6) Field sobriety tests shall not be conducted while standing directly between the patrol vehicle and the violator's vehicle. Officers and violators, while in this position, have been seriously injured or killed by vehicles which collide with the rear of the patrol vehicle and propel it forward into the violator's vehicle.

e. Limiting Use of Warning Lights. It is essential the use of the rear flashing red, blue, and amber lights be limited to those instances when unusual or hazardous conditions exist, as outlined in Chapter 5, Pursuit Policy and Emergency Vehicle Operations, of this manual.

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