

PROVIDENCE POLICE DEPARTMENT  
  
 HEADQUARTERS  
 COLONEL OSCAR L. PEREZ  
 CHIEF OF POLICE

TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	350.02	2/15/2024	2/16/2024
SUBJECT TITLE		PREVIOUSLY ISSUED DATES	
Traffic Enforcement		1/24/2021; 12/1/2017; 5/12/2015; 5/3/2012	
REFERENCE		RE-EVALUATION DATE	
CALEA 61.1.2 – 61.1.5; 61.1.7; 61.1.11		10/1/2028	
SUBJECT AREA		DISTRIBUTION	
Law Enforcement Operations		All Sworn Personnel	

**PURPOSE**

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

**POLICY**

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

**DISCUSSION**

When considering this directive, officers shall remain cognizant of their duties and responsibilities as stated in General Order 330.18 *Bias-Based Profiling*.

**PROCEDURE**

**I. GENERAL**

- A. 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.
- B. 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.

- C. The ultimate goal of traffic law enforcement is to achieve voluntary compliance by all persons using the highways, so as to reduce collision rates.
- D. Enforcement will not be based on quotas, but will be of a directed nature, based on identified needs and resulting from information based upon:
  - 1. Accident locations and severity.
  - 2. Citizen complaints.
  - 3. Officers' observations.
  - 4. Enforcement activity records.
  - 5. Traffic conditions.
- E. 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.
- F. Prior to asking the subject of a vehicle stop for their license, a law enforcement officer must, when practicable and consistent with ensuring officer safety or the safety of others, describe to the subject the suspected violation that prompted the stop.
- G. When a motor vehicle has been stopped solely for a traffic violation, no operator shall be requested to provide any documentation or identification other than a driver's license or a form of identification such as those issued by foreign governments including but not limited to consular identification, foreign driver's license, or passport; a motor vehicle registration; and/or proof of insurance; unless:
  - 1. Reasonable suspicion and/or probable cause of criminal activity exists; or
  - 2. The operator has failed to produce a valid driver's license; or
  - 3. The particular type of vehicle stopped requires other types of documentation specified under Title 31 of the R.I. General Laws or under Federal Law.
- H. Unless there exists reasonable suspicion and/or probable cause of criminal activity, no motor vehicle stopped for a traffic violation shall be detained beyond the time needed to address the violation.

- I. No passenger of a motor vehicle shall be requested to provide identification or any other documentation by a law enforcement officer when the motor vehicle has been stopped solely for a traffic violation, unless there exists reasonable suspicion and/or probable cause of criminal activity.

## **II. PHYSICAL ARRESTS**

- A. Officers should arrest persons for any serious traffic offenses including, but not limited to:
  1. Driving without consent of owner.
  2. Possession of stolen vehicle or parts.
  3. Driving after denial, suspension, or revocation of license (when out-of-state resident or not providing positive identification).
  4. Leaving the scene of an accident – death or personal injury, or damage to attended vehicle.
  5. Driving to endanger, death or serious injury resulting.
  6. Driving under the influence of alcohol or drugs.
  7. Reckless driving, drag racing, eluding a police officer.
  8. Obstructing an officer by failing to provide or falsifying his/her identification.
  9. Any outstanding wants or warrants, which have been verified.
  10. Any misdemeanors or felonies in accordance with state law.
- B. When an adult is arrested for a traffic offense, an incident report will be completed in addition to any violation summonses.

## **III. SUSPENDED, REVOKED, EXPIRED, WITHOUT A LICENSE OR CANCELLED LICENSE**

- A. When an individual is cited for driving without a valid license under §31-11-18–18.1 of the R.I. General Laws and this constitutes the only criminal charge resulting from the traffic stop, the individual may be issued a court summons but may not be arrested, provided that the individual can show a valid form of identification including alternative forms of identification such as those issued by a foreign governments including but not limited to consular identification, a foreign driver's license, or a passport.

1. However, in accordance with §31-11-18.1(a) of the R.I. General Laws, nothing in this section shall prohibit the arrest of an individual cited for driving when their license to operate is suspended, revoked, or cancelled for:
  - a. Operating under the influence of a narcotic drug or intoxicating liquor;
  - b. Refusing to submit to a chemical test; reckless driving;
  - c. Manslaughter from the operation of a motor vehicle or operating so as to endanger resulting in death; or
  - d. Three (3) moving violations within a one-year period.
- B. The vehicle will be towed or, with permission of the operator, turned over to a licensed operator at the discretion of the officer.
- C. When issuing a summons, which requires a District Court appearance, the violation will include the court date and address of the court and be attached to the complaint if the offender is taken into custody.
- D. Officers will seize licenses which are suspended, cancelled, or revoked, and return them to the Rhode Island Motor Vehicle Division.

#### **IV. CITATION (RHODE ISLAND TRAFFIC TRIBUNAL)**

- A. Issuance of Citations.
  1. Citations will be issued on the basis of probable cause, which satisfies the elements of the specific violation being charged.
  2. Discretion may be used when enforcing violations.
  3. The officer will complete the citation in black ink, in a clear, legible manner.
  5. 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 on the violation the court location.
- B. Processing the Citation.
  1. The Traffic Bureau will be responsible for distribution to the proper authority.
  2. Citations which are illegible or have omissions or errors will be returned to the officer for correction.

C. Supply and Distribution.

1. Traffic summons books will be distributed through the Traffic Bureau.
2. The officer will sign the summons book receipt, which will be maintained in the Traffic Bureau office for inventory control purposes.

D. Voidance of Citations.

1. Officers may void a citation after completing the required "Void Summons Request" form indicating the reason for the voidance and the number of any replacement violation
2. Citations may be voided under the following circumstances:
  - a. If an error is made on a citation.
  - b. If the citation has been lost or damaged.
  - c. If an investigation discloses that an improper charge has been filed, the violation may be voided and then reissued with correction or rescinded.
    - i. This option is available only if the citation has not yet been forwarded to the court.
    - ii. The operator who received the citation must be notified of the voidance, and acknowledgment of such voidance must be given by the operator, prior to the operator having taken any action to satisfy the demands of the citation.
3. All "Void Summons Request" forms will be forwarded to the Traffic Bureau along with all copies of the citation.

E. Verbal Warnings.

1. An officer may elect to give a verbal warning for a non-criminal infraction.

F. The Traffic Bureau shall maintain a database which provides an accounting for all issued/voided summonses.

**V. INSURANCE VIOLATIONS**

- A. Rhode Island General Laws, in reference to insurance, applies to all vehicles operating 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 R.I.G.L. 31-47-9).

B. Accident Investigations.

1. If during an accident investigation, proof of insurance is not provided, a citation to appear before the Rhode Island Traffic Tribunal will be issued to the operator.

C. Motor Vehicle Stops.

1. When a vehicle is stopped for cause, evidence of insurance must be shown.
2. 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.

**VI. OTHER VIOLATIONS**

A. Equipment Violations.

1. Enforced through issuance of Notice and Demand, Violation, or verbal warning.
2. 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.
3. If the violation is non-hazardous and the driver is unaware of the violation, a verbal warning may be utilized.

B. Vehicle Inspections.

1. Any officer who determines a vehicle to have a false certificate of inspection will take the following steps:
  - a. Issue the vehicle operator a R.I.T.T. violation for "False Certificate of Inspection", R.I.G.L. 31-38-9 being an R.I.T.T. hearing.
  - b. A counterfeit inspection sticker should be confiscated by the officer for his/her paperwork. The sticker will be listed as evidence and turned over to the property room.
  - c. The plates are to be left on the vehicle and a five-day notice shall be issued, advising the operator that the vehicle must be inspected at the Motor Vehicle Safety and Emission Control located at 325 Melrose St., Providence RI.

C. Multiple Violations – Aggressive Driving Statute.

1. An operator of a motor vehicle who commits a number of 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 to operating a motor vehicle in violation of Chapter 14 of this title, engages in conduct which violates two or more specific roadway violations. Refer to statute for specifics.
2. It is recommended that a citation be issued in these circumstances; however, if the multiple violations are considered to be “reckless operation” an arrest may be conducted.

D. Hazardous Violations.

1. 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 and experience.

E. Non-hazardous Violations.

1. 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 upon the circumstances, at the officer’s discretion.

F. Public Carrier / Commercial Vehicles Violations.

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

G. Violations Resulting in Traffic Accidents.

1. 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.

2. Violations must be substantiated through physical evidence, witness statements, or admission of the violation by the offender.
3. When a vehicle not physically involved in an accident contributes to the cause of the accident, the vehicle and operator should be identified in the report whenever possible.

## **VII. TRAFFIC VIOLATORS**

### **A. Traffic Offenses by Non-residents.**

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

### **B. Traffic Offenses by Juveniles.**

1. All felony and misdemeanor traffic violations will be referred to the Youth Service Bureau (YSB) for appropriate action.
2. In all non-criminal infractions under jurisdiction of Rhode Island Traffic Tribunal or Municipal Court, juveniles 16 and over will be referred to the Rhode Island Traffic Tribunal.
3. All juveniles under 16 will be referred to YSB.
4. If a permit holder is under 18 and not following the statutory restrictions regarding times of driving and/or having a supervisory driver with them, they are to be criminally charged with "Operating without first obtaining" (31-11-18). Family Court has jurisdiction.
5. 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 person, they can be cited under 31-10-6.4, RITT jurisdiction.
6. 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.

### **C. Traffic Offenses by Legislators.**

1. According to Section 22-4-2 of the R.I.G.L., State Legislators are exempt from arrest for non-criminal (i.e., civil) matters 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 State Legislator is not precluded at any time.

D. Traffic Offenses by Foreign Diplomats / Consular Officials.

1. Diplomatic Immunity is broadly defined as the freedom from local jurisdiction according to duly accredited Diplomatic Officers, their families, and servants.
2. 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. In order to contact, notify the State Department regarding incidents involving foreign diplomats/consular officials, and/or foreign nationals.
3. Ambassadors, Ministers, Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary, and Attaché, along with their families, are protected by unlimited immunity from arrest, detention, or prosecution with respect to any civil or criminal offense.
4. 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 exercise of consular functions, subject to court determination.
  - a. 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 summons does not constitute arrest or detention.

E. Traffic Offenses by Military Personnel.

1. Defined as those on active military duty.
2. Military Personnel are required to obey all state and local laws pertaining to traffic enforcement.
3. Personnel who commit traffic violations will be processed in the same manner as any citizen.
4. Personnel arrested for a criminal traffic violation will be processed in the same manner as any citizen.

5. The arresting officer may summon the person's superior officer or designee on his/her request.
6. Personnel arrested for a felony will be processed like any other arrestee.

#### **VIII. PARKING ENFORCEMENT**

- A. All officers are responsible for parking enforcement. The purpose is to correct infraction, which may be accomplished by warning, violation, and/or towing if necessary.
- B. During peak traffic hours or in areas of high volumes of traffic, consideration should be given to expeditiously resolve parking violations to avoid traffic hazards.
- C. Handicap parking violations will be issued with a universal summons pad.

#### **IX. PEDESTRIAN AND BICYCLIST ENFORCEMENT**

- A. After reviewing and analyzing accident and citation data, the Traffic Bureau Officer-in-Charge may assign selective enforcement projects to target bicycle and pedestrian violations if deemed appropriate.

#### **X. OFF-ROAD VEHICLES**

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

#### **XI. SPEED ENFORCEMENT**

- A. Speed violations, as determined through the use of radar, or clocked distance, will be enforced through the use of citation or verbal warning.
  1. 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).

#### **XII. SPEED MEASURING USAGE**

- A. Specifications – the Department uses several brands and types of speed measuring devices. Specifications are kept on file in the Traffic Bureau.
- B. Operational Procedures – Handheld Speed Measuring Device.
  1. Select target.

2. Establish tracking history.
  3. Check calibration.
  4. LED readout must be consistent with visual observations.
  5. With tracking history established, the operator can determine the speed of a single vehicle.
- C. Care and Upkeep.
1. Equipment will be stored in the factory case, if available, when not in use.
  2. All Speed Measuring Device are delicate instruments and are to be handled accordingly.
  3. When Speed Measuring Device needs repair, the officer will leave a letter to the Commanding Officer of the Traffic Bureau noting the defect.
- D. Programmed Maintenance.
1. All handheld Speed Measuring Device will be examined and calibrated on an annual basis by license laboratory personnel.
- E. Maintenance and Calibration Records.
1. Each Speed Measuring Device records will be maintained within the Traffic Bureau.
  2. Documentation of all calibration records will be available for court purposes.
  3. All officers operating a Speed Measuring Device will be trained in the proper operation of the radar device.

### **XIII. DRIVING UNDER THE INFLUENCE (D.U.I) COUNTER MEASURES**

- A. 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.
- B. Officers of this Department will aggressively enforce laws pertaining to alcohol use by motorists.
- C. After reviewing alcohol related data, the Commanding Officer of the Traffic Bureau may make selective enforcement assignments of personnel at a time and location where a significant number of violations or accidents involving impaired drivers have occurred in order to ascertain the types of violations committed by the problem drinker who drives.

- D. Officers will be selected and trained in conducting investigations and arrests of operators driving under the influence of intoxicating liquor and/or drugs.
- E. The Department will aggressively charge and prosecute any D.U.I. charge.

#### **XIV. D.U.I – ENFORCEMENT**

##### **A. D.U.I Traffic stops**

1. 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 use of alcohol/drugs, the officer shall request a certified member of the Department to conduct a series of Field Sobriety Tests on the operator.
2. 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.
3. The officer will not move the driver's vehicle for him/her unless it poses some type of hazard.
4. The officer will follow the Department's standard procedures for Sobriety Testing.
5. If the officer is satisfied that probable cause exists to charge the suspect with D.U.I., then the driver should be arrested and transported to headquarters for further investigation and testing.
6. It is critical that the results be clearly documented in the offense report.
7. The breathalyzer operator will complete the "alcohol influence" form and advise the suspect of his/her rights.
8. If the suspect refuses the breathalyzer test, it is the arresting officer's responsibility to fill out the refusal form.
9. If drug impairment is suspected, a Drug Recognition Expert (DRE) will be contacted to assist in the investigation.
10. If breath test results are over .30, the suspect will be transported to the hospital for evaluation, after notification to a supervisor.
11. Whenever blood samples are taken as part of the D.U.I. investigation, a toxicology sheet must be completed and placed in the Traffic Bureau. All blood samples will be turned over to BCI for

storage. All other procedures regarding the breathalyzer exam should still be followed.

## **XV. D.U.I. CRASHES / 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.
  - 1. The accident scene should be checked for evidence of alcohol or drugs.
  - 2. Other drivers and witnesses should be questioned as to their observations concerning driver impairment.
  - 3. If the crash results in death or serious bodily injury, members of the Traffic Bureau will follow up the investigation. An Accident Reconstruction Investigator will be responsible for utilizing other investigative tools, such as a search warrants or other subpoenas to secure the necessary evidence to further the investigation.
- B. All crashes involving fatalities may be forwarded 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 crashes wherein the driver(s) is deceased or involving one-car collisions.
- C. The officer conducting the investigation shall be responsible for the proper collection and tagging of blood samples, shall mark samples with the word "BIOHAZARD", and shall place the samples in the refrigerator located in BCI.
- D. Charges may be withheld pending results from the State Toxicologist.

## **XVI. TRAFFIC ENFORCEMENT PRACTICES**

- A. Visible Traffic Patrol
  - 1. 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 Providence.

- b. Officers may be used on roadways identified as a selective enforcement problem due to traffic volume, accident statistics, or number of violations.
- c. Directed patrol is patrol specifically directed to a particular problem, such as DUI enforcement, or at times and locations determined through analysis to present a traffic problem.

**B. Stationary Observation**

- 1. 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.
- 2. Covert selected enforcement should only be used in problem areas indicated by volume, seriousness, accident or violation.

**C. Unmarked vehicles**

- 1. Unmarked or unconventional vehicles will not be assigned for traffic enforcement without permission of the Chief of Police or his/her designee.

**XVII. TRAFFIC LAW VIOLATOR/UNKNOWN RISK VEHICLE STOPS**

A. 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.

B. Traffic stops have two objectives:

- 1. To take enforcement action.
- 2. To favorably alter the violator's future driving behavior.

C. Procedures for officers initiating a traffic law violator/unknown risk stop are:

- 1. Choose the stop location carefully, avoiding poorly lit areas, intersections, and blocking of entrances to businesses and residences. Consider locations where cover is available.
- 2. Activate emergency lights, use horn or siren, if needed, to alert the driver of the stop.
- 3. Prior to initiating contact with a violator, advise the Public Safety Communications Center (PSCC) of a vehicle registration number, a brief description, and the location of the stop.

- a. Officers are prohibited from broadcasting messages such as “No more cars” or “10-24” until at least two officers are on scene and a threat assessment has been made indicating that additional assistance is not required.
4. 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.
5. Before exiting the vehicle, observe the occupants in the stopped vehicle for unusual movement.
6. 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.
7. 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.
8. Officers should consider weapon readiness on every stop.
9. 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 the vehicle stop occurs during hours of darkness, the officer should order the operator to turn on the interior lights of the vehicle, in compliance with R.I.G.L. 31-22-24.
10. Officers should avoid passing between the lights of the police vehicle and the violator’s vehicle.
11. Officers should stand beside the vehicle, as close as possible, to the rear of the driver, and watch the passengers carefully.
12. Officers should always keep a constant view of the violator’s hands.
13. 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.
  - e. Decide on appropriate enforcement action based on the violation, not the violator's attitude.
  - f. Greet the violator in a courteous manner.
  - g. Request and accept the violator's driver's license and vehicle registration form, if needed.
  - h. Inform the violator of the reason for the stop and the intended enforcement action, if necessary.
  - i. Attempt to obtain another form of identification if the driver has no driver's license.
  - j. Allow the driver to reasonably discuss the violation.
  - k. Give the driver his/her copy of the violation, explaining pay by mail option, if available, court date, or to expect notice or date in mail.
  - l. 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 and location, if necessary. Explain any alternatives to the violator, but do not predict the action of the court.
14. Return violator's license and registration.
  15. Assist the violator in safely re-entering traffic, if necessary.
  16. 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, or relayed to dispatch for inclusion in the CAD entry notes.



## **XVIII. HIGH RISK/FELONY VEHICLE STOPS**

- A. When a vehicle driven by a known or suspected felon is located by an officer, and probable cause exists for investigation, the officer will notify the (PSCC) immediately of the location, a thorough description of the vehicle and registration, a description of the occupants and other pertinent information pertaining to the member's probable cause. The officer will keep the suspect vehicle in view and request sufficient assistance in making the stop. The officer will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment. The suspect vehicle will not be stopped until adequate support is available and in position, unless absolutely necessary. The following procedures will be used in effecting the stop:
1. The officer will plan to stop the suspect vehicle in a location which presents minimal danger to other citizens.
  2. When conditions are appropriate and support units available, the officer will move into position to the rear of the suspect vehicle.
  3. The officer will signal the violator to stop, utilizing all emergency equipment to warn other traffic.
- B. The violator will be stopped on the extreme right-hand side of the road whenever possible.
- C. The officer will park the police vehicle so that it provides maximum protection and cover.
- D. At night, all lights, including the spotlight, will be focused on the interior of the suspect's vehicle to the disadvantage of the violator.
- E. The officer will exit the police vehicle quickly, but remain behind the door and accessible to the public address system microphone.
- F. Officers shall immediately draw their Department-authorized firearms and point them in the direction of the suspects.
- G. The officer in command will direct each suspect, utilizing the public address system, to remove him/herself from the suspect vehicle individually, according to specific directions, and into the appropriate search position, after which the approach may be made.
- H. If a public address system is not available, the officer in command will give voice commands. If they are not heard, or ignored by the suspects, the officer will wait for a backup unit prior to approaching the vehicle. The officer should not leave a position of cover to approach a felon's vehicle until assistance has arrived at the scene.

I. The officer in command will give instructions to the support officer, even if not needed, to ensure that suspects realize that additional support is available/on scene.

J. Contact and Cover Procedures

1. The support (cover) officer will cover the arresting (contact) officer and remain on the curb side of the vehicle until all occupants have emerged and are in search positions.
2. The cover officer will not give additional commands, as this could confuse the suspects, but his/her presence will be known by commands given by the contact officer.
3. Extreme caution will be exercised by officers to avoid getting in each other's line of fire.
4. When all suspects have been removed from the vehicle, the cover officer should move to a position to cover the contact officer while the suspects are being engaged.
5. The suspects should be ordered into a prone position, facing away from the contact officer, with their arms and hands extended.
6. If space does not permit the suspects to become prone, they should be ordered into a kneeling position, with their legs crossed when able, and their hands behind their heads, fingers interlaced.
7. Handcuffs should be applied immediately, and all suspects searched thoroughly.
8. Suspects should then be monitored and transported as appropriate.

**XIX. NEWLY ENACTED LAWS AND/OR REGULATIONS**

- A. When new laws are enacted or new traffic control devices are installed, enforcement action may be taken by verbal warning or citation.
1. Verbal warning may be used in lieu of citations during a discretionary grace period after the enactment of new laws or the installation of new traffic control devices.

**XX. DRIVER RE-EXAMINATION**

- A. 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 in regard to his/her driving ability.
- B. Incomplete knowledge of traffic laws alone is not sufficient grounds to justify involuntary re-examination.
- C. Driver re-examination requests are submitted in two (2) ways:
  - 1. The driver in an accident may be re-examined if the investigating officer makes the appropriate entry in the narrative of his/her report and forwards same to the Traffic Bureau, which will mail to the D.M.V. Board of Medical Review.
  - 2. If not an accident case, a report should be prepared by the Traffic Bureau and mailed to the Medical Review Board.

**APPROVED:**



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CHIEF OF POLICE