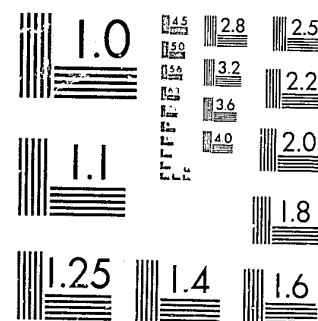


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TRAFFIC LAW ENFORCEMENT PROCEDURES

PART 2 Apprehending Violators



52069

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TRAFFIC LAW ENFORCEMENT PROCEDURES, PART II

APPREHENDING VIOLATORS

ABSTRACT

This self-instructional unit is designed to provide the student with the general policy and procedures to follow in the pursuit of violators. It also includes information regarding how to stop traffic violators including selecting an appropriate stopping site, initiating the stop, preparing for the stop, positioning the vehicles, leaving the police vehicle, and approaching the violator's vehicle. Additionally, this unit deals with stopping felony suspects including apprehending the suspect, addressing the suspect, removing the suspect from the vehicle and arresting the suspect.

BEHAVIORAL OBJECTIVES

- Identify the major variables a police officer should take into consideration when deciding whether or not to pursue a traffic violator.
- Identify the main factors that a departmental pursuit policy should cover.

- Identify the recommended procedural steps for stopping traffic violators.
- Identify the recommended procedural steps for stopping a felony suspect.

THE INFORMATION CONTAINED IN THIS UNIT IN NO WAY AMENDS OR RESTRICTS DEPARTMENTAL POLICY AND PROCEDURE.

PURSUIT OF VIOLATORS

General Considerations

Once a traffic violation is detected, pursuit may be required to apprehend the traffic violator who refuses to stop. At this stage of pursuit, positive identification of the operator and vehicle is paramount. A number of variables affect the police officer's decision to pursue a traffic violator, and these must be taken into consideration when the decision is made. These include:

- Severity of the offense; for example, continuing hazardous, momentary hazardous, or nonhazardous (review the section, Major Groups of Offenses, SIU XIX: Introduction to Traffic Law Enforcement)
- Safety considerations -- for the officer, the violator, and other persons (the officer should take into account the type of roadway on which he is traveling, the condition of the pavement, the speed and density of traffic, weather conditions, the condition of the police vehicle, and his own skill and experience)
- Departmental policy.

Pursuit Policy

The officer should become familiar with departmental policy concerning the pursuit of violators, covering such factors as the

- Offenses considered serious enough to warrant pursuit
- Geographical areas where high speed pursuit is prohibited
- Speed restrictions for pursuit (for example, the limit on speed in miles per hour above posted limits).

Pursuit Assistance

For one reason or another, the officer may find it necessary to break off pursuit or may require pursuit assistance from other units. The officer should become familiar with the procedures specified by the department for obtaining pursuit assistance from other police units.

Commandeering Vehicles

Maryland law specifically prohibits police officers from commandeering a private motor vehicle for use in pursuit of a violator, or in a roadblock, or from directing the driver, owner, or a passenger in any private vehicle to participate in a pursuit or in a roadblock set up to apprehend violators suspected or known to have committed a violation of the law. If a police officer ignores this prohibition, the state or political subdivision that employs the officer, shall be liable for damages

or injuries caused by the negligence of the officer or those that result directly from, or are attributable to, the participation of the citizen or his vehicle in the pursuit or roadblock.

Safety is Paramount

The primary concern of the officer in deciding to initiate or maintain the pursuit of a violator must be a careful evaluation of the factors related to the safety and well-being of all concerned -- the officer, the violator, and other persons.

TO CHECK YOUR PROGRESS PLEASE ANSWER THE FOLLOWING QUESTION.

Directions: Using your response sheet, circle the letter which most correctly completes the following statement.

1. A variable that affects the police officer's decision to pursue a traffic violator is:

- a. Departmental policy
- b. The severity of the offense
- c. Safety considerations
- d. All of the above

CHECK YOUR RESPONSE WITH THE KEY ON PAGE XXIV - 34.

STOPPING TRAFFIC VIOLATORS

General Considerations

Apprehending a traffic violator should never become a "routine" procedure in an officer's mind. There is always the danger that a violator may overreact to the officer's efforts to stop him and thereby cause an accident; or the traffic violator may, in fact, be a criminal with hostile intentions. Extreme caution should always be used when making a traffic law enforcement stop.

Selecting an Appropriate Stopping Site

The ideal stopping site is where the officer can stop the violator in a safe, expeditious, and efficient manner. If the stopping site is inappropriate, the violator, in his attempts to stop, may become confused and cause an accident. These general guidelines should be followed:

- The violator should be stopped as soon as the violation or suspected violation has been detected.
- The officer should seek an area with firm support for vehicles, especially the larger, heavy commercial vehicles (the officer should keep in mind that the department does not want to become liable for towing charges or public criticism).
- The officer, while on patrol, should become familiar with obviously suitable stopping sites.

- The officer should avoid such stopping sites as
 - Driveways to business establishments
 - Private property or business property during working hours
 - Intersections where a serious distraction to passing motorists may occur
 - Hills or curves that will block the view of oncoming traffic
 - Brightly lit or distracting roadside areas
 - Remote areas where assistance, if needed, will be difficult to obtain.
- The officer should follow the violator until a suitable stopping site is found.

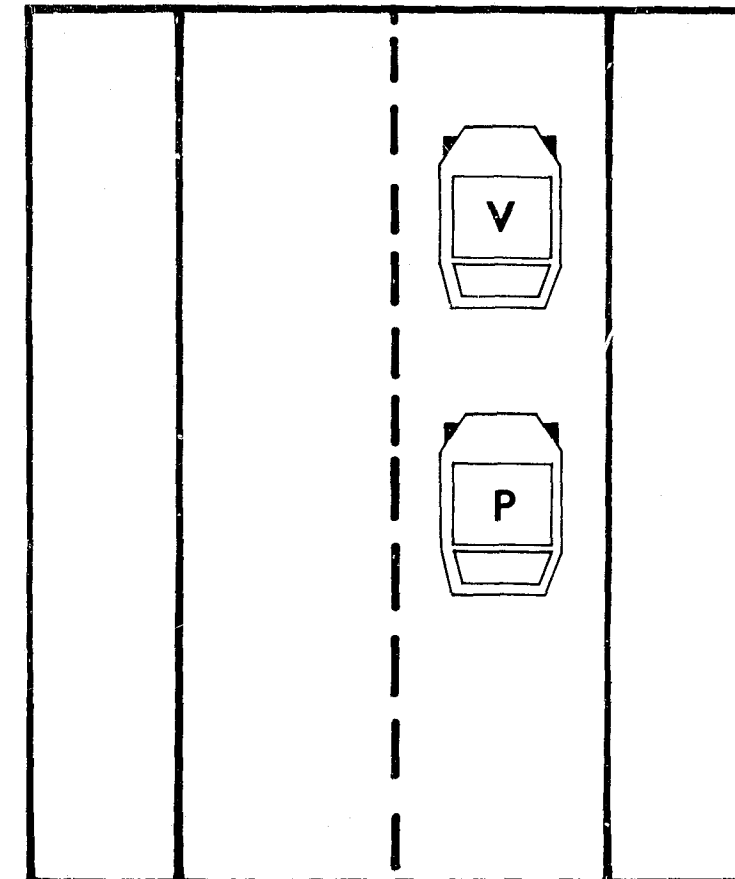
Initiating the Stop

Once the decision to stop a violator who is moving ahead of the police vehicle has been made, the following procedures are recommended.

Preparing to Signal the Violator. The officer should check both rear and sideview mirrors to see that the way is clear to close on the violator, employing directional signals before making lane changes.

Signaling the Violator. The police vehicle's dome or flasher lights should be turned on once a safe stopping distance behind the violator is achieved (see Diagram 1). This may be a sufficient signal for the motorist to pull over, especially at night. The police officer should be careful to maintain a safe distance to the rear of the violator as the cars pull off the road.

DIAGRAM 1



If the violator does not respond to visual signals, the officer should honk his horn several times or briefly actuate the siren. If the violator does not respond to either visual or horn signals, the officer should consider the following procedures (see Diagram 2):

- If traffic and road conditions permit, the officer should come abreast of the vehicle (with the front of the police vehicle abreast of the driver's door) to gain the driver's attention.
- When the officer has gotten the driver's attention, he should, using arm gestures, motion the driver to pull to the side of the road.
- If the officer is unable to get the driver's attention, he should honk the police vehicle's horn several times or briefly actuate the siren.
- The full siren may be used as a last resort, but only with the exercise of caution since the sudden and loud noise of a siren may startle the motorist (or other motorists) causing him to swerve or stop abruptly.
- The officer should, throughout his efforts to stop the violator, be alert for any sudden maneuvers by the motorist.

DIAGRAM 2

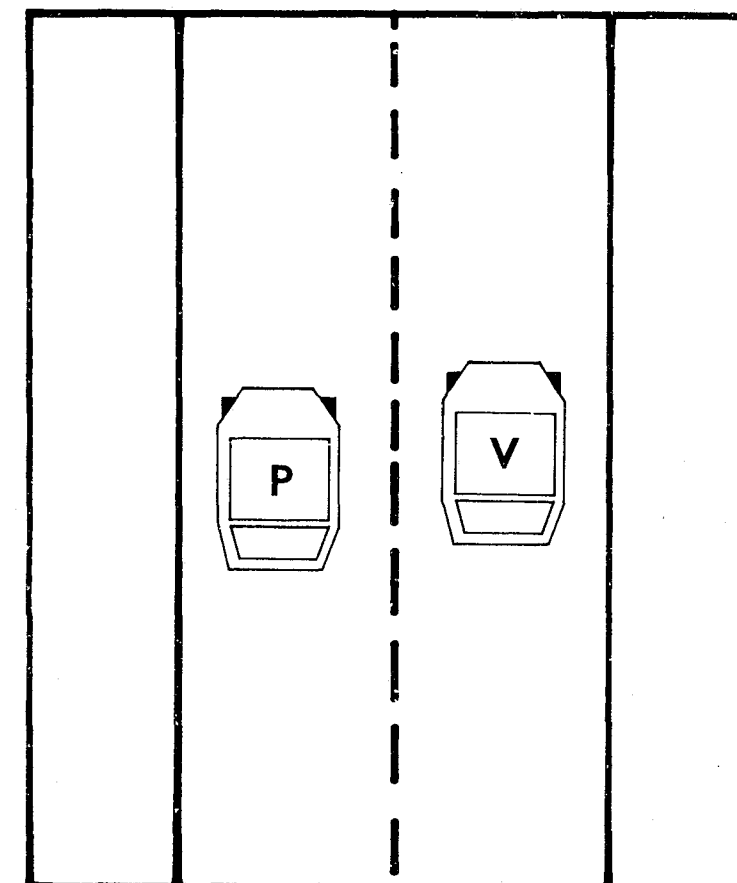


DIAGRAM 3

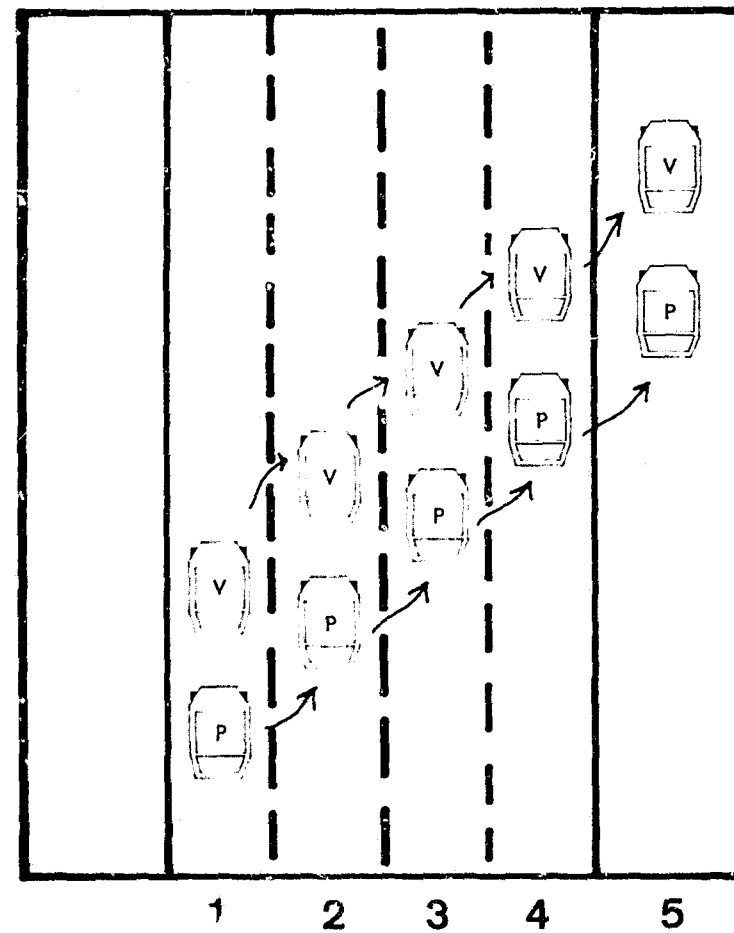
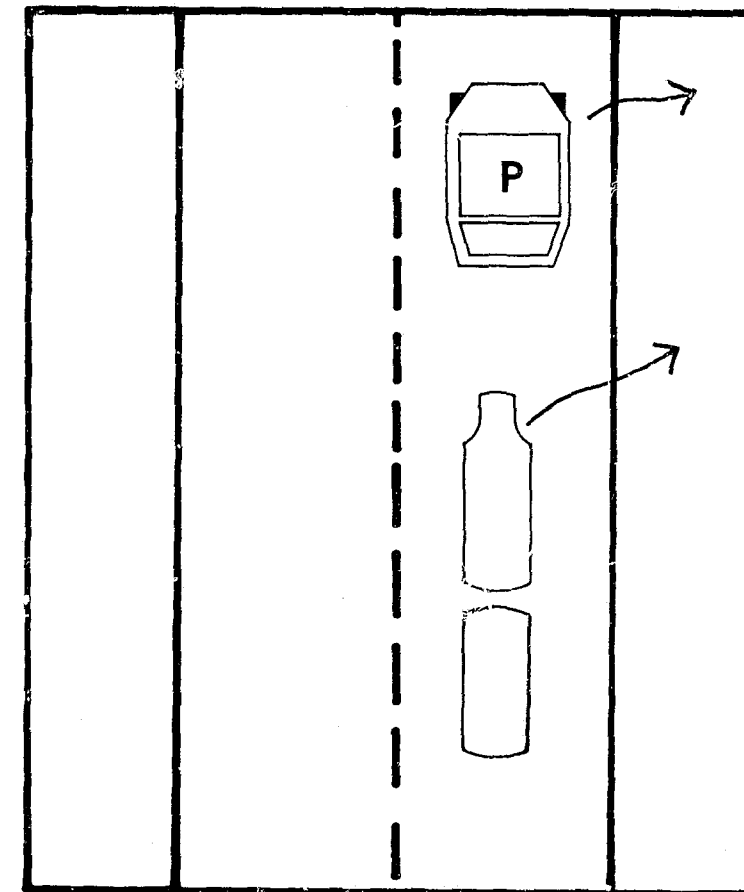


DIAGRAM 4

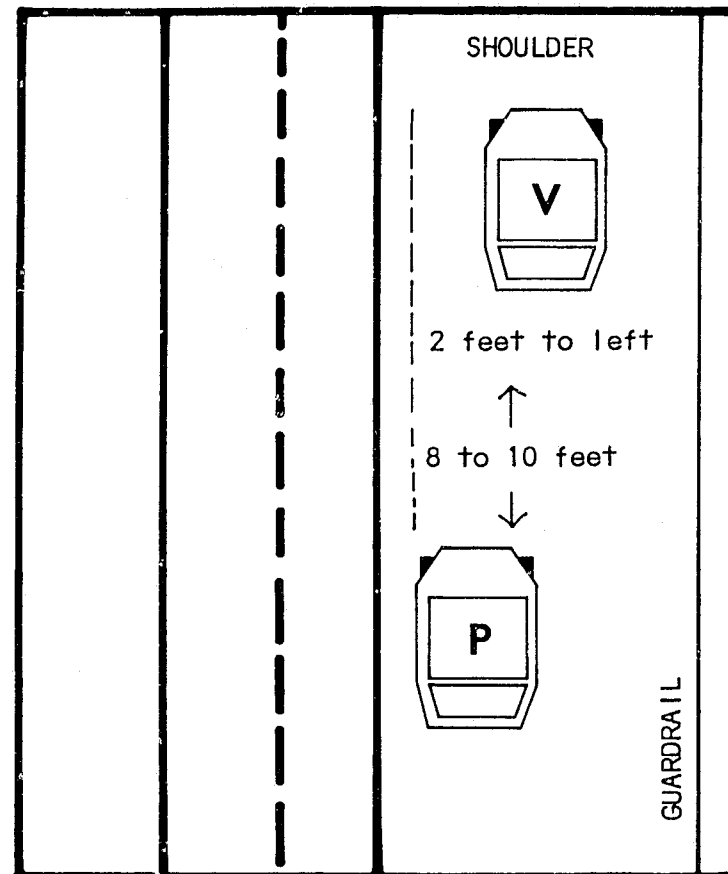


STOPPING OVER-SIZED VEHICLE FROM FRONT

PROPER STOPPING PROCEDURES

DIAGRAM 5

PROPER PARKING BEHIND VIOLATOR



NOTE: IF SHOULDER IS NOT WIDE ENOUGH
TO OFFSET PATROL CAR TWO (2) FEET TO THE LEFT
DO NOT EXTEND VEHICLE AND HAVE ANY PORTION ON
THE ROADWAY.

Leaving the Police Vehicle

The officer should ordinarily leave his vehicle from the left-hand side, although traffic conditions may force him to leave from the right-hand side.

Before leaving the police vehicle, the officer should be certain that he has--

- Noted and checked the license plate of the violator's car against the "wants" list
- Fixed the elements of the offense and the circumstances surrounding the offense clearly in his mind
- Planned a course of law enforcement action
- Communicated by radio his present location, his intended course of action, and the license number and description of the vehicle he is stopping
- Activated warning lights (dome, flashers, etc.)
- Collected the necessary forms and is carrying his flashlight (always carried at night and to one side) in his nongun hand
- Checked passing traffic before getting out of the police vehicle.

Approaching the Violator's Vehicle

Extreme caution should always be used at this point. The officer may be dealing solely with an ordinary traffic law offender, but he may be confronting an armed felon and must be prepared for this possibility. The officer should be familiar with the following approach procedures.

Approaching from the Left-Hand Side (Preferred). If there are no backseat passengers, the officer should visually check the rear seat for weapons, then position himself just to the rear of the driver's window with his body parallel to the violator's vehicle and clear of the front door frame (see Diagram 6, Position 1). The driver is at a physical disadvantage with the officer slightly behind him and cannot use the vehicle door to injure the officer or knock him off balance. Throughout the stop, the officer should closely observe the driver and any passengers.

If there are passengers in the rear seat of the violator's vehicle, the officer should stop at the front edge of the driver's door, facing the rear (see Diagram 6, Position 2).

Approaching from the Right-Hand Side. This approach may be the only alternative on occasion, usually when the vehicle is stopped close to the roadway, or if the officer feels uncomfortable approaching from the left for any reason (see Diagram 6, Position 3).

DIAGRAM 6

APPROACHING VEHICLE FROM
LEFT SIDE AND RIGHT SIDE

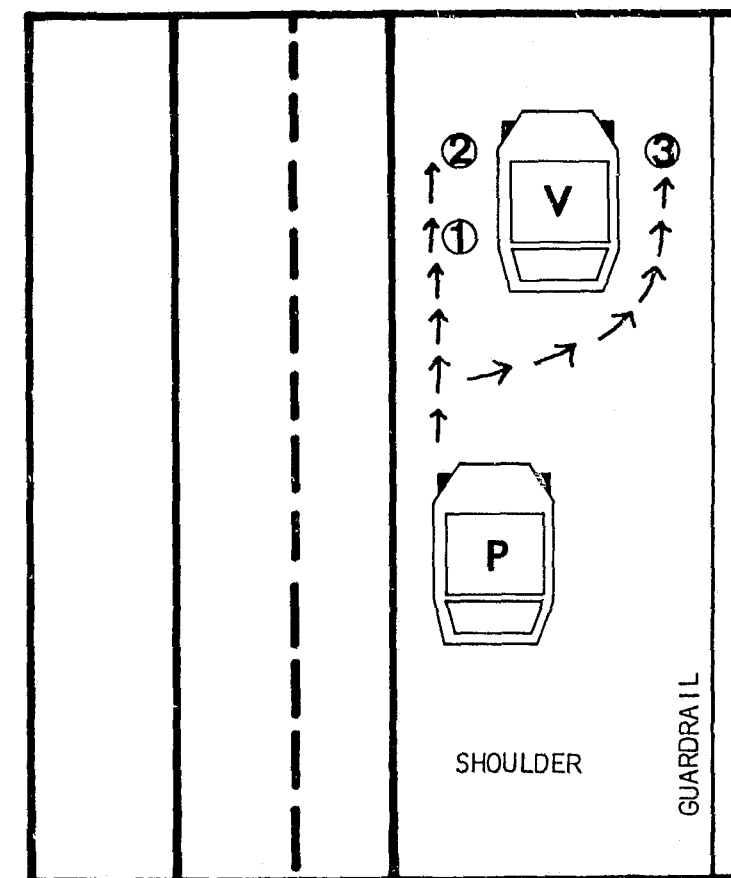


DIAGRAM 7

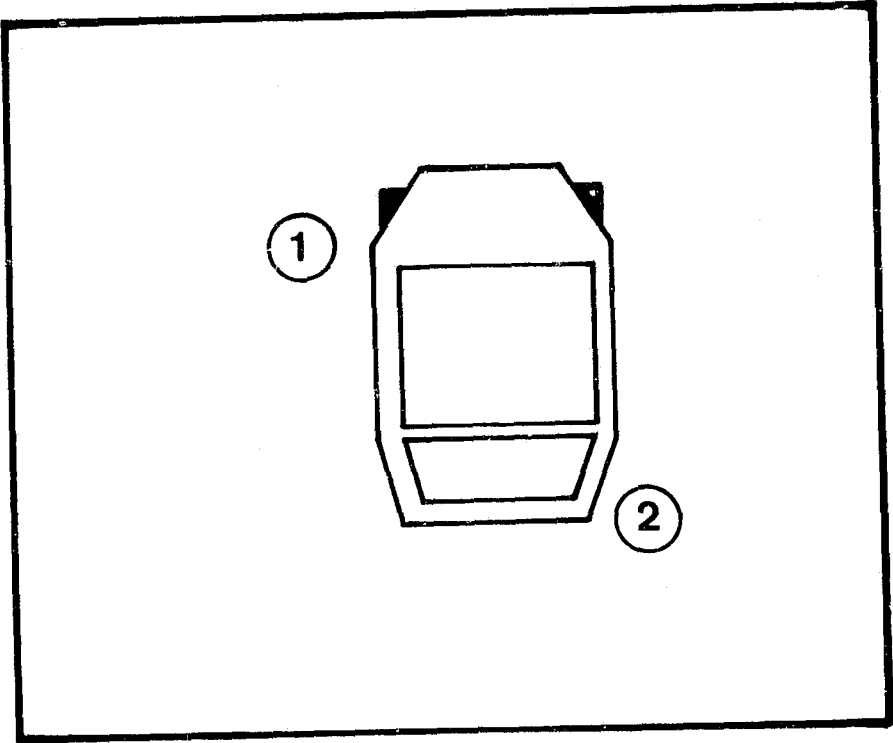
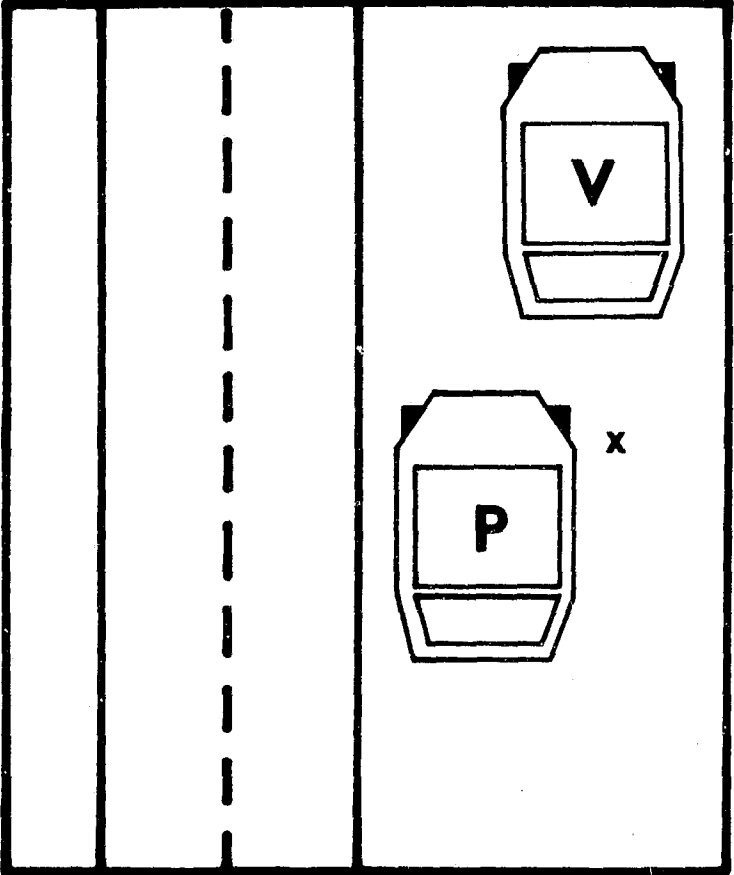


DIAGRAM 8
OFFICER'S POSITION FOR EXECUTING TLE ACTIONS



NOTE: STAND AT RIGHT FRONT FENDER
OF PATROL VEHICLE (X)

TO CHECK YOUR PROGRESS PLEASE ANSWER THE FOLLOWING QUESTIONS.

Directions: Using your response sheet, circle P if the following procedure is correct in stopping traffic violators.

Circle NP if it is not correct.

2. Stop the violator as soon as the violation has been detected.
3. Stop the violator in the driveway of a business establishment because their driveways are wider.
4. If the violator does not respond to visual signals, honk the horn several times or briefly activate the siren.
5. If the violator stops on the roadway, motion him to move the vehicle off the road.
6. Communicate by radio your present location, intended course of action, and description of vehicle.
7. Always be on guard in case the violator is armed.
8. Never position yourself in front of the suspect's vehicle.

CHECK YOUR RESPONSES WITH THE KEY ON PAGE XXIV - 34.

REVIEW ANY ITEMS YOU MISSED BEFORE CONTINUING.

STOPPING FELONY SUSPECTS

Introduction

While on duty, the police officer may observe thousands of motorists, and among these he may recognize a wanted suspect or observe the license number of a stolen or wanted vehicle. In any such encounter, the officer must be prepared to follow procedures that will give him a properly formulated plan of action--a simple routine that will assist in effecting an arrest and minimizing the hazard to the officer and the public.

Initial Contact

The officer, upon sighting the suspect vehicle, should immediately notify the dispatcher by radio, giving the following information:

- The location of the contact or sighting
- A description of the vehicle and its license number
- That the stop is the result of an all-points-bulletin (APB) or a local lookout, if applicable.

He should determine whether or not the "want" is still in effect. If a stop is made and the "want" has been cancelled, the consequences can be not only embarrassing but illegal.

During pursuit, the officer should remain in frequent communication with the dispatcher, repeating periodically the direction of travel and

the name of the last intersection crossed. Thus, the dispatcher and other police vehicles can map the course of travel and hasten the arrival of supporting units, if needed. This is especially important for a state police officer operating in a county where there is an established local or county police force.

If possible, the suspect vehicle should be followed until assistance arrives or is known to be close at hand. While following the vehicle, the officer should be alert for sudden stops, turns, or other evasive tactics.

Selection of an Appropriate Arrest Site

A suitable site must be selected before any attempt is made to stop the suspect vehicle, preferably one at which the officer can stop the suspect in a safe, expeditious, and efficient manner. Stopping the suspect near alley entrances, openings between buildings, vacant lots, or other easy escape routes should be avoided. At night, a well-lighted area will enable the officer to observe whether or not the occupant is disposing of or concealing evidence or a weapon.

When the suspect vehicle is stopped on a roadway, the apprehending officer must exercise the same care he would in effecting a traffic stop. If an off-the-road site is not available or the situation calls for an immediate stop, a level stretch of highway in full view of the general public and traffic should be selected.

A stopping site familiar to the officer will be to his advantage; he will be able to direct assistance to the site more quickly and will be in a better position to make an apprehension if the suspect attempts to escape.

Initiating the Stop

Once the decision to stop the suspect vehicle has been made, the officer should use the following procedures for overtaking and effecting the stop.

Overtaking the Suspect Vehicle. After the stopping site has been decided upon, the officer should--

- Overtake the suspect vehicle (see Figure 1), exercising care to avoid any evasive action the suspect might take
- Actuate the police vehicle's warning lights (dome and flasher) and siren
- Pull almost abreast of the suspect vehicle until the front door of the officer's vehicle is in line with the rear door of the suspect's vehicle (see Figure 2)
- Allow about 8 to 10 feet between the two vehicles during this maneuver
- Exercise care not to overshoot the suspect's vehicle and to prevent it from swerving into the police vehicle.

FIGURE 1

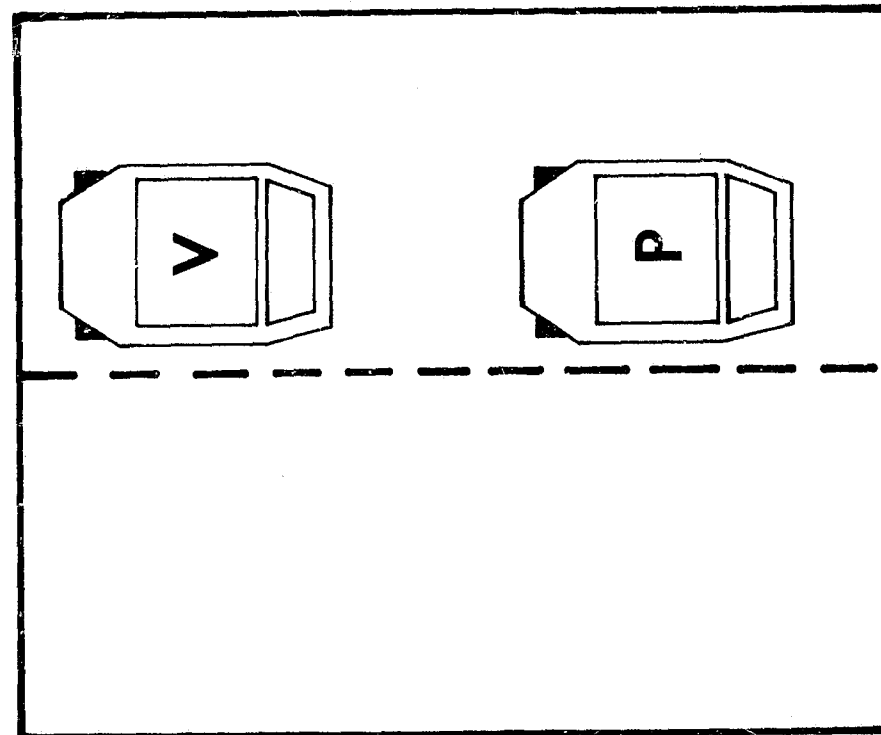
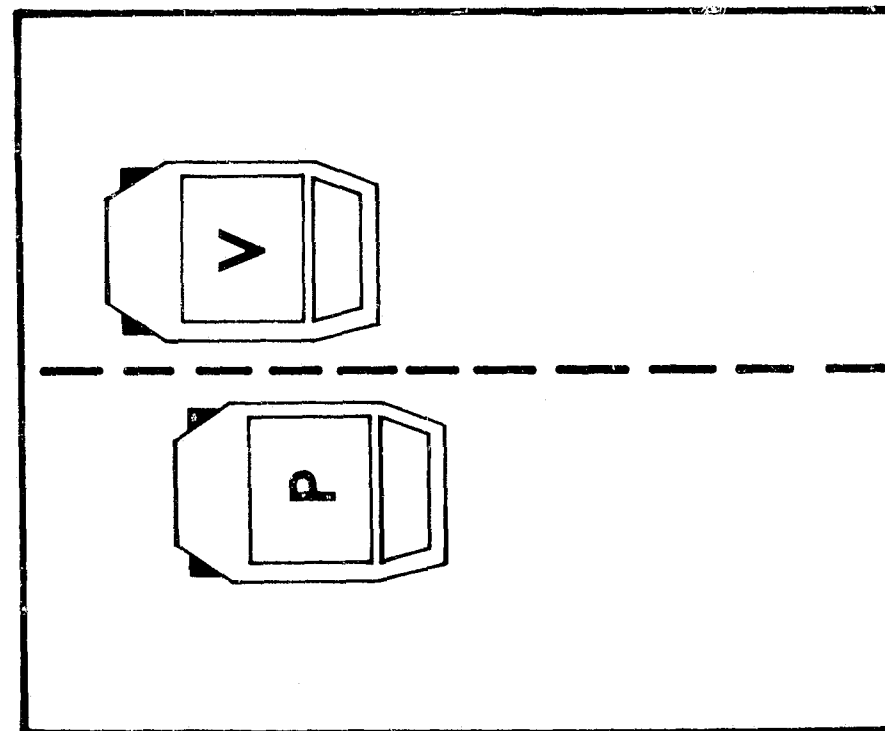


FIGURE 2



Effecting the Stop. After motioning the suspect to stop, the officer should follow the suspect vehicle to the designated site, and, after stopping--

- Position the police vehicle about 10 feet to the rear of the suspect vehicle;
- Pull into an offset parking position to the left of the suspect's vehicle, with the front end of the police vehicle angled towards the traveled portion of the roadway, if the stopping site is in a rural setting and there is sufficient room. (see Figure 3).

The angled position gives the officer maximum visibility and the use of the vehicle's engine block as a protective shield. Alternative positions can be used at the trooper's discretion (see Figure 4). The angled position, however, cannot ordinarily be used in metropolitan areas since a definite traffic hazard would exist, which could further complicate the officer's situation and create a danger to passing motorists.

Apprehending the Suspect

Leaving the Police Vehicle. The officer, with weapon drawn but not cocked, should leave the police vehicle by using the left-hand, front door. He assumes a position next to the left-hand, front fender of his vehicle, maintaining extreme caution at all times and keeping the suspect under constant observation.

FIGURE 3

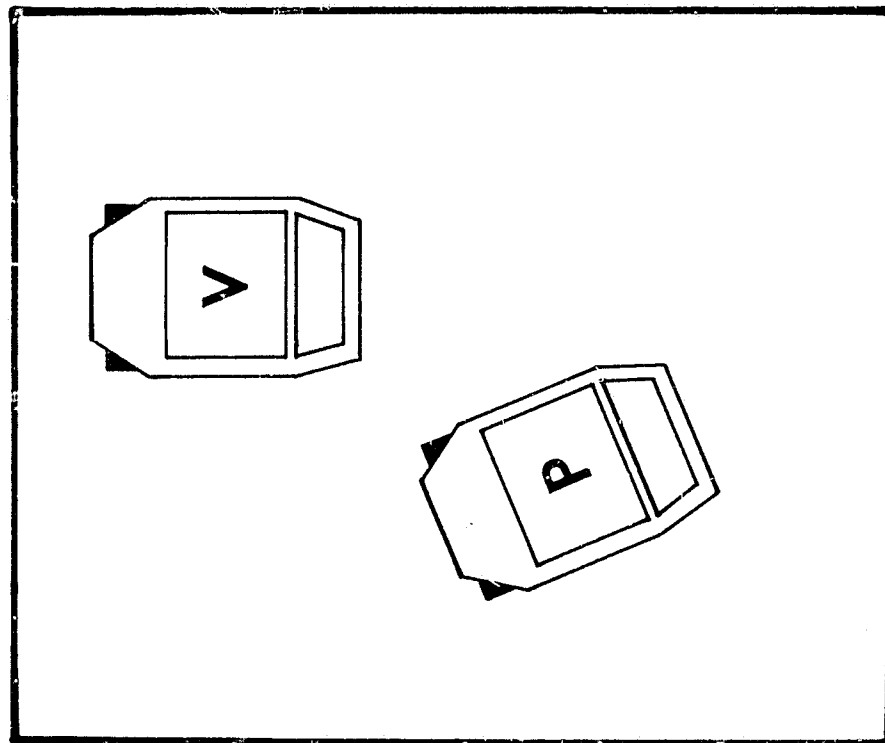
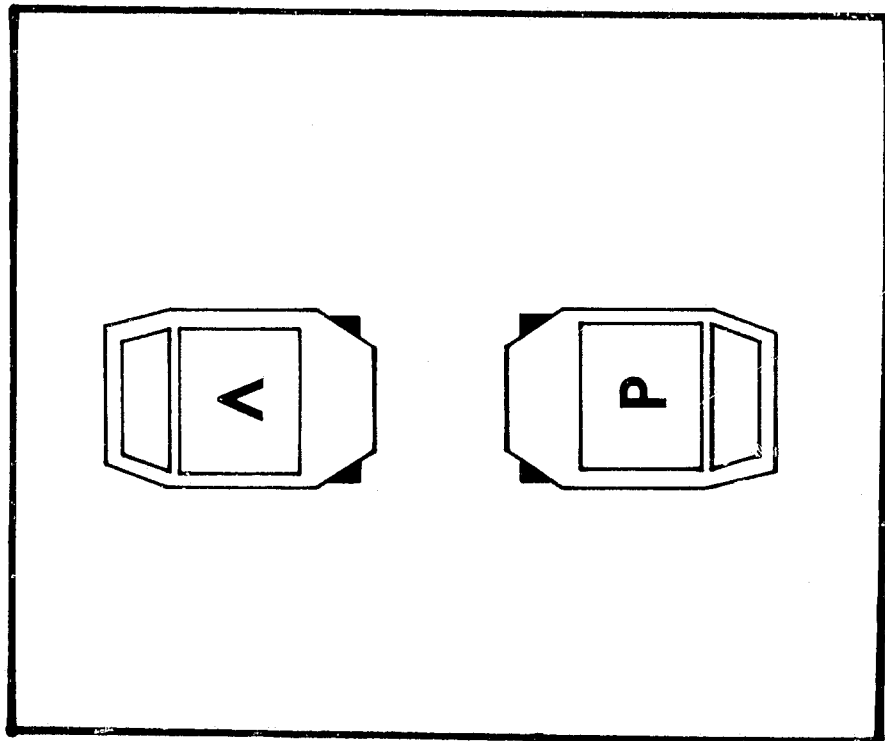


FIGURE 4



At night in metropolitan areas, where a "normal" stopping position is used, the officer should use high beam headlights to illuminate the interior of the suspect's vehicle so occupant(s) activities can be closely followed. The dome and flashing lights should be left on to help other units responding locate the stop as well as to warn oncoming traffic of the hazard.

Addressing the Suspect. The officer must assume immediate and total command of the situation. He should identify himself in a loud, clear voice (the "command" voice), saying--

"POLICE. YOU ARE UNDER ARREST. TURN OFF YOUR MOTOR AND DROP YOUR CAR KEYS ON THE GROUND."

Even though the officer is in a marked police vehicle and uniformed, this forceful command will remove any doubt as to his identity, purpose, and ability.

Removing the Suspect from the Vehicle. If the suspect vehicle has only one occupant, the officer next orders--

"DRIVER. OPEN THE CAR DOOR FROM THE OUTSIDE AND GET OUT OF THE CAR WITH BOTH HANDS ON TOP OF YOUR HEAD."

This procedure requires the suspect to reach outside the car door with the window completely down and to open the door from the outside, placing him in an "off balance" position and at a disadvantage.

After the suspect is removed from the car, the trooper, his weapon pointed at the suspect, orders him either to--

- Place the palms of both hands against the front windshield, or
- Place both hands on top of his head.

This procedure can be followed according to the number of occupants. For example, front-seat occupants can be directed to place their hands on the front windshield; rear-seat occupants can be directed to place their hands on their heads. All occupants should be directed to leave the car from the left-hand side and should be searched following standard procedures. The purpose of these precautionary measures is to immobilize the suspect(s) or restrict suspect movement, keeping hands in sight at all times.

Directing Activity of Back-Up Units. It is imperative that only one officer--the arresting officer--direct the operation. His command of the situation must be clear and complete. His bearing, actions, and words must indicate total control of the stop.

The first assisting officer arriving on the scene will park his vehicle behind the arresting officer's vehicle. The arresting officer should then brief him on the situation and direct him to assume a position at the right rear of the suspect's vehicle, his weapon drawn. His presence should be made known to the suspect(s). This may be done by using the "command" voice to direct the assisting officer to cover the curb side of the suspect's vehicle or by some other remark meant to be overheard by the suspect(s).

This should be done so as to leave no doubt as to the presence of additional help. Revealing the presence of the back-up officer(s) reduces the possibility of sudden attack by the suspect.

With the second officer at the rear of the suspect car, he is afforded some protection in the event of gunfire and can use the right-hand, front door of the police vehicle as cover if needed (see Figure 4). All assisting officers should be cautioned not to walk between the arresting officer and the suspect(s).

Arresting the Suspect. After the suspect is removed from his vehicle, the first officer guards him while the back-up officer enters the suspect's vehicle from the right-hand side and checks the interior for other suspects, weapons, or evidence. Upon completion of this cursory examination of the vehicle, it is locked. The prisoner, after being thoroughly searched, is handcuffed and transported to custody.

TO CHECK YOUR PROGRESS PLEASE ANSWER THE FOLLOWING QUESTIONS.

Directions: Using your response sheet, circle P if the following procedure should be used in stopping felony suspects. Circle NP if the procedure is not correct.

9. Stop the suspect vehicle immediately, and if you have time notify the dispatcher.
10. Do not make the stop near an alley entrance or near a vacant lot that would make a possible escape route available to the suspect.
11. Position the police vehicle about 10 feet to the rear of the suspect vehicle.
12. Turn the dome and flashing lights off so you do not draw a crowd.
13. Approach the suspect with weapon drawn but not cocked.
14. Allow all assisting officers to give commands and direct the activities.

15. After the suspect is removed from his vehicle, check the interior of the suspect's car for weapons, other suspects, or evidence.

PLEASE CHECK YOUR RESPONSES WITH THE KEY ON PAGE XXIV - 34.
REVIEW ANY ITEMS YOU MISSED BEFORE PROCEEDING TO THE POSTTEST.

THIS IS THE END OF SELF-INSTRUCTIONAL UNIT XXIV.

KEY TO EMBEDDED QUESTIONS

Refer to
Page XXIV -

1. d. All of the above	3
2. P	6
3. NP	6-7
4. P	9
5. P	11
6. P	16
7. P	17
8. P	19
9. NP	23-24
10. P	24
11. P	27
12. NP	29
13. P	27
14. NP	30
15. P	31

END