

DALTON POLICE DEPARTMENT

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<i>Subject</i> Vehicle Stops		
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I. Policy

It is the policy of the Dalton Police Department that vehicle stops be made in a manner that provides maximum safety to the Officer and others and conducted in a professional and positive manner. Officers should remember that while enforcing traffic laws, ~~that we~~ they should set the example for good driving habits by obeying all traffic laws, driving defensively, and being courteous.

II. Background

Many citizens' impressions and attitudes toward ~~the police~~ law enforcement are formed as a result of traffic stops. Although enforcing traffic laws and making other vehicle stops is one of the more routine functions ~~law enforcement~~ Officers perform, too frequently Officers are injured or killed in the process. Otherwise routine stops could escalate quickly into dangerous confrontations. Officers must always be alert and never ~~take~~ treat traffic stops as routine or let ~~his / her~~ their guard down. Officers must be alert for unpredictable behavior, but try to balance this cautiousness with making the contact as positive as possible.

III. Definitions

A. ~~*Bias Based Profiling* – Any law enforcement activity initiated solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.~~

Biased Policing – The application of police authority based on a common trait of a group. This includes, but is not limited to, race, ethnicity, national origin, religion, age, gender, gender identity / expression, sexual orientation, immigration status, disability, housing status, occupation, or language fluency.

B. *Reasonable Suspicion* – Also known as *articulable suspicion*. More than a mere hunch and based on a set of articulable facts or circumstances that cause a reasonable person to believe that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person(s)

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being observed. Reasonable suspicion in traffic enforcement is often based on observations by the Officer in combination with training and experience and / or reasonably reliable information from a credible source.

IV. Procedures

The following steps are intended to provide maximum safety for the Officer, the violator, and other users of the roadway. These procedures are to be followed, when possible, and are presented from the perspective that ideal conditions exist.

A. Stopping Traffic Law Violators / Unknown Risk Stops

1. Notify **Communications** the **Whitfield County 911 Center** of the intended location of the stop, license **plate** number, number of occupants, descriptions, etc.
2. Initiate the stop at a point that is most likely to result in the violator stopping at a favorable location. Consider locations with adequate space and lighting, if possible, **and attempt to** avoid stops on hills, curves, intersections, private drives, and business locations with limited parking. If possible, try to stop the vehicle as soon as possible after the violation **is observed**, as traffic and other conditions permit.
3. Signal the violator to stop by using emergency lights and, if necessary, the horn and / or siren.
4. Direct the violator to the right side of the roadway, close to the curb, or onto the shoulder.
5. On multi-lane roadways, the Officer should ensure the safety of himself / **herself** and others during lane changes by gradually changing lanes with the violator until the right side of the roadway is reached.
6. Should the violator stop abruptly in the wrong lane or in another undesirable location, use the public address system to instruct the driver to move to a safe location.
7. For maximum safety, position the police vehicle approximately one-half to one car length (10-20 feet) behind the other vehicle at a slight angle so the left front is approximately two feet to the left of the violator's vehicle and the right rear is near the curb.

B. Approaching the Violator

1. The Officer should exit the patrol vehicle and be continuously alert for any suspicious movement or actions from the driver or other occupants in the vehicle.
2. The Officer should approach from the rear of the violator's vehicle, looking into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door **or right front door**. This position should be maintained if

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there are occupants only in the front seat of the vehicle. From this position, the Officer has the driver in an awkward position while speaking, but at the same time has all occupants in view.

3. When there are occupants in both the front and ~~back~~ rear seats, the Officer should approach to a point near the edge of the left ~~front~~ rear or right rear door while being alert for any unusual actions on the part of the occupants, and be especially aware that the door could be used as a weapon against the Officer.
4. If two (2) Officers are in the ~~patrol~~ police vehicle, the passenger Officer should be responsible for all radio communications, and during the stop, ~~he / she~~ should exit the vehicle and act as an observer and ~~provide~~ cover for the other Officer. Officers should avoid approaching the violator together ~~unless the violator is being arrested or removed from the vehicle~~.
5. Utilize the tactical eight (8) steps during the conversation with the violator.
 - a. Greet the violator in a cautious and non-threatening tone
 - b. Identify himself / ~~herself~~ and ~~the~~ Department
 - c. Advise the driver the reason for the stop
 - d. Ask the driver if there is any legal justification for his / her actions.
 - e. Ask the driver for ~~his / her~~ driver's license or ~~proof of citizenship~~ other legal form of identification.
 - f. Ask the driver for ~~the vehicle's~~ registration and proof of insurance.
 - g. Decide what action to take concerning the ~~driver detected~~ violations.
 - h. Close the stop in a courteous and professional manner.

C. High-risk Stops

1. When a ~~suspect of a violent felony, such as kidnapping, armed robbery, or aggravated assault, is discovered to be the driver or passenger of a vehicle driven by a known or suspected felon is located~~, notify ~~Communications~~ the Whitfield County 911 Center immediately ~~that a high-risk stop will be conducted~~. Provide the location, vehicle description, ~~tag~~ license plate number, and complete description of the driver and occupants, weapons, etc.
2. Request back-up assistance in making the stop. Keep ~~Communications~~ the dispatcher advised of the location, direction of travel, etc.
3. Unless absolutely necessary, the suspect vehicle ~~will~~ shall not be stopped until adequate backup is available and in position.

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4. Try to stop the vehicle in a location which presents minimal danger to the Officers and other citizens.
5. When conditions are favorable and support units arrive, move into position to the rear of the suspect vehicle. Turn on emergency equipment and stop the vehicle on the extreme right side of the road.
6. If the violator is known to be armed and dangerous, the Officers ~~will~~ shall have their weapons easily accessible and ready for immediate use.
7. When the suspect vehicle begins to stop, the Officer ~~will~~ shall turn off the siren and actuate the public address system.
8. The Officer ~~will~~ shall park the police vehicle so that it provides maximum protection and cover.
9. At night, all lights ~~will~~ should be focused on the interior of the suspect vehicle to the disadvantage of the violator.
10. The Officer ~~will~~ shall exit the police vehicle quickly, but remain behind the door and accessible to the public address system microphone.
11. The lead Officer ~~in-command~~ will shall direct each occupant, using the public address system, when possible, to exit the vehicle individually and into the appropriate search position.
12. Even if not needed, the Officer ~~will~~ shall give instruction to the support Officer(s) to assure the suspects that additional support is available. The support Officer(s) should refrain from giving commands since this would tend to confuse the suspects.
13. Extreme caution ~~will~~ shall be exercised by Officers to avoid getting in each other's line of fire.

V. **Biased ~~Based Profiling~~ Policing Prohibited**

Officers ~~must~~ shall have, at a minimum, reasonable suspicion to believe the person being stopped has committed an infraction of the law prior to initiating a traffic stop. Common traits shared among a group, such as; race, ethnicity, national origin, religion, age, gender, gender identity / expression, sexual orientation, ~~religion, economic status, age, cultural group, political affiliation, immigration status, disability, housing status, occupation, or language fluency,~~ or any combination of these ~~will~~ shall not be a factor in determining reasonable suspicion for a stop or for determining probable cause for an arrest. The primary factor to consider is whether an observable offense was committed.

This policy supersedes any previous policies issued.

BY ORDER OF

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CHIEF OF POLICE

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