

PINEVILLE POLICE DEPARTMENT

GENERAL ORDER

SECTION: 12 TRAFFIC ENFORCEMENT

SUBJECT: 1205 ROADSIDE CHECKPOINTS

EFFECTIVE: 01/01/2015

1. **PURPOSE.** The purpose of this policy is to establish procedural guidelines for Roadside Checkpoints. The procedure set forth in this order shall be applicable to all Pineville Police Department established checkpoints.
2. **ROADSIDE CHECKPOINT SAFETY PROCEDURES.**
 - A. The chief of Police, or his designee, shall specify in writing the location, time, and duration of the checkpoint.
 - B. Checkpoints may be established on any public highway as defined in LRS 32:1 et seq., and subject to the condition of this order.
 - C. The appointed checkpoint supervisor shall ensure that a sufficient number of officers are scheduled to safely perform a checkpoint.
 - D. Officers shall utilize all issued and/or available safety equipment (i.e., reflective vests, cones, or warning signs) when conducting a checkpoint.
 - E. The selection sequence of the vehicle to be stopped (i.e., every vehicle, every third vehicle or every fifth vehicle) shall be prescribed and uniformly applied. NO random stopping of vehicles will be allowed or tolerated.
 - F. Checkpoints will be highly publicized by the Chief of Police. The specific location and duration of the checkpoint shall be given at the discretion of the Chief of Police.
 - G. The checkpoint supervisor shall be present on the scene to guide operations. Should it be necessary for the supervisor to leave the scene, an acting Supervisor shall be appointed.
 - H. Location will be selected which permit the safe flow of traffic through the checkpoint.
 - a. Consideration should be given to posted speed limits, traffic volume, and visibility.
 - b. Ensure sufficient adjoining space is available to pull vehicle off the travel portion of the roadway.
 - c. Consider other conditions that may pose a hazard.
 - I. The location to be used shall fulfill certain minimum requirements:
 - a. A secondary screening area
 - b. Free from business and residential driveways, alleys, and intersecting streets or highways.

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- c. Well drained, all weather roadway and parking areas.
 - d. Reduced opportunity for avoiding or escaping the checkpoint site.
- J. Checkpoint construction
 - a. Advance warning signs specific to the purposes, flares, and other devices (including but not limited to, safety cones, spotlights, permanent/portable lighting) shall be utilized to warn motorist of the impending checkpoint.
 - b. Officers should utilize checkpoint construction diagrams to assist with placement of safety devices.
 - c. The initial sign, advising motorist of the establishment of a checkpoint shall be placed at least 500ft prior to the beginning of the checkpoint.
 - d. Marked patrol units should be positioned in such a way as to provide maximum visibility.
- K. The checkpoint supervisor and all other personnel and equipment shall be in the proper place and operational before the first subject vehicle is stopped.
- L. Assigned officers do not have the authority to change the operational plan. The checkpoint supervisor shall gauge whether anxiety of motorists, average length of detention, or safety considerations, necessitate the cancellation or modification of the checkpoint order. The checkpoint supervisor shall document the time and reason(s) for adjustments.
- M. Motorists who wish to avoid the checkpoint by turning before entering the checkpoint area should be allowed to do so, unless a traffic violation is observed or probable cause exists to take other action.
- N. If a driver voluntarily presents a driver's license for inspection prior to being told the purpose of the checkpoint, the officer is authorized to inspect the license. A computer check of the driving record is authorized only as long as reasonably necessary.
- O. Motorists shall not be detained except as provided herein unless there is articulable probable cause, or reasonable suspicion sufficient to justify a belief in the existence of another offense and shall be detained only as long as reasonably necessary.
- P. Checkpoint shall not be utilized as a subterfuge for conducting searches seizures or arrests inconsistent with law or department policy.

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- Q. Commissioned officers from other law enforcement agencies may participate in checkpoints established by PPD. The checkpoint supervisor shall brief all assisting officers on checkpoint procedures prior to the assisting officers' participation.
- R. The checkpoint supervisor shall ensure that PPD personnel and all assisting officers conduct themselves in a professional manner and conform to the PPD checkpoint procedures established.
- S. When PPD officers assist other agencies with checkpoints, they shall comply with the procedures established by the PPD checkpoint policy.
- T. At the beginning of the checkpoint, the checkpoint supervisor shall log the starting time of the checkpoint with the RPSO dispatcher. At the completion of the checkpoint, the checkpoint supervisor shall log the ending time with the RPSO dispatcher.

3. SOBRIETY CHECKPOINT PROCEDURES

- A. Site selection. The department must be able to objectively outline the criteria utilized in the site selection process:
 - 1. Alcohol/drug related traffic experiences.
 - 2. Unusual incidence of alcohol/drug related crashes.
 - 3. Alcohol/drug impaired driving violations.
 - 4. Unusual number of nighttime single vehicle crashes.
 - 5. Any other documented alcohol/drug related vehicle incidents.
 - 6. The site should have maximum visibility from each direction and sufficient illumination. If permanent is unavailable, ensure that lighting is provided with the use of portable lighting or the use of spotlights or vehicle headlamps.
- B. Sobriety checkpoint briefing guide.
 - 1. Prior to conducting the sobriety checkpoint, the checkpoint supervisor shall discuss and thoroughly explain to all officers participating in the checkpoint the following items:
 - 2. The goals of the roadside sobriety checkpoint.
 - 3. The checkpoint location and the statistical data supporting the chosen checkpoint site.
 - 4. The need for safety for both the officers and motorists.

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5. The placement of personnel and traffic control devices, which shall be in conformance with the checkpoint guidelines.
6. A systematic approach to stopping the vehicles as they enter the checkpoint location. The supervisor should ensure that the sequence of the vehicles being stopped is explained to and understood by all participating officers.
7. Have participating officers explain the purpose of the checkpoint to the motorists as they approach the vehicle. A uniform statement/question to the driver should be used, for example: "Good evening. You have been stopped at a Pineville Police Department sobriety checkpoint. We are utilizing checkpoints in an effort to detect and deter the impaired driver. Have you consumed any alcohol or any other controlled dangerous substance today?"
8. If the driver's answer is no, and there is not other compelling reason to detain the vehicle, the officer should permit the driver to proceed.
9. If the driver's answer is yes, ask what, how much, and when. Depending on the answers and other circumstances, the officer should determine if further investigation is warranted. If so, direct the driver to safely exit the vehicle and escort him to the designated area for further investigation. If not, permit the driver to proceed. At NO time should the suspected impaired driver be allowed to remove his vehicle from the inspection location.
10. Officers should inspect the driver for the smell of alcoholic beverages, other drugs, bloodshot eyes, fumbling fingers, slurred speech, admission of drinking or drug abuse, abusive language, inconsistent responses, etc. Be observant of the interior of the vehicle for alcoholic beverage containers, drug paraphernalia, or other contraband that are in plain view.
11. Those persons suspected of impairment should be subjected to the battery of Standardized Field Sobriety Tests. If impairment is obvious and the blood alcohol level (BAC) is low, a Drug Recognition Technician (DRT, DRE) should evaluate the subject.
12. Transportation should be arranged for further testing of the subjects, preferably not to interfere with the operation of the checkpoint.

4. SAFETY BELT AND CHILD RESTRAINT CHECKPOINTS

1. Safety belt and child restraint checkpoint's signage should be non specific yet sufficient to provide ample warning of an impending checkpoint, e.g., "PPD Checkpoint Ahead."
2. Safety belt and child restraint checkpoints shall be conducted at a time and location designed by the Chief of Police or his designee.
3. A checkpoint supervisor shall be appointed by the Chief of Police.

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4. Officers shall explain the purpose of the checkpoint to the motorist upon approaching the vehicle.
5. In addition to issuing citations for a violation of LRS 32:295 or 32:295.1, officers may distribute educational material encouraging the future use of safety belts and child restraints.

5. INSURANCE VIOLATION CHECKPOINTS.

1. Insurance checkpoints shall be conducted at a time and location designated by the Chief of Police or his designee.
2. Officers shall explain the purpose of the checkpoint to the motorists upon approaching the vehicle.
3. Drivers shall be asked to produce proof of compulsory insurance in compliance as required by LRS 32:863.1. If such proof is not provided, the driver shall be issued a Notice of Violation (NOV). The vehicle tag shall be removed and temporary placard shall be placed on vehicle. The checkpoint supervisor shall have say as to whether a vehicle is towed, or allowed to continue.

By order of

Darrell Basco
Chief of Police