

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

EIGHT STEP TACTICAL TRAFFIC STOP AND FELONY/HIGH RISK TRAFFIC STOPS

Reviewed by: Sgt. Richard Beoletto	Effective Date: July 20, 2006
Authorized by: Chief Daniel Donath	Revision Date: December 27, 2019

PURPOSE

The purpose of this SOP is to establish a uniform standard for all Bloomington Police Officers to use when conducting traffic stops on vehicles that have committed violations of the Illinois Vehicle Code and/or violations of the Illinois Criminal Code.

Traffic stops have been and remain a significant source of police/citizen contacts. The public perception of the Department's professionalism may be based upon a single traffic stop. Since traffic stops are generally accusatory in nature, participants may be defensive and prone to misinterpret what is said or done during the stop. For example, citizen accounts of what transpired during their stop have frequently been disproven by video recorded evidence. Increased diversity, public attention to discrimination, and increased scrutiny of police procedures has given rise to complaints of harassment and allegations of rudeness. Further, tactical considerations while conducting felony stops have evolved over the years, resulting in several procedures being used throughout the Department. Lack of standard procedures for traffic stops may expose our officers to unwarranted criticism, citizen complaints, and unnecessary risk.

To meet rising public expectations, project a professional police image, reduce the opportunity for misunderstanding, and provide a measure of security for our police officers, the following procedures will be implemented. Separate procedures have been established for traffic stops where the amount of risk is unknown (i.e., routine stops), and for high risk traffic stops (i.e., felony stops).

PROCEDURE

Police officer conduct must be professional at all times during all traffic stops. Officer's comments should be polite and respectful. Officers shall not use profanity, talk down to, demean, or belittle citizens by their comments. However, police officers are expected to maintain control of the traffic stop scene through verbal and nonverbal communication skills and to be firm in their comments as needed.

UNKNOWN RISK TRAFFIC STOPS

Proper planning prior to initiating a traffic stop is necessary for officer and public safety:

1. Transmit by radio to dispatch and other officers your intent to make a traffic stop.
2. Request a backup if you suspect you need one, and await its arrival prior to stopping if necessary, and if able to do so.
3. Choose the best available location for the traffic stop. The less vehicle and pedestrian traffic, the better the location. This includes being aware of other people who may be nearby and who could be adversely affected by the stop.
4. Position your squad car behind the suspect vehicle so that your squad car is in line but offset to the driver side of the suspect vehicle, at a sufficient distance, approximately 1 to 1½ car lengths (20 to 25 feet). As a rule of thumb, you should be able to see the suspect vehicle's license plate from the driver's seat of your squad car.
5. Assisting officers shall proceed code one, unless circumstances justify otherwise, but in any case they shall comply with the provisions of SOP 5.10 RESPONSE CODES AND USE OF TRAFFIC SIGNAL LIGHTS FOR EMERGENCY CALLS.
6. Upon determining that the primary officer is secure, assisting officers shall clear from the immediate scene so as not to appear to congregate or cluster.

When conducting Unknown Risk traffic stops, the procedure that shall be used is the Eight Step Tactical Traffic Stop Procedure, which officers shall follow unless conditions reasonably justify deviating from it. The proper execution of this procedure relies in large part upon the driver and vehicle occupants, if any, to respond in an appropriate manner. Unanticipated or inappropriate responses from a driver or other vehicle occupant may significantly undermine the officer's ability to follow the eight step tactical traffic stop procedure.

EIGHT STEP TACTICAL TRAFFIC STOP

Step 1. Greeting

Example: "Morning" or "Afternoon" or "Evening"

Step 2. Identify Self, Department, provide recording notification

When identifying yourself, be sure to provide the driver of the stopped vehicle enough information to know who you are, which agency you work for, and the stop is being recorded.

Example: "I am Officer John Doe of the Bloomington Police Department. All of our traffic stops are recorded."

Step 3. The reason for the stop

Explain to the driver the reason for the traffic stop.

Example: "I stopped you for traveling 40 MPH in a 30 MPH speed zone."

Step 4. Justification for the Violation

Ask the driver if he/she has any justifiable reason for committing the traffic violation. Alternatively, you can ask the driver "if everything is okay." Asking if everything is okay can have a calming effect on the driver and put them more at ease while they are speaking with you about the traffic stop.

Example: "Is there a reason why you were traveling so fast this morning? Is everything okay?"

Step 5. Request Driver's License from Driver

Ask the driver for their license. The driver may have to move in some manner to get their driver's license for you. Watch the driver's hands and where they are reaching to get their driver's license. Upon receiving the license from the driver, verify the picture on the driver's license is in fact the driver, and then put the license away.

Step 6. Request the registration and insurance for the vehicle

Ask the driver for the registration and proof of insurance for the vehicle, and ask where they keep these documents in the vehicle. Once the driver tells you, request they get the documents for you. Again, watch the driver's hands and movements in the vehicle as they get the documents for you. Once you have the documents, verify the registration and insurance is for the vehicle you have stopped, and verify that it is valid. Then return the documents to the driver. The least amount of paperwork you have in your hands the better. Do not occupy your weapon hand with any paperwork, if at all possible.

Step 7. Decision

Make your decision as to whether or not you are going to issue UTT(s) while you are still speaking with the driver. There is a two fold reason for this

1. if you decide to write UTT(s) you can ask the driver what they want to post for bond; and
2. it eliminates having to make multiple trips between your squad car and the stopped vehicle. You want to make the least amount of trips possible for safety reasons.

Step 8. Closing the Traffic Stop

When you are ending your traffic stop explain the UTT(s) to the driver, if you wrote any, and ask him/her if they have any questions concerning the stop or the UTT(s). You should end all traffic stops with a closing statement. Try to avoid statements such as, "have a nice day" and "drive safely". To some drivers these statements may appear to be condescending.

Examples: "*thanks for your cooperation*" and "*you are free to go*". It is important that your closing statement tells the driver the traffic stop has been completed and they can leave.

HIGH RISK / FELONY TRAFFIC STOPS

High Risk (i.e., Felony) traffic stops shall be executed when a suspect vehicle is being stopped for a felony offense based on probable cause and/or reasonable suspicion that a felony is being committed, may have been committed, or is about to be committed. When responding to a situation where a weapon was used or implied, officers should also consider executing a High Risk traffic stop on the suspect vehicle.

The first consideration should be evaluating the facts and determining whether the High Risk stop should be conducted. Once initiated, this procedure should be followed unless changing conditions and common sense reasonably justify deviating from it. Again, the proper execution of this procedure relies in large part upon the driver and vehicle occupants, if any, to respond in an appropriate manner. Unanticipated or inappropriate responses from a driver or other vehicle

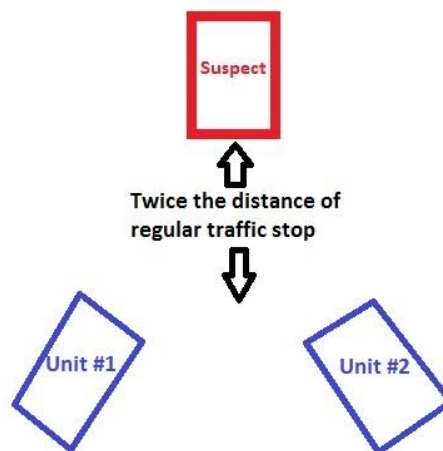
occupant may significantly undermine the officer's ability to follow the High Risk traffic stop procedure.

1. Responsibility of Primary Officer

1. Transmit by radio to dispatch and other officers your intent to make a felony traffic stop. Secure the radio channel for "10-33 traffic" or "emergency traffic only."
2. Wait for backup and insure that a sufficient number of officers are present to conduct a High Risk traffic stop based on the number of occupants of the suspect vehicle.
3. Choose the best available location for the traffic stop. The less vehicle and pedestrian traffic, the better the location. This includes being aware of other people who may be nearby and who could be adversely affected by the stop.

2. Positioning of Police Squad Car

1. If possible, position the primary squad car behind the suspect vehicle so that the primary squad car is offset to the driver side of the suspect vehicle, but angled so that the headlights of the squad are pointing toward the center of the suspect vehicle. The distance separating the squad car from the suspect vehicle should be double the length as compared to a regular traffic stop (approximately 40 to 50 feet). This spacing allows for maximum use and effectiveness of all squad car lights (i.e. overheads, takedowns, spotlight, bright headlights, wigwags, etc.).



2. If the stop is being conducted at night, all available lighting systems should be utilized and directed toward the suspect vehicle. This will create a "wall of light" that will reduce the ability of the occupants in the suspect vehicle to see the location and actions of the officers, thus giving the officers a tactical advantage.

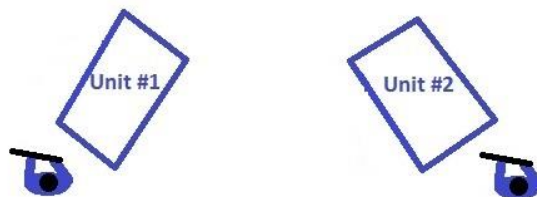
3. Positioning of Backup Squad Cars

1. The terrain surrounding the area of your stop will dictate where backup officers park their squad cars when they arrive.
2. If possible, the first backup squad on scene should be offset to the passenger's side of the suspect vehicle, and angled so that the headlights of the squad are pointing toward the center of the suspect vehicle.
3. Other backup officers' squad cars should be positioned in a manner that blocks other vehicular traffic from interfering with the felony stop.

4. The remaining responding officers should park their squad cars in positions that block cross traffic or other potentially problematic traffic from entering the immediate area of the felony stop.
5. When a K-9 Unit is available, the K-9 handler will assume the position he/she feels is most beneficial and advantageous. Some K-9 handlers may wish to take over verbal commands in order to better control their K-9 partner. This will need to be coordinated by the officers on scene.
6. When the stop is being conducted at night, or in low light conditions, squads parked behind the primary and secondary squads should shut off any lights pointed forward, toward the stop itself. This will prevent the officers on the stop from being backlit, hence giving away their positions.

4. Positioning of other officers

1. In order to best utilize readily available cover, officers should move to a position located behind the primary and secondary officer's squad cars, or other points of "hard" cover nearby. Officers must ensure that their positions are on-line with one another, and that they do not create a crossfire situation.
2. It is recommended that the primary officer be near the rear driver's side corner of their squad, while the secondary officer is at the rear passenger's side corner of their squad. Officers should also take several steps back away from their squads. The created distance (approximately 10 to 12 feet) will reduce the chance of the officer being struck by a ricochet off of the squad car from a round fired by the suspects at the officers, as well as provides a better field of view for the officers while conducting the stop.



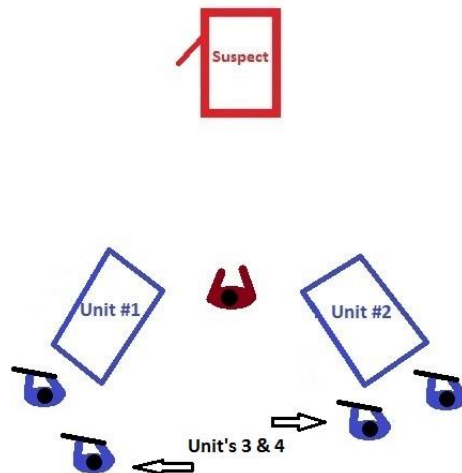
5. Responsibility of secondary {cover} officers

1. Act as backup and cover suspect vehicle: use backup officers to cover passengers in suspect vehicle.
2. Vehicle and pedestrian traffic control: use other backup officers to block off roadway when needed.

6. Making contact with the driver and other occupants

1. Upon initial contact with the driver and occupants, the primary officer shall inform the subjects who they are, and the reason for the stop.
Example: "This is Officer John Doe of the Bloomington Police Department. We are investigating an armed robbery."
2. The primary officer should then direct all occupants to put their hands straight up in the air, or have them hold their hands out the window of the vehicle if the windows are already open.
3. Once this is done, the primary officer can begin removing the occupants from the vehicle. The removal of the occupants should be done one-by-one, in a systematic fashion. The driver of the suspect vehicle should be the primary focus, as they control the movement of the vehicle
4. First, have the driver turn off the car if it is still running, and if possible, remove the keys and throw them out the window. Try to control the movements of the driver by telling them which arm to use to accomplish this.
Example: "Driver. With your left hand, turn off the car and throw the keys out the window."
5. Then have the driver exit the vehicle. One option is to have the driver open the door by reaching out the window and using the exterior handle. However, this is not always possible due to mechanical, or design issues with the vehicle. If possible, have them leave the door open upon exit. This will be useful upon approaching the vehicle later on.
Example: "Driver. With your left hand, open the door and exit the vehicle. Leave the car door open when you exit."
6. Upon their exit, direct the driver to keep their hands raised straight up in the air as high as possible. This ensures that any movements made by the driver with their hands/arms is clearly visible to the officers. It also will cause the garments (shirt, jacket, etc...) worn by the driver to raise slightly, further revealing the waistband area.
Example: "Driver. Keep your hands raised straight up in the air as high as possible."
7. Then direct the driver to turn around slowly until you tell them to stop. This will give officers the opportunity to observe the driver for signs of a concealed weapon. Do not tell the driver to stop until they have turned completely around, and are facing away from you.
Example: "Driver. Slowly turn around until I tell you to stop."

8. If you should see a weapon, clearly, and loudly announce to the subject that you see the weapon. By doing so, you notify the subject, assisting officers, potential witnesses, and potentially the video recording equipment in the squad cars (evidence) that the weapon has been seen. Then direct the subject not to make any motion toward retrieving that weapon or they will be shot.
Example: "I see that you have a pistol in your waistband. If you reach for that pistol, you will be shot. Keep your hands straight up in the air."
9. With the subject facing away from you, have them walk slowly backwards toward the sound of your voice. Continue to give them direction so that they walk between the primary and secondary officers squad cars. If necessary, have them stop and take steps right or left so that this can be accomplished. Make sure they are keeping their hands in the air as they move.
Example: "Driver. Walk backwards toward the sound of my voice. Keep walking. Keep walking. Stop. Take two steps to your right. Continue walking backwards."
10. Once the subject has reached an area near the front of the squad cars, have them stop. Verbally communicate with your assisting officers to take over commands of the subject. The assisting officer should then direct the subject to continue walking backwards to the rear of the squad cars. It is important that the officers involved direct the subjects to their point of cover, as opposed to leaving cover in order to go apprehend the subject. It is recommended that the subject be directed down onto their knees in order to be taken into custody. Additional officers on scene, if available, should be utilized as "arrest teams" in order to place the subjects in custody and escorted to a secure location until the suspect vehicle is completely clear.



11. Repeat the process of removal for all occupants of the vehicle one at a time.

7. Making contact with the passengers

1. The commands to the passengers should be given in the same loud and clear manner that was used with the driver
Example: "Front seat passenger. With your left hand, open the door and exit the vehicle. Leave the door open when you exit."

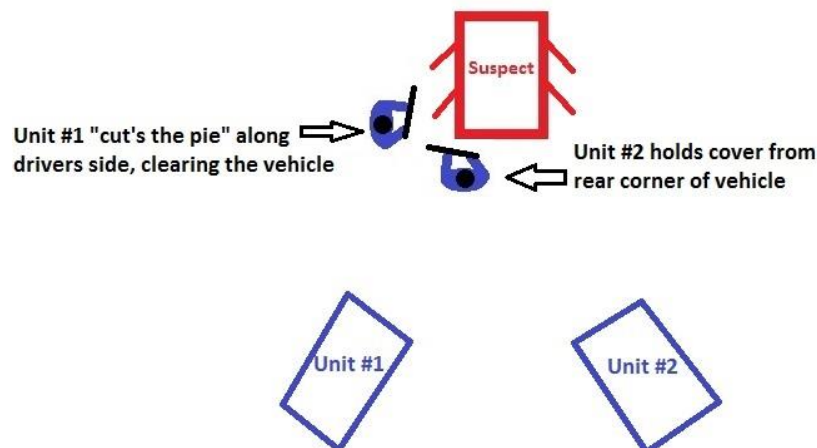
2. The commands to all remaining occupants of the vehicle will be the same as those given to the driver once they have been directed out of the suspect vehicle.
3. A key factor in successfully and safely conducting the High Risk stop is establishing and maintaining control of all suspects' movements while they are inside and outside of the suspect vehicle, as well as giving clear orders to the suspects so that you know what their movements and actions should be. This way, any "furtive" movements can be immediately identified and reacted to.

8. Approaching and clearing

1. When all occupants visible inside the vehicle have been removed, the primary officer should give one last command for the remaining occupant to exit the vehicle. If there is someone concealing themselves inside the vehicle, this may cause them to think they have been seen and to go ahead and exit the vehicle.

Example: "Occupant still in the vehicle. We know you're in there. Exit the vehicle with your hands held in the air."

2. Once it is reasonably believed the vehicle is empty, it is still necessary to approach the vehicle in order to verify it is in fact empty. Approach of the vehicle will be made with a minimum of two (2) officers. The team of officers should approach while walking side-by-side, to a predetermined side of the suspect vehicle. Upon approach, one officer will take a position of cover at the rear corner of the suspect vehicle, looking through the rear window. While doing so, the officer can also ensure that the trunk lid does not come up by placing their hand on the lid. The remaining officer will then move along the same side of the vehicle that the cover officer is located, visually "slicing the pie," while ensuring that no one is still inside the vehicle. It is of the upmost importance that both officers be located on the same side of the suspect vehicle to eliminate a crossfire situation.



3. After the passenger compartment of the vehicle is clear, there is still a need to make sure the trunk is empty. The cover officer is in the best position to do so, as they are already located near the trunk. Assisting officers must coordinate how the trunk is to be opened (via button, remote, or key). Once it is decided how the trunk is to be opened,

the cover officer is to give the assisting officer the go-ahead to open the trunk lid while the cover officer clears the trunk compartment from the corner. It is important that the officers not stand directly in front of the trunk upon it opening, as this is where an assailant waiting inside the trunk is likely expecting an officer to be.

9. Disengaging

Proper disengagement may make the critical difference in the citizen's mind as to whether they were treated poorly or professionally. If it is determined that the vehicle stopped was not actually involved in the crime which created the need for the stop, as time permits explain to the driver the reason(s) for the stop (e.g., the vehicle matched the description of the suspect vehicle, the driver matched the suspect's description, etc.). This may be a highly stressful event for an innocent citizen, who may not fully understand the explanation you provide at the time. Therefore, provide the driver your business card and encourage them to call you or your supervisor if they have any further questions concerning the stop.

If time is a factor and a detailed explanation cannot be provided, give the driver your business card and instruct them to call you or your supervisor for an explanation of the reason for the stop. If the person does not inquire within a reasonable period of time, initiate contact with the person and provide the proper explanation.