

MODEL CHECKPOINT POLICY

Preamble

It is recognized that **(INSERT TYPE OF CRIME HERE)** is a contributor to traffic crashes and their related deaths and injuries. **(INSERT TYPE OF ROADBLOCK)** checkpoints are an effective law enforcement tool involving the stopping of vehicles, or a specific sequence of vehicles, at predetermined fixed locations, to detect drivers operating vehicles while involved in this activity.

The operation of a **(INSERT TYPE OF ROADBLOCK)** checkpoint serves not only as a specific deterrent by arresting drivers who operate vehicles while involved in this activity, but more importantly, as a general deterrent to persons who have knowledge of a checkpoint. **(INSERT TYPE OF ROADBLOCK)** checkpoints increase the perception of the risk of arrest when they are adequately publicized and highly visible to the public.

They are only one part of a continuing, systematic and aggressive overall program to reduce the number of traffic crashes and their resulting deaths, injuries and property damage within the community. This overall program must include vigorous and ongoing enforcement and public information and education components targeting the contributing causes of traffic crashes.

I. Purpose

- A. The purpose of this policy is to provide guidelines for the operation of a **(INSERT TYPE OF ROADBLOCK)** checkpoint in order to maximize the deterrent effect and increase the perception of “risk of apprehension” of motorists who would operate a vehicle while involved in this activity.
- B. All **(INSERT TYPE OF ROADBLOCK)** checkpoints shall be conducted in such a manner as to minimize any intrusion or inconvenience upon the motoring public and to maximize program effectiveness, enforcement uniformity and, above all else, safety.
- C. All **(INSERT TYPE OF ROADBLOCK)** checkpoints will be set and carried out in accord with all applicable statutes and court decisions addressing such operations.
- D. **(INSERT TYPE OF ROADBLOCK)** checkpoints shall not be used as a subterfuge to search for evidence of other crimes. However, law enforcement officers may initiate appropriate enforcement action for any

violation of law detected while conducting a **(INSERT TYPE OF ROADBLOCK)** checkpoint.

II. Site Selection

A. Procedure

1. Primary Criteria: Sites for **(INSERT TYPE OF ROADBLOCK)** checkpoints shall be selected on the basis of the following:
 - a. Incidents of **(INSERT TYPE OF CRIME)** related crashes
 - b. Incidents of arrests or citations for **(INSERT TYPE OF CRIME)**
 - c. Incidents of nighttime single vehicle crashes
 - d. Any other documented **(INSERT TYPE OF CRIME)** vehicular incidents, i.e., citizen complaints.
2. Secondary Criteria: The following criteria may also be considered when selecting sites for **(INSERT TYPE OF CRIME)** checkpoints:
 - a. Ability to conduct a checkpoint safely and with minimum inconvenience to the public
 - b. Presence of adequate lighting, or the ability to provide sufficient supplemental lighting
 - c. Sufficient adjoining space to pull vehicles off of the traveled portion of the roadway
 - d. The availability of an alternative route for drivers choosing to avoid checkpoint operation
 - e. The posted speed limits, traffic volume and visibility to motorists as they approach the checkpoint in line with the number of uniformed officers and others available
 - f. Adequate adjoining space for support vehicles, media, data collection and other ancillary personnel
3. Approval of sites
 - a. Prior approval: All **(INSERT TYPE OF ROADBLOCK)** checkpoint sites shall be approved prior to use by (*head of the law-enforcement agency in charge of conducting such checkpoint*) upon consultation with the Prosecuting Attorney.

- b. Approval Review: Any site having received prior approval as outlined above shall be considered to be “pre-approved” and may be used for conducting a **(INSERT TYPE OF ROADBLOCK)** checkpoint unless such approval shall have been revoked. All approved sites shall be subject to periodic review, but in any case no less often than yearly.
- c. Site drawing: A site drawing or sketch of each approved site shall be made and kept as a part of the records of each **(INSERT TYPE OF ROADBLOCK)** checkpoint conducted. Such drawing or sketch shall indicate the location of the following:
 - (1) Screening Officers
 - (2) Warning signs
 - (3) Barricades
 - (4) Support vehicles
 - (5) Field testing area
 - (6) Citation areas
 - (7) Observation / Data gathering area
 - (8) Alternative routes
- d. Date/time/duration: The date, time and duration of any checkpoint shall be determined by *(head of the law enforcement agency in charge of conducting such checkpoint)*, upon consultation with the Prosecuting Attorney.

III. Staffing

A. Officer in Charge

- 1. There shall be an officer in charge of the **(INSERT TYPE OF ROADBLOCK)** checkpoint at all times during its operation. Such officer in charge shall be designated by *(head of the law enforcement agency conducting the checkpoint)*.
- 2. The officer in charge will ensure that proper operational procedures are followed and that all pertinent records regarding the checkpoint are maintained. Such officer in charge shall have successfully completed appropriate training for the supervision of **(INSERT TYPE OF ROADBLOCK)** checkpoints.

3. Prior to conducting a checkpoint, the officer in charge shall conduct a briefing of all personnel as to:
 - a. Site location
 - b. Checkpoint operational procedures
 - c. Personnel assignments as to setup, operation and breakdown of the **(INSERT TYPE OF ROADBLOCK)** checkpoint
 - d. Placement and utilization of safety equipment and support vehicles
 - e. Site drawing
 - f. Any other pertinent matters

4. The officer in charge should take such measures deemed prudent and necessary for maintaining a smooth flow of traffic and to provide a safe environment for the motoring public and the officers working the checkpoint. The officer in charge shall modify, interrupt or terminate checkpoint operation should staffing or conditions present a safety hazard to the motoring public or officers if the checkpoint were to continue. Any modification, interruption or termination of the checkpoint shall be noted by the officer in charge.

B. Participating officers

1. A sufficient number of uniformed personnel and marked police vehicles shall be assigned to **(INSERT TYPE OF ROADBLOCK)** checkpoints to reassure motorists that the stop is legitimate and orderly and to minimize any fear, surprise or apprehension of the motoring public.
2. In order to assure safe and efficient operation, a minimum of five (5) uniformed officers, including the officer in charge, shall be assigned to each checkpoint.
3. Traffic volume, roadway setup, posted speed limits are the factors which the overseeing agency will examine when determining the number of uniformed officers to be present.
4. In the event that number of officers available and actively working the checkpoint, including the officer in charge, should drop below four (4), the checkpoint shall be suspended or terminated.

IV. Public Safety / Traffic Control

- A. The following safety devices and procedures shall be used during the operation of the **(INSERT TYPE OF ROADBLOCK)** checkpoint:
1. Prior to the checkpoint location, a sign indicating that a **(INSERT TYPE OF ROADBLOCK)** checkpoint is ahead shall be posted. Such sign shall be posted at a distance sufficient to give notice so as to allow a motorist to safely avoid the checkpoint.
 2. Signage, traffic cones and/or flashing or reflective barricades and/or personnel (whether they be uniformed officers or others) shall be used beginning at a distance that will allow sufficient warning of the impending stop. Sufficient traffic cones, flashing or reflective barricades and/or other similar devices shall be used to adequately direct the flow of traffic through the checkpoint.
 3. An adequate number of marked police vehicles with operating emergency lights will be used directly at the checkpoint and at point leading into and out of the checkpoint.
 4. At the location of driver contact with the screening officers, a sign directing drivers to stop for the checkpoint shall be posted.
 5. All personnel working the checkpoint shall wear an appropriate reflective safety vest.
 6. All signage shall be of sufficient size and reflectivity to allow them to be seen and read.
- B. Traffic through the checkpoint
1. Unless traffic conditions and staffing requires otherwise, each and every vehicle should be momentarily stopped.
 2. Should traffic conditions or other circumstances warrant, the officer in charge shall stipulate specific vehicles to be stopped in accordance with a pre-designated system (i.e., every 2nd, 3rd, 4th, et cetera). Such modifications to vehicle contact will be noted by the officer in charge.
 3. The duration of each stop shall be only that time required to determine if any further inquiry or investigation is warranted to identify if the driver is operating the vehicle while **(INSERT TYPE OF CRIME)**.

V. Driver Contact

A. Screening Officers

1. Screening Officers shall:

- a. Greet all drivers of stopped vehicles, giving the reason for the stop
- b. Make general inquiries of the driver that require a response, and will observe the subject for signs of **(INSERT TYPE OF CRIME)**.
- c. Allow the driver to continue if no crime is detected and no other violation requiring action is observed
- d. In the event **(INSERT TYPE OF CRIME)** is detected, the driver of the vehicle shall be directed to the designated testing area
- e. In the event some other violation requiring action is observed, the driver shall be directed to a previously designated area for further action

B. **(INSERT TYPE OF CRIME)** Detected

1. In the event **(INSERT TYPE OF CRIME)** is detected and the driver has been directed to the designated testing area, the testing officer shall conduct further investigation.
2. Drivers deemed not to be involved in **(INSERT TYPE OF CRIME)** will be returned to his or her vehicle and released.
3. Drivers determined to be involved with **(INSERT TYPE OF CRIME)** shall be placed under arrest or cited for the appropriate criminal charge.

C. Vehicles avoiding the **(INSERT TYPE OF ROADBLOCK)** checkpoint

1. Vehicles observed avoiding the **(INSERT TYPE OF ROADBLOCK)** checkpoint shall not be stopped unless there exists a reasonable, articulable suspicion for such stop.

IV. Media Relations

A. Media Notification

1. The existence and use of **(INSERT TYPE OF ROADBLOCK)** checkpoints must be publicized. Local media shall be notified, at least one (1) week in advance, of the date, time and general

location of any **(INSERT TYPE OF ROADBLOCK)** checkpoint site and alternative site, if applicable.

B. Media Presence at Site

1. Media coverage on the scene of a **(INSERT TYPE OF ROADBLOCK)** checkpoint site will be monitored and controlled by the Officer in Charge.

V. Miscellaneous

A. Alternative Sites

1. In the event that a checkpoint site selected and approved for a particular date and time becomes unsafe due to traffic congestion or impracticable for other reasons, the Officer in Charge may move the checkpoint site to an alternative site, provided that such alternative site has also been approved and that proper notice to the Prosecuting Attorney and media has been given in advance.

B. Disposition of Passengers and Vehicles

1. Vehicles of persons arrested at the **(INSERT TYPE OF ROADBLOCK)** checkpoint shall be disposed of in accordance with the policies of the law enforcement agency.
2. Officers at the **(INSERT TYPE OF ROADBLOCK)** checkpoint will permit passengers in vehicles of persons arrested at the **(INSERT TYPE OF ROADBLOCK)** checkpoint to obtain or arrange alternative transportation.

C. Other Notifications

1. The Prosecuting Attorney shall be notified of the date, time and location of any **(INSERT TYPE OF ROADBLOCK)** checkpoint, or alternative **(INSERT TYPE OF ROADBLOCK)** checkpoint, if applicable, at least one (1) week prior to such checkpoint.
2. All police agencies and emergency dispatch centers within the area shall be notified prior to the beginning and at the termination of any **(INSERT TYPE OF ROADBLOCK)** checkpoint.

D. Others Present at Checkpoint

1. Data collectors: Persons present at a **(INSERT TYPE OF ROADBLOCK)** checkpoint for the purpose of collecting and gathering information and data shall do so in an area designated for such and shall be subject to the directions of the Officer in Charge. Such persons shall wear appropriate reflective safety vests and will carry a flashlight during darkness.
2. Other law enforcement and traffic safety professionals: Law enforcement officers not actively engaged in the checkpoint operation, prosecuting attorneys and their assistants, judicial officers and other traffic safety professionals may be present at a **(INSERT TYPE OF ROADBLOCK)** checkpoint, and shall be subject to the directions of the Officer in Charge.

E. Mutual Assistance

1. In the event that law enforcement officers from a jurisdiction outside that of this agency participate in a **(INSERT TYPE OF ROADBLOCK)** checkpoint, a mutual assistance agreement shall be executed, if appropriate.

F. Severability; Guidance

1. If any provision of this policy shall, for any reason and to any extent, be declared to be invalid, or is modified by the order of a court of law of competent jurisdiction, the remainder of this policy shall not be affected thereby but rather shall remain in full force and effect until and unless modified or replaced.
2. This policy is deemed to be only for the purpose of guidance in the operation of a **(INSERT TYPE OF ROADBLOCK)** checkpoint and shall not be strictly construed. The department recognizes that the operation of **(INSERT TYPE OF ROADBLOCK)** checkpoints is governed by federal and state judicial rulings. Failure to follow specific recommendations herein shall not invalidate the operation of any checkpoint.