

Basic Course Workbook Series Student Materials

**Learning Domain 22
Vehicle Pullovers
Version 3.1**

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Student Materials
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Vehicle Pullovers
Version 3.1**

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THE ACADEMY TRAINING MISSION

The primary mission of basic training is to prepare students mentally, morally, and physically to advance into a field training program, assume the responsibilities, and execute the duties of a peace officer in society.

FOREWORD

The California Commission on Peace Officer Standards and Training sincerely appreciates the efforts of the many curriculum consultants, academy instructors, directors and coordinators who contributed to the development of this workbook. The Commission extends its thanks to California law enforcement agency executives who offered personnel to participate in the development of these training materials.

This student workbook is part of the POST Basic Course Training System. The workbook component of this system provides a self-study document for every learning domain in the Basic Course. Each workbook is intended to be a supplement to, not a substitute for, classroom instruction. The objective of the system is to improve academy student learning and information retention.

The content of each workbook is organized into sequenced learning modules to meet requirements as prescribed both by California law and the POST Training and Testing Specifications for the Basic Course.

It is our hope that the collective wisdom and experience of all who contributed to this workbook will help you, the student, to successfully complete the Basic Course and to enjoy a safe and rewarding career as a peace officer serving the communities of California.

A handwritten signature in black ink, appearing to read 'Paul Cappitelli', with a stylized flourish at the end.

PAUL CAPPITELLI
Executive Director

LD 22: Vehicle Pullovers

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Preface

Introduction

Student workbooks

The student workbooks are part of the POST Basic Course Instructional System. This system is designed to provide students with a self-study document to be used in preparation for classroom training.

Regular Basic Course training requirement

Completion of the Regular Basic Course is required, prior to exercising peace officer powers, as recognized in the California Penal Code and where the POST-required standard is the POST Regular Basic Course.

Student workbook elements

The following elements are included in each workbook:

- chapter contents, including a synopsis of key points,
 - supplementary material, and
 - a glossary of terms used in this workbook.
-

How to Use the Student Workbook

Introduction

This workbook provides an introduction to the training requirements for this Learning Domain. It is intended to be used in several ways: for initial learning prior to classroom attendance, for test preparation, and for remedial training.

Workbook format

To use the workbook most effectively, follow the steps listed below.

Step	Action
1	Begin by reading the: Preface and How to Use the Workbook, which provide an overview of how the workbook fits into the POST Instructional System and how it should be used.
2	Refer to the Chapter Synopsis section at the end of each chapter to review the key points that support the chapter objectives.
3	Read the text.
4	Complete the Workbook Learning Activities at the end of each chapter. These activities reinforce the material taught in the chapter.
5	Refer to the Glossary for a definition of important terms. The terms appear throughout the text and are bolded and underlined the first time they appear (e.g., <u>term</u>).

Chapter 1

Introduction to Vehicle Pullovers

Overview

Learning need Peace officers must recognize the inherent risks involved when conducting a vehicle pullover in order to take the appropriate precautions necessary to ensure their own safety as well as the safety of others.

Learning objectives The chart below identifies the student learning objectives for this chapter.

After completing study of this chapter, the student will be able to...	E.O. Code
<ul style="list-style-type: none">• describe the three basic categories of vehicle pullovers, to include:<ul style="list-style-type: none">- traffic enforcement pullover,- investigative pullover,- high-risk pullover.	22.01.EO1 22.01.EO2 22.01.EO3
<ul style="list-style-type: none">• describe the inherent risks to officer safety that are associated with conducting a vehicle pullover.	22.01.EO4
<ul style="list-style-type: none">• demonstrate appropriate actions officers can take to maintain their own safety and the safety of others while conducting a vehicle pullover.	22.01.EO5

Continued on next page

Overview, Continued

In this chapter This chapter focuses on basic safety considerations associated with vehicle pullovers. Refer to the chart below for specific topics.

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Categories of Vehicle Pullovers

[22.01.EO1, 22.01.EO2, 22.01.EO3]

Introduction

Conducting vehicle pullovers is one of the most frequent duties that a patrol officer will perform. Peace officers conduct vehicle pullovers for a wide variety of reasons ranging from issuing a citation for an equipment violation to apprehending an armed and dangerous felon. It is not unusual for a patrol officer to stop at least one car per shift, if not more.

Ethics

Stereotyping or deciding how to conduct a vehicle stop based on the appearance of the passengers or the vehicle is bad for the community, bad for the officer, and against the law. Every traffic stop must be based on a standard of reasonable suspicion or probable cause consistent with the Fourth Amendment of the United States Constitution. Also, every stop must meet the “equal protection of the laws” standard established by the Fourteenth Amendment of the United States Constitution. That is, race, ethnicity, or national origin may not be considered in any fashion or to any degree by law enforcement, except when officers are looking for specific suspects identified in part by those criteria.

Levels of risk

Conducting a vehicle pullover can be one of the most dangerous duties a patrol officer can perform. Violent acts that have taken place during a vehicle pullover are among the leading causes of officer injuries and death.

Continued on next page

Categories of Vehicle Pullovers, Continued

Levels of risk
(continued)

A key consideration when preparing to make a vehicle pullover is the amount of risk perceived by the patrol officer. All vehicle pullovers will fall into one of the two risk levels noted in the following table.

Perceived Level of Risk	Vehicle pullovers that generally involve...	Examples
Unknown risk	<ul style="list-style-type: none"> • traffic or equipment violations, • suspicious activity, • a citizen request, or • certain misdemeanors. 	<ul style="list-style-type: none"> • Stopping a vehicle to notify the owner of a broken tail light • Pulling over a suspicious vehicle that is cruising in a deserted business area late at night
High-risk	<ul style="list-style-type: none"> • felony violations, • serious misdemeanors, • vehicles that match a description given during a crime broadcast, or • stolen vehicles (often used in other serious crimes). 	<ul style="list-style-type: none"> • Stopping a vehicle that matches one used in a drive by shooting • Pulling over a vehicle that has just been involved in a serious traffic accident and failed to stop

NOTE: Individual agency policies may differ regarding which types of crimes would be considered “high-risk.”

Continued on next page

Categories of Vehicle Pullovers, Continued

Risk assessment

As a general rule, **risk assessment** refers to the level of anticipated risk involved with any vehicle pullover based on the officer's perception of danger due to a suspect's conduct, or advance knowledge. This knowledge may come from sources such as, but not limited to:

- that officer's personal observations,
 - information from dispatch,
 - information obtained by running the vehicle's license plate,
 - number of occupants in the vehicle,
 - availability of assistance/back up units, or
 - other means the officer may reasonably rely upon, e.g., crime broadcasts, criminal information bulletins, hot sheets, attempts to locate (ATLs), personal crime notes.
-

Categories of vehicle pullovers

Vehicle pullovers can also be generally divided into three basic categories based on the degree of risk anticipated.

- Traffic enforcement pullovers
- Investigative pullovers
- High-risk pullovers

NOTE: Individual departments may describe the types of vehicle pullovers differently. Some agencies may use terms such as "car stop," "traffic stop" or "vehicle stop" interchangeably with the term "vehicle pullover."

Continued on next page

Categories of Vehicle Pullovers, Continued

Category descriptions

The following table identifies a number of general conditions for conducting each category of pullover.

	are generally made because a patrol officer has...	Examples
Traffic enforcement pullovers...	<ul style="list-style-type: none"> • reason to believe the driver has committed a traffic infraction. • no objective reason to believe that the vehicle’s occupants represent an unusual risk. • an expectation that the pullover would result in a citation. 	<ul style="list-style-type: none"> • Pulling over a vehicle after witnessing the driver’s failure to stop at a stop sign
Investigative pullovers...	<ul style="list-style-type: none"> • an expectation that the pullover involves less risk than a “high-risk” pullover, but more than a traffic enforcement pullover. • reason to believe that one or more of the vehicle’s occupants has engaged, or is about to engage, in criminal activity. • an expectation that the pullover would involve an investigation that might lead to a custodial arrest for a violation of the Vehicle Code, the Penal Code or other statute. 	<ul style="list-style-type: none"> • Officer suspects driver is drunk. • Officer observes occupants smoking marijuana. • Officer observes black out vehicle in a high crime area at night.

Continued on next page

Categories of Vehicle Pullovers, Continued

Category descriptions
(continued)

	are generally made because a patrol officer has...	Examples
High-risk pullovers...	<ul style="list-style-type: none"> • reason to believe that one or more of the occupants of the car may be: <ul style="list-style-type: none"> - armed, - represent a serious threat to the officer, or - have committed a felony. 	<ul style="list-style-type: none"> • Occupants involved in a drive-by shooting • Occupant in possession of a firearm

Changing nature of pullover

A patrol officer may make observations that would cause a traffic enforcement or investigative pullover to escalate to the level of a high-risk pullover. The patrol officer's observations may also make de-escalation appropriate.

Example: During a traffic stop for a car with a missing taillight, a patrol officer noticed several empty beer cans on the floor of the car. The officer now has reason to believe the driver may have been drinking alcohol while driving. The traffic pullover has now escalated to an investigative pullover.

Example: A patrol officer stopped a car for running a stop sign. As the officer approached the driver, the officer observed what appeared to be a semi-automatic weapon on the front passenger seat of the car. Because the officer now has reason to believe the driver may be armed, what began as a traffic pullover has escalated from a traffic stop to a high-risk pullover. The officer will take added safety precautions in approaching the vehicle.

Officer Safety While Conducting a Vehicle Pullover

[22.01.EO4, 22.01.EO5]

Introduction

Conducting vehicle pullovers can be one of the most dangerous duties a peace officer performs. Violence related to vehicle pullovers is among the leading causes of peace officer injuries and deaths.

Officer safety

Officer safety refers to the practical application of tactically sound procedures in conducting all categories of vehicle pullovers. Specifically, officer safety involves:

- developing a plan of action prior to initiating the pullover,
- requesting and using backup assistance when necessary,
- appropriately using communication/notification resources, and
- applying safe and sound tactics when:
 - initiating the pullover,
 - approaching the vehicle, and
 - making contact with the vehicle occupants.

NOTE: Because of the frequency of vehicle pullovers, peace officers can come to regard such tasks as “routine.” Such complacency compromises officer safety by causing officers to ignore danger signs during vehicle pullovers.

Peace officers should handle all vehicle pullovers with caution and always keep in mind that ***no vehicle pullover is “routine.”***

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Officer Safety While Conducting a Vehicle Pullover,

Continued

Inherent safety hazards

Statistical analysis has shown that vehicle pullovers are the third most dangerous law enforcement activity a patrol officer can encounter. (*California Law Enforcement Officers Killed and Assaulted in the Line of Duty*, 2001)

Safety hazards that may be inherent with vehicle pullovers include, but are not limited to:

- unpredictable aggressive actions by the violator/suspect or bystanders,
 - unknown identity of the violator/suspect, (e.g., dangerous felon wanted for a crime not associated with the traffic stop)
 - dangerous environmental conditions, (e.g., fog, ice, bright sunshine, etc.)
 - varying road conditions, (e.g., multiple lane traffic, narrow or no shoulders, etc.) or
 - the existence of other vehicular traffic on the same roadway.
-

Jeopardizing officer safety

Patrol officers who fail to recognize the inherent dangers of conducting a vehicle pullover may ignore danger signs and fail to take appropriate precautions.

Continued on next page

Officer Safety While Conducting a Vehicle Pullover,

Continued

Fatal errors

Experience has shown that there are a number of common errors that officers can make while conducting a vehicle pullover. Committing any one can place an officer's safety in jeopardy.

The following table identifies the most common errors made by officers that place them at risk during vehicle pullovers.

Error	Example
<p>“Tombstone Courage”</p> <ul style="list-style-type: none">• Overly anxious to show courage• Trying to handle dangerous situations beyond officer's ability or experience• Failure to call for back-up when necessary	<p>A patrol officer stopped a car for speeding on a city street. After pulling the car over and before exiting the patrol car, the officer noticed the car contained five occupants who were dressed like members of a local gang. Instead of calling for assistance and waiting for the backup unit to arrive, the officer decided to handle the pullover alone. As the officer approached the car, the driver pulled out a hand gun and shot the officer.</p>
<p>Poor positioning</p> <ul style="list-style-type: none">• Failure to exercise caution in positioning of officer and/or patrol vehicle• Rushing into a situation without planning the pullover	<p>During an investigative pullover, a patrol officer interviewed the driver while both the officer and the driver were standing behind the target vehicle. The officer began to search the trunk of the target vehicle while the driver stood near. While the officer was searching the trunk, the driver and one occupant of the car attacked the officer, took the officer's weapon and fled. The officer allowed the suspect to get too close and should not have conducted a vehicle search alone.</p>

Continued on next page

Officer Safety While Conducting a Vehicle Pullover,

Continued

Fatal errors
(continued)

Error	Example
<p>Physical and mental fatigue</p> <ul style="list-style-type: none"> • Failure to get adequate rest • Attention and reflexes are compromised. 	<p>An officer, who had been working a great deal of overtime, was assigned to a DUI checkpoint. After several hours standing on the line, the overtired officer began to conduct less thorough screenings.</p>
<p>Failure to watch a suspect's hands</p> <ul style="list-style-type: none"> • Officer misses occupant(s) reaching for a firearm or other deadly weapon, or • Officer fails to notice suspect disposing of evidence. 	<p>Officers stopped a vehicle and ordered the driver to exit the vehicle and approach the officers. As he approached, the driver dropped a small bag of drugs, unnoticed by the officers. The officers later located the drugs as they were searching the area near the car. But because they were not watching the driver's hands when this occurred, they were not able to connect the evidence to the driver.</p>
<p>Complacency</p> <ul style="list-style-type: none"> • Process becomes routine • Ignoring signs occupant(s) are an immediate threat 	<p>During a traffic enforcement pullover, the driver appeared to be very nervous and agitated. The patrol officer ignored the driver's nervousness, and after obtaining the driver's licenses and I.D., walked back to the patrol car to write the citation. As the officer walked away, the driver reached under the seat, pulled out a handgun and began shooting at the officer.</p>

Continued on next page

Officer Safety While Conducting a Vehicle Pullover,

Continued

Fatal errors
(continued)

Error	Example
<p>Bad attitude</p> <ul style="list-style-type: none"> • Treating vehicle occupant(s) disrespectfully 	<p>A patrol officer stopped a vehicle for an equipment violation. The driver was furious at being stopped and yelled, “Why don’t you go out and catch real criminals?” The officer also became angry and yelled back at the driver, threatening him with arrest. The situation escalated with the driver refusing to cooperate at all. Additional units were called and another officer managed to calm the situation and issued the citation to the driver.</p>
<p>Relaxing too soon</p> <ul style="list-style-type: none"> • Uneventful vehicle pullovers • Becoming careless 	<p>A patrol officer, near the end of an uneventful shift, stopped a car for speeding. The officer quickly obtained the driver license and I.D., returned to the patrol car and began writing the citation. The officer’s partner observed that the driver and passenger were talking animatedly and seemed to be searching on the floor of the car. The second officer approached the car on the passenger side and saw a handgun on the floor near the driver.</p>

Continued on next page

Officer Safety While Conducting a Vehicle Pullover,

Continued

Fatal errors
(continued)

Error	Example
<p>Not using available equipment properly</p> <ul style="list-style-type: none"> • Failure to cuff or use other restraints when necessary • Improperly cuffing a prisoner 	<p>Two officers arrested a suspect on a DUI and placed the suspect in the patrol vehicle. The suspect was well-known to the officers and was always docile and cooperative. The officers did not handcuff the suspect before placing him in the patrol car. While being removed from the patrol car, the suspect assaulted one of the officers, injuring him, before being subdued by both officers.</p>
<p>Failure to search or conducting a poor search</p> <ul style="list-style-type: none"> • cursory search of the occupant(s) or vehicle • Failure to locate firearms, other deadly weapons or contraband 	<p>In the previous example, the officers did handcuff the suspect but conducted only a cursory search because the officers were well-acquainted with the suspect and felt he presented no risk. After the suspect was transported to the local detention facility, the suspect was found to have a handgun in a coat pocket.</p>
<p>Inadequate communication</p> <ul style="list-style-type: none"> • Not communicating with partner and/or other units • Not establishing roles (contact, cover, etc.) 	<p>During a high-risk vehicle pullover, one officer noticed that there was a child in the target vehicle. Without telling the other officers of his intention, the officer immediately approached the target vehicle to remove the child. The officer left cover and concealment, without communicating with fellow officers, and created a danger of cross-fire.</p>

Continued on next page

Officer Safety While Conducting a Vehicle Pullover,

Continued

Fatal errors
(continued)

Error	Example
Poor weapon maintenance <ul style="list-style-type: none">• Undependable weapon resulting in injury or death to officer	An officer conducted a traffic enforcement pullover on a vehicle that ran a stop sign. The officer, observing the driver reaching for something on the front seat, immediately pulled his weapon. The driver came up with a gun and began shooting at the officer. The officer tried to return fire but the weapon failed to fire because the officer had not cleaned the sidearm after last qualifying at the firing range.

Continued on next page

Officer Safety While Conducting a Vehicle Pullover,

Continued

Officer safety guidelines

Along with general safety guidelines for officers on patrol, there are a number of guidelines that officers should be aware of relating to vehicle pullovers.

Officer Safety Guideline	Additional Information
Be aware that suspects have guns.	<ul style="list-style-type: none">• Assume the person being stopped or contacted may be armed.
Call in contacts.	<ul style="list-style-type: none">• Dispatch should be notified of all contacts including the nature and location of every stop.
Maintain a position of advantage.	<ul style="list-style-type: none">• Identify, plan, then move to a position that is advantageous.• <i>Do not abandon the location until it is safe.</i>
Consider varying vehicle approach.	<ul style="list-style-type: none">• A passenger side approach can be advantageous for officer safety in many situations.
Know location of the vehicle pullover.	<ul style="list-style-type: none">• Know the street name, cross street, and direction of travel of every pullover.

NOTE: For additional officer safety guidelines for officers on patrol assignments, refer to LD 21: *Patrol Techniques* and LD 23: *Crimes in Progress*.

Chapter Synopsis

Learning need Peace officers must recognize the inherent risks involved when conducting a vehicle pullover in order to take the appropriate precautions necessary to ensure their own safety as well as the safety of others.

Categories of vehicle pullovers The following table identifies a number of general conditions for conducting each category of pullover.

	are generally made because a patrol officer has...
Traffic Enforcement Pullovers [22.01.EO1]	<ul style="list-style-type: none"> • reason to believe the driver has committed a traffic infraction. • no objective reason to believe that the vehicle’s occupants represent an unusual risk. • an expectation that the pullover would result in a citation.
Investigative Pullovers [22.01.EO2]	<ul style="list-style-type: none"> • an expectation that the pullover involves less risk than a “high-risk” pullover, but more than a traffic enforcement pullover. • reason to believe that one or more of the vehicle’s occupants has engaged, or is about to engage, in criminal activity. • an expectation that the pullover would involve an investigation that might lead to a custodial arrest for a violation of the Vehicle Code, the Penal Code or other statute.
High-Risk Pullovers [22.01.EO3]	<ul style="list-style-type: none"> • reason to believe that one or more of the occupants of the car may be: <ul style="list-style-type: none"> - armed, - represent a serious threat to the officer, or - have committed a felony. • an expectation that the pullover could result in an arrest.

Continued on next page

Chapter Synopsis, Continued

Inherent safety hazards

[22.01.EO4]

Safety hazards that are inherent with vehicle pullovers include, but are not limited to:

- unpredictable aggressive actions by the violator/suspect or bystanders,
 - unknown identity of the violator/suspect,
 - dangerous environmental conditions,
 - varying road conditions, or
 - the existence of other vehicular traffic on the same roadway.
-

Officer safety

[22.01.EO5]

The most common error made by officers that place them at risk during pullovers may include:

- tombstone courage,
 - poor positioning,
 - physical and mental fatigue,
 - failure to watch a suspect's hands,
 - complacency,
 - bad attitude,
 - relaxing too soon,
 - not using available equipment properly,
 - failure to search or conducting a poor search,
 - inadequate communication, and
 - poor weapon maintenance.
-

Workbook Learning Activities

Introduction

In order to help you review and apply the material covered in this chapter, a selection of learning activities has been included. No answers are provided. However, by referring to the appropriate text, you should be able to prepare a response.

Activity questions

1. Highway patrol officers observe a car that appears to be speeding and pace the vehicle at 75 mph in a 55 mph zone. List three additional observations officers might make that would escalate this traffic enforcement pullover situation into an investigative pullover. List three observations that would lead officers to consider this a high-risk pullover.

2. On late night patrol through a neighborhood with a high drug related crime rate, Officers Franklin and Estefan notice a sports car being driven erratically, speeding up, and slowing down, and crossing the center line several times. Officer Franklin says, “Looks like we’re picking up drunks again tonight.” Though the car has not been the subject of any communication from dispatch and running the plates shows no warrants, Officer Estefan tells his partner he has a “funny feeling” about this stop. He wants to treat it as high-risk. Considering the safety of the officers and the rights of the driver, how do you think the stop should be treated? Explain your response.

Continued on next page

Workbook Learning Activities, Continued

Student notes

Overview, Continued

Learning objectives
(continued)

After completing study of this chapter, the student will be able to...	E.O. Code
<ul style="list-style-type: none"> • demonstrate appropriate actions for the safe and tactical placement of the patrol unit. 	22.02.EO4
<ul style="list-style-type: none"> • apply appropriate procedures for exiting the patrol unit. 	22.02.EO5
<ul style="list-style-type: none"> • demonstrate appropriate safety precautions patrol officers should take when approaching a target vehicle on foot. 	22.02.EO6
<ul style="list-style-type: none"> • distinguish between the advantages and disadvantages of a driver side approach, a passenger side approach, and a non-approach to a target vehicle. 	22.02.EO7
<ul style="list-style-type: none"> • demonstrate appropriate positioning for patrol officers when making face to face contact with the driver of a target vehicle. 	22.02.EO8
<ul style="list-style-type: none"> • demonstrate the process for conducting a vehicle stop, driver contact, to include: <ul style="list-style-type: none"> - greeting, - identifying self and department, - requesting driver's license, registration, proof of insurance, - explaining the reason for the stop, - making a decision to warn, cite or arrest, and • closing, appropriate to decision. 	22.02.EO11

Continued on next page

Overview, Continued

Learning objectives
(continued)

After completing study of this chapter, the student will be able to...	E.O. Code
<ul style="list-style-type: none">demonstrate appropriate procedures and communication techniques for directing the driver and occupants out of a target vehicle.	22.02.EO9
<ul style="list-style-type: none">apply appropriate procedures for checking the validity and authenticity of a driver's license or other form of personal identification.	22.02.EO10

In this chapter

This chapter focuses on basic tactics for vehicle pullovers. Refer to the chart below for specific topics.

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Making Contact with Vehicle Occupants	2-24
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Planning and Initiating a Vehicle Pullover

[22.02.EO1, 22.02.EO2 22.02.EO3]

Introduction

In many instances where patrol officers were assaulted during vehicle pullovers, the officers had failed to plan ahead and develop an action plan to help ensure officer safety and a successful outcome to the enforcement action.

Considerations in planning a pullover

The actions a patrol officer may take during a vehicle pullover may be dependent on the:

- type of offense involved,
 - level of perceived threat,
 - environmental conditions, (e.g., weather, lighting, road surface, etc.) and/or
 - type of vehicle being pulled over.
-

Justification for pullover

Patrol officers must be able to articulate, verbally and in writing, a legal reason for initiating each vehicle pullover. The following table identifies examples of lawful reasons based on the category of pullover.

Pullover Category	Examples of Lawful Justifications
Traffic pullover	<ul style="list-style-type: none">• Driver fails to come to a complete stop at a stop sign.• A vehicle's muffler is not working properly and the vehicle is violating noise standards (or any other vehicle code violation.)

Continued on next page

Planning and Initiating a Vehicle Pullover, Continued

Justification for pullover (continued)

Pullover Category	Examples of Lawful Justifications
Investigative pullover	<ul style="list-style-type: none">• A vehicle resembles one reportedly used in a crime.• A vehicle is being operated erratically.
High-risk pullover	<ul style="list-style-type: none">• Occupant of vehicle is displaying a weapon.• A vehicle is identified as one stolen during a car jacking.

NOTE: If the patrol is a two-person unit, the officer must make sure that the partner is aware of any relevant observations that impact the type of reason for the pullover. Solo beat officers should advise communication of reason for the stop.

Selecting a pullover location

Once the officer has a lawful justification for initiating a vehicle pullover, that officer should anticipate possible locations for the actual pullover to take place. The initiating patrol officer, *not* the driver of the target vehicle, should select the pullover site.

If a suitable site is not immediately available, the officer may choose to defer initiating the stop until the officer is able to identify an appropriate location.

Continued on next page

Planning and Initiating a Vehicle Pullover, Continued

Selecting a pullover location (continued)

The following table identifies a number of factors for the patrol officer's consideration.

Factor	Possible Considerations
Traffic	<ul style="list-style-type: none">• Speed of passing vehicles• Number of lanes available• Availability of adequate shoulder so flow of traffic is not disrupted
Visibility	<ul style="list-style-type: none">• Visibility of the patrol vehicle to other motorists• Amount and size of curves leading to the location of the stop (e.g., existence of blind curves)• Weather conditions (e.g., fog, rain, snow, etc.)
Illumination	<ul style="list-style-type: none">• Areas with too much or too little light• Level of distraction emergency lights will have on other motorists (e.g., flashing lights, headlamps, etc.)
Public safety	<ul style="list-style-type: none">• Initiating a high-risk pullover in an area with a greater level of risk to the public (e.g., near a school playground, near a busy intersection, in an area with heavy pedestrian traffic, etc.)

NOTE: The **target vehicle** is the vehicle that is the object of the law enforcement action.

Continued on next page

Planning and Initiating a Vehicle Pullover, Continued

Tactical safety issues

Patrol officers need to also select a location that presents the safest tactical advantages to the officers. Tactical issues that should be considered by the patrol officer include but are not limited to:

- possible escape routes for the occupants of the target vehicle.
 - possible tactical retreat routes for the officer(s).
 - availability of **cover** and **concealment**.
 - avoidance of potentially hostile environments (e.g., angry crowd, unruly groups, etc.).
 - avoidance of other interference potential (e.g., pedestrian traffic, difficulty maintaining patrol vehicle security).
-

Communication with dispatch

Prior to initiating the actual pullover, patrol officers should notify dispatch of their intended actions. Depending on the capabilities of the patrol unit and agency policy, communication may be made via radio or a Mobile Data Terminal (MDT) within the patrol vehicle, if there are two persons in the unit or circumstances allow.

Patrol officers should provide information such as:

- the anticipated location of the pullover and direction of travel.
 - a license number and vehicle description of the target vehicle.
 - the legal justification or nature of pullover (e.g., stopping a suspected DUI or stopping a stolen vehicle).
 - any other information pertinent to the pullover (e.g., information on weapons, number of occupants, etc.).
-

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Planning and Initiating a Vehicle Pullover, Continued

Communication with dispatch (continued) Officers should make sure all communications are completed before initiating the vehicle pullover.

NOTE: Other patrol units may not be aware of vehicle pullovers in the area when communication is made solely over a MDT.

NOTE: It may also be advisable for the patrol officer to write down the license number and a short vehicle description of the target vehicle before initiating the pullover. Such redundant information may be helpful if an officer assault occurs during the pullover.

Distance between vehicles

It is important to maintain a proper distance between the patrol vehicle and the target vehicle at the time the pullover is initiated.

IF the patrol vehicle is...	THEN...	The patrol vehicle should be:
<i>too far</i> from the target vehicle,	the driver of the target vehicle may be able to flee.	close enough so the officer can maintain visual contact with occupant(s) and/or their activities.
<i>too close</i> to the target vehicle,	there may be a greater potential for a rear-end collision if the driver of the target vehicle should make a sudden stop.	positioned far enough behind the target vehicle so the patrol officer can read the license plate of the target vehicle.

NOTE: For high-risk vehicle pullovers, officers should maintain a greater distance from the target vehicle, generally two to three car lengths or 20 to 30 feet.

Continued on next page

Planning and Initiating a Vehicle Pullover, Continued

Getting the driver's attention

Once a suitable location has been identified and the patrol unit is in the proper position, the patrol officer can activate the warning lights on the patrol vehicle in an attempt to get the attention of the driver of the target vehicle.

If the driver fails to respond to the warning lights, it may be necessary for the patrol officer to utilize one or more of the following additional methods.

- Honk the horn.
 - Alternate high and low beams (day or night).
 - Pan the spotlight, but avoid keeping it in one position which might blind the driver of the target vehicle.
 - Use appropriate hand gestures, such as waving the person to the side of the road.
 - Use the patrol vehicle's public address system to direct the driver to pull over.
 - Give a short blast of the siren.
-

Agency policy

Individual agency policies may vary regarding procedures for planning and initiating vehicle pullovers and initiating a pursuit of a noncompliant driver. Each patrol officer is responsible for knowing and complying with the policies and guidelines for that officer's agency.

Continued on next page

Planning and Initiating a Vehicle Pullover, Continued

Failure to yield

Occasionally, a patrol officer may encounter a driver who will not yield to any of the techniques previously noted. While this may be a deliberate failure to yield, officers should also consider the possibility that the driver has the radio or CD player turned at full volume or is talking on a cell phone.

Another possibility is that the driver has a physical impairment such as a hearing deficit. For example, an officer may encounter a deaf or hearing impaired driver during a traffic stop. That driver may not hear the officer or even be aware of the officer's presence.

NOTE: For further information regarding persons with disabilities, consult LD 37: *Persons with Disabilities*.

Vehicle pursuits

If a driver of the target vehicle is aware of an officer's signals to stop but ignores them and continues to flee, patrol officers may initiate a vehicle pursuit of the suspect if:

- they have reason to believe the suspect presents a clear and immediate threat to the safety of others, *or*
- the suspect has committed or attempted to commit a violation of the law, *and*
- the necessity of immediate apprehension outweighs the level of danger created by the pursuit.

Officers must also make an honest assessment of their own *training and experience*, as well as the *capabilities and limitations of the vehicle* they are driving before they initiate a pursuit.

NOTE: For additional information regarding vehicle pursuits, refer to LD 19: *Vehicle Operations*.

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Planning and Initiating a Vehicle Pullover, Continued

Examples

Example: An officer on patrol observed a vehicle with two occupants driving late at night with no lights in an area where a large number of burglaries had taken place. Because of the time and location, the officer realized the possibility that the occupants may have been involved in illegal activity. Based on discussions that had been held with other units during roll call, the officer called for backup and followed the vehicle. While following the vehicle, the officer noted the license number, description of car and occupants. When the backup unit arrived, the officer communicated all information to the backup unit and to dispatch. The officer selected a well lit area for the pullover, turned on the patrol car's lights and initiated the pullover.

Example: A patrol officer in a rural area observed headlights on a side road at 2:00 am. The patrol officer knew the road had limited traffic, being chiefly used for fishing and hunting access, as well as for drug use and the dumping of cars. The officer stopped at a location where she could observe the vehicle and called for assistance. As the car drove past, the officer relayed the license number, description of the car, and number and description of the occupants. The occupants were three male teenagers who appeared to be wearing gang insignia. The officer followed the vehicle while waiting for a backup unit to arrive. The driver of the vehicle, noticing the patrol car, pulled over and stopped on a dark stretch of the road. The officer did not approach the vehicle, but directed the occupants to remain in the vehicle. The officer notified dispatch of her location and waited for the backup unit. When the backup unit arrived, the officer initiated a high-risk pullover.

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Planning and Initiating a Vehicle Pullover, Continued

Examples (continued)

Non-example: A patrol officer observed a white panel van driving 15 miles above the speed limit on a busy city street. The officer remembered that a white van had been used in a robbery earlier in the day. The officer followed the van, signaling for the driver to pull over immediately. The van pulled over next to the entrance to a high school that was letting out students for the day. Because the officer initiated the stop immediately and didn't locate a good tactical location for the stop, the pullover occurred in an area where others could be at risk.

Approaching the Target Vehicle

[22.02.EO4, 22.02.EO5, 22.02.EO6, 22.02.EO7]

Introduction

Officer safety depends on a thorough understanding of the tactical and safety considerations involved in approaching the target vehicle.

Risk assessment

Patrol officers must constantly assess and reassess the level of risk throughout the vehicle pullover process. Letting one's guard down or becoming complacent at any time could give the suspect(s) an opportunity to assault the officer conducting the stop.

While the driver of the target vehicle is yielding to the patrol officer's signal to pull over, the patrol officer should:

- determine the number of occupants in the vehicle,
 - carefully observe the occupant(s) actions such as:
 - reaching under the seat, into any compartment (e.g., glove compartment), or
 - leaning over the front seat into the back, and
 - consider requesting additional assistance/backup officers if the patrol officer perceives a high level of potential risk.
-

Placement of target vehicle

It is the patrol officer's responsibility to direct the target vehicle to a safe location for stopping. If the driver of the target vehicle stops in an unsafe location, the patrol officer should instruct the person to move the vehicle to a different and safer location.

If the driver of the target vehicle appears to be impaired (e.g., intoxicated), the target vehicle should not be moved. The patrol vehicle should be positioned so as to afford protection to the target vehicle. The officer should approach the target vehicle, activate the lights and call for assistance for traffic control.

Continued on next page

Approaching the Target Vehicle, Continued

Placement of the patrol unit

Patrol officers must select a safe and tactical position for the placement of the patrol unit. The actual distance from the patrol unit to the target vehicle will depend on a variety of factors, including but not limited to:

- the type of pullover,
 - the type of vehicle being stopped,
 - available space, and
 - environment/topography.
-

Offset position

Placing the patrol vehicle in an **offset position** means the officer will:

- stop behind and slightly to the right or left of the target vehicle,
- with the center of the patrol vehicle in line with the right or left fender of the target vehicle (whichever is the most appropriate).

Placing the patrol vehicle in an offset position generally provides additional protection for the patrol officer while approaching the target vehicle on foot.

NOTE: Placing the patrol unit in an offset position may not be appropriate for pullovers involving some types of vehicles (e.g., motor homes, RVs).

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Approaching the Target Vehicle, Continued

Emergency lighting

Once the patrol vehicle is in an appropriate position, officers may consider turning off the patrol unit emergency lights and activating the vehicle's hazard lights.

The following table identifies a number of considerations for appropriate use of patrol unit warning and emergency lights during a vehicle pullover.

IF...	THEN patrol officers should consider...
<ul style="list-style-type: none">the location of the pullover creates a hazardous condition,	<ul style="list-style-type: none">leaving the patrol unit's rear flashing lights activated.
<ul style="list-style-type: none">the patrol unit's lights could distract or hinder visibility of passing motorists or oncoming traffic,	<ul style="list-style-type: none">not using their high beams, spotlights, emergency lights.
<ul style="list-style-type: none">it is essential that responding backup units locate the initial patrol unit quickly,	<ul style="list-style-type: none">using a maximum amount of lighting. (overhead lights, emergency lights)
<ul style="list-style-type: none">low light conditions exist,	<ul style="list-style-type: none">illuminating the target vehicle with high beam headlights or spotlights.

Continued on next page

Approaching the Target Vehicle, Continued

Emergency lighting (continued)

IF...	THEN patrol officers should consider...
<ul style="list-style-type: none"> • patrol vehicle spotlights are being used, <ul style="list-style-type: none"> - focus one on driver's mirror - focus one on rear view mirror 	<ul style="list-style-type: none"> • focusing the beam on the rear view mirror of the target vehicle in order to: <ul style="list-style-type: none"> - prevent the occupants of the target vehicle from observing the officer's approach on foot, and - illuminate the interior of the vehicle and the occupants.

NOTE: Officers should use caution around the patrol vehicle's emergency light so as not to temporarily impair their vision.

NOTE: Specific guidelines for use of emergency lighting during a vehicle pullover will be dependent upon the specific conditions of the vehicle stop and specific agency policy.

Exiting the patrol unit

Patrol officers should exit their patrol units as safely and *quickly* as possible to minimize the danger of the officer being exposed while still seated in the vehicle. In order to accomplish this, officers should:

- have all radio transmissions complete prior to activating emergency lights,
- undo and clear the seat belt prior to coming to a complete stop,
- place the patrol vehicle transmission in park,
- set the parking brake,
- switch on the portable radio (if the radio is not available, the officer should activate the outside speaker and position the microphone for ready access),

Continued on next page

Approaching the Target Vehicle, Continued

Exiting the patrol unit (continued)

- check approaching traffic and open the door only if the path is clear,
- consider lowering the driver and passenger front door windows,
- unlock the doors,
- quickly exit the vehicle, and
- after exiting, momentarily pause to observe the target vehicle.

NOTE: Some agencies encourage officers to turn the patrol vehicle front wheels out toward the roadway. This will facilitate pulling out if the suspect vehicle flees and may also help to protect the officer in the event the patrol vehicle is struck from behind.

Approaching the target vehicle

Once the officer has exited the patrol unit and determined that a safe approach can be made, the patrol officer should:

- stay close to the patrol vehicle to minimize any hazard from passing traffic,
- continuously observe the occupants of the target vehicle,
- maintain an awareness of the surrounding and other hazards,
- keep gun hand free during the approach, and
- use a flashlight sparingly to avoid the potential of vehicle occupants being able to track the officer's movement.

NOTE: Agency policies regarding the use of safety equipment can vary. For example, some agencies require that officers approach vehicles with their baton in the ring.

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Approaching the Target Vehicle, Continued

Methods of approach

Factors such as location, topography and the level of risk may all impact the approach method a patrol officer uses. The following table describes two approach methods and the advantages and disadvantages of each.

	Advantages	Disadvantages
Driver Side Approach	<ul style="list-style-type: none">• Most direct and quickest path to the violator• Provides direct contact with the driver• Provides closer observation of the driver (e.g., can detect a possible DUI, etc.).• Enables officer to better see the Vehicle Identification Number (VIN) on the front windshield	<ul style="list-style-type: none">• More vulnerable to passing traffic• Places officer in “kill zone” on approach (e.g., officer is in the direct line of fire of the driver of the target vehicle)• Allows fewer escape routes/minimal cover for the officer

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Approaching the Target Vehicle, Continued

Methods
of
approach
(continued)

	Advantages	Disadvantages
Passenger Side Approach	<ul style="list-style-type: none"> Keeps officer away from passing traffic Provides an element of surprise because most violators expect officer to approach on the left If a tactical retreat becomes necessary, allows more options for cover and concealment Allows more opportunities to adjust and modify position as needed upon approach The angled approach enhances observation of the rear seat and other parts of the target vehicle. 	<ul style="list-style-type: none"> Officer will need to speak across the passenger if there is a passenger in the target vehicle. Pedestrian traffic may pose a potential threat to the officer. Environment may not allow this approach. (e.g., ravines, levees, ditches, etc.) Officer not able to easily detect objective signs of intoxication.

NOTE: If the officer is making a nighttime approach, it may be more desirable for the officer to go around behind the patrol vehicle during the approach to avoid silhouetting. Officers should use caution when doing so because it may momentarily obscure the officer's ability to observe the target vehicle's occupants.

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Approaching the Target Vehicle, Continued

Non-approach

In some situations, it may be to the officer's advantage to allow the driver or occupants to exit the vehicle. When electing to use this strategy, the officer should remain at the patrol unit in a position of safety. Remaining seated in the patrol vehicle could place the patrol officer in a tactical disadvantage.

The following table describes the advantages and disadvantages of this method.

	Advantages	Disadvantages
Non-approach	<ul style="list-style-type: none">• If the driver exits immediately, the officer may choose to remain behind the cover/concealment of the patrol vehicle.• May allow the officer to direct the driver out of the vehicle to the curb while the officer maintains a position of safety.• Violator's action can be constantly monitored, especially hand movements.• During the contact, the occupants remain in the officer's field of vision (directly or peripherally).	<ul style="list-style-type: none">• Exposes the violator to the hazards of passing traffic• Officer loses containment of occupants• Increases the potential for assault on the officer

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Approaching the Target Vehicle, Continued

Non-
approach
(continued)

	Advantages	Disadvantages
Non-approach	<ul style="list-style-type: none"> • Violator is positioned between officer and target vehicle, helping prevent interference by violator/occupants during the pullover. • If vehicle has tinted windows, officer avoids visibility issues. <p>NOTE: It is recommended that the officer not allow any occupants, except the driver, to exit the target vehicle.</p>	<ul style="list-style-type: none"> • Hinders the officer's ability to observe the interior of the vehicle upon approach <p>NOTE: Officer conducting the pullover is responsible for the violator's safety.</p>

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Approaching the Target Vehicle, Continued

Visual checks of target vehicle

The patrol officer's observation of the target vehicle begins at the inception of the vehicle pullover and continues until the pullover is completed.

As the patrol officer approaches a target vehicle on foot, that officer has the advantage of time and location to visually check the interior of the target vehicle more carefully. Such plain view checks may provide the officer with probable cause for further investigation and more complete lawful searches of the vehicle's interior.

Indicators of possible criminal activity include, but are not limited to:

- an empty holster,
- ammunition,
- firearm magazines,
- actual firearms or other weapons, or
- instrumentalities or evidence directly associated with a crime (e.g., ski mask, drug paraphernalia, etc.).

NOTE: For additional information regarding plain view inspections and vehicle searches, refer to LD 16: *Search and Seizure*.

Exterior checks

Patrol officers who are approaching a vehicle on foot may check the exterior of the trunk visually and by hand.

An open trunk/unsecured trunk or a trunk with the lock punched out may merit reassessing the situation and taking additional high-risk precautions (e.g., officer being set up for an ambush, etc.).

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Approaching the Target Vehicle, Continued

Other observations

By looking at the target vehicle's mirrors, approaching patrol officers can observe the facial expressions and other nonverbal cues of the target vehicle's driver and any occupants. If individuals display signs of fear, panic, or over interest, the officer may wish to take additional safety precautions during the approach.

Approaching officers should also be aware of the position of the driver's and occupant's hands. If hands are not visible, officers may wish to halt their approach and direct the driver and occupants to place their hands in plain view.

NOTE: The need for effective tactical safety should be coupled with professional and courteous conduct.

Examples

Example: A patrol officer pulled over a car for a speeding violation. The stop occurred during daylight hours on a residential street. The driver is a female in her late 20s and she is the only occupant. The officer chose to make a driver side approach. This was the quickest route to the driver and there were no objective reasons to use another approach.

Example: An officer stopped a vehicle for speeding on an interstate highway during the afternoon rush hour. The driver was the only occupant. The officer chose to approach the vehicle on the passenger side in order to avoid being exposed to the passing traffic.

Example: A patrol officer stopped a pickup truck for speeding. After the truck came to a complete stop with the patrol car behind it, a large dog in the back of the truck began to bark and try to jump out. The officer directed the driver to the curb, so that the officer did not risk being bitten on approach.

Making Contact with Vehicle Occupants

[22.02.EO8, 22.02.EO9, 22.02.EO10, 22.02.EO11]

Introduction

For most people, their only contact with law enforcement will occur during a vehicle pullover. For this reason, patrol officers should strive to be courteous and professional during a vehicle pullover, while at the same time never letting their guard down.

Patrol officer positioning

When officers make contact with the driver of the target vehicle during a vehicle pullover, they should position themselves for the greatest safety and tactical advantage. The following table identifies basic guidelines regarding officer positioning.

Action	General Guidelines
Initial contact	<ul style="list-style-type: none">• Officer should be behind the trailing edge of the driver side/passenger side front door (depending on approach method used).• Assuming such a position:<ul style="list-style-type: none">- forces the person to look back toward the officer in a position of disadvantage,- makes it more difficult to point a weapon at the officer, and- prevents the officer from being knocked down if the door is suddenly opened.
While conducting the business of the contact	<ul style="list-style-type: none">• After the initial contact and a visual check of the vehicle interior, it may be necessary or desirable for the officer to change position.• Depending on agency policies and guidelines, officer may choose to:<ul style="list-style-type: none">- pivot to face oncoming traffic while maintaining a position in front of the leading edge of the door, or- remain behind the trailing edge of the door with their back to approaching traffic.

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Making Contact with Vehicle Occupants, Continued

Initial contact

The attitude of the patrol officer can affect the reaction of the driver and the outcome of the vehicle pullover. Officers should make the approach in a businesslike manner while also employing effective verbal communication techniques. Flexibility and courtesy are important in making contact with the vehicle occupants.

Communication skills

Once peace officers are familiar with the basic communication skills, these skills can be combined into formal processes designed to reduce the likelihood of physical confrontation. Communication skills can be used:

- for obtaining voluntary compliance, and
 - when conducting vehicle stops.
-

Voluntary compliance

A major goal of law enforcement is to generate voluntary compliance without resorting to physical force.

The following table identifies communication skills for obtaining voluntary compliance:

Action	Description	Example
Ask (Ethical Appeal)	<ul style="list-style-type: none">• Give the subject an opportunity to voluntarily comply.	A traffic violator has been stopped and issued a citation. He refuses to sign the citation. The officer again requests “Will you please sign the citation.”

Continued on next page

Making Contact with Vehicle Occupants, Continued

Voluntary compliance (continued)

Action	Description	Example
Set Context (Reasonable Appeal)	<ul style="list-style-type: none"> • Identify and explain the law, policy, or rationale that applies to the situation. • Answer the subject's question "Why?" (Question may be implied rather than voiced.) • Give the subject another opportunity to voluntarily comply. 	(Continuing the previous scenario) The violator responds "I ain't signing your (expletive) citation". The officer then says, "Signing this citation is required by law but does not admit guilt. It is only your promise to appear in court to present your case. If you refuse to sign, you may be subject to arrest. I suggest you sign the citation."
Present Options (Personal Appeal)	<ul style="list-style-type: none"> • Explain possible options or courses of action which can be taken and their consequences for the subject. • Give the subject another opportunity to voluntarily comply. 	(Continuing the previous scenario) The violator still refuses. The officer explains, "you are aware that if you are arrested you will be handcuffed, booked at jail, need to post bail, perhaps humiliation and embarrassment" Or, you can just sign the citation and we both will be on our way. (The list of options can be expanded.)
Act (Take appropriate action)	<ul style="list-style-type: none"> • Take appropriate action. 	(Continuing the previous scenario) If the violator still does not comply, the officer should use necessary and reasonable force to place the person under arrest.

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Making Contact with Vehicle Occupants, Continued

Vehicle stops

Peace officers should become familiar with the communication process for conducting a vehicle stop:

- remain consistently courteous,
- sound professional,
- center their command presence,
- deflect resistance, and
- enhance personal safety by allowing time to quickly scan the interior of the vehicle.

Using this process for vehicle stops provides a self-disciplined pattern. That is, it ensures that officers always handle contacts in a consistent manner, regardless of distractions.

Action	Officers should ...
Greeting	<ul style="list-style-type: none"> • greet the person respectfully. • allow the situation to begin positively
Officer and department identification	<ul style="list-style-type: none"> • clearly identify themselves and their departments. • establish a command presence. • personalize the contact.
Explain the reason for the stop	<ul style="list-style-type: none"> • provide motivation for the person to listen to the officer.
Request driver's license, registration, and proof of insurance	<ul style="list-style-type: none"> • ask for the person's license. • allow adequate time for the person to comply. <p>NOTE: If the person fails to comply, officer should take further steps to gain voluntary compliance identified earlier in this chapter.</p>

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Making Contact with Vehicle Occupants, Continued

Vehicle stops (continued)

Action	Officers should ...
Decide appropriate action	<ul style="list-style-type: none">• select further action based on the circumstances.<ul style="list-style-type: none">- Issue a warning- Issue a citation- Make an arrest
Close the contact	<ul style="list-style-type: none">• Use a closing remark that is compatible with the action taken.

Driver/ occupants location

It is generally desirable for patrol officers to have the driver and occupants of the target vehicle remain in the vehicle throughout the duration of the pullover. But in certain situations, officers may need to direct the driver/occupants to get out of the vehicle.

Examples of such situations include, but are not limited to:

- when the safety of the driver/occupants or the officer are at risk from passing traffic,
- verifying identification,
- conducting a sobriety check of a driver who may be DUI,
- continuing an investigation,
- searching the vehicle, or
- when an arrest is imminent.

NOTE: Under such conditions, officers may consider requesting additional backup units.

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Making Contact with Vehicle Occupants, Continued

Directing driver/occupants out of target vehicle

The following table presents general guidelines for directing the driver and/or occupants out of the target vehicle.

Action	General Guidelines
Direct the driver/occupants to exit one at a time.	<ul style="list-style-type: none"> • Constantly monitor each person's movements. • Advise person(s) to keep their hands in view. • Consider opening and maintaining control of the vehicle door as the person exits the vehicle. This allows the officer to view the person's hands and use the door as a defensive tool to prevent an assault on the officer.
Conduct a lawful search.	<ul style="list-style-type: none"> • As soon as practical, conduct a lawful search of each individual for weapons.
Maintain control of driver/occupants.	<ul style="list-style-type: none"> • Direct person(s) to a position which allows the officer to keep the target vehicle, and anyone remaining in the vehicle, in view at all times. • Consider lawful option to control and/or prevent interference by driver/occupants while the officer is conducting the business of the pullover (e.g., placing persons in the back seat of a partitioned patrol unit, use of handcuffs, etc.).

Continued on next page

Making Contact with Vehicle Occupants, Continued

Voluntary exits

Patrol officers may encounter situations when the driver and/or occupants of the target vehicle spontaneously exit the vehicle (without being requested to do so by the patrol officer).

Although this may be an innocent action, it may also be a deliberate attempt to prevent the officer from approaching and observing contraband or weapons contained in the vehicle.

Driver's license checks

A driver's license is one of the most common forms of identification. It is important that officers take appropriate actions to check both the *validity* and *authenticity* of the license and to establish the identity of the individual.

Conducting a proper check of each driver's license can also:

- confirm that the driver is authorized to operate a specific type of motor vehicle,
- enforce the provisions of the Vehicle Code which require possession of a valid driver license,
- verify that the driver is complying with any restriction on the driver license,
- confirm the driver's identity so that the driver can be cited and released, and
- verify that the address is correct.

NOTE: Running a driver's license check may also provide the officer with information such as any history of other violations, the existence of wants or warrants related to the individual, etc.

NOTE: For additional information on accessing law enforcement data bases and information systems, and procedures for conducting a driver's license check, refer to LD 36: *Information Systems*.

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Making Contact with Vehicle Occupants, Continued

License examinations

Officers should carefully examine both the front and rear of each license. Driver's license formats will vary depending on the state of issue. General guidelines for determining the validity and authenticity of driver's licenses are noted in the following table.

Officers should look for...	General Guidelines
driving restrictions.	<ul style="list-style-type: none"> • On a California driver's license: <ul style="list-style-type: none"> - restrictions pertaining to corrective lenses are usually found on the front of the license - while other restrictions are attached on the rear. (<i>Vehicle Code Section 14603</i>) • License classifications, including required medical certificates, should always be verified.
signs of unlawful alterations or additions to the license.	<ul style="list-style-type: none"> • Look for indications that the: <ul style="list-style-type: none"> - photograph has been changed, or - driver's age or any other information has been modified. • California does not allow driver's licenses to be laminated by the driver. (<i>Vehicle Code Sections 12815 and 14610 (h)</i>) • Officers should be aware that lamination can: <ul style="list-style-type: none"> - hide a change of photograph, - disguise typed modifications/additions, or • obliterate the safety seal already on the license.

NOTE: Because of numerous recent modifications to California driver's licenses, patrol officers may encounter several different valid formats. When in doubt of the authenticity, officers may request an additional form of identification from the driver. (The DMV has a booklet describing the format of licenses for year of issue.)

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Making Contact with Vehicle Occupants, Continued

Temporary licenses

A temporary driver license is a valid form of identification and no other identification is required. However, a temporary license is easily forged, so an officer might consider asking for other identification to supplement the information contained in it.

When presented with a temporary license, officers need to keep in mind that:

- temporary licenses are easily obtained.
- people with suspended licenses or warrants keep applying for a temporary license to continue driving.
- a person can apply for a temporary license and use it immediately.
- if a temporary license is provided as a form of identification, its validity and authenticity should be thoroughly checked.

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Making Contact with Vehicle Occupants, Continued

Other forms of identification

The following table describes other types of identification that may be used as supportive identification.

Type of Identification	Considerations
Immigration identification	<ul style="list-style-type: none">• Aliens may have in their possession an alien registration card which contains the bearer's photograph and other information.• Information on the card may be out of date and should be verified with additional forms of identification.
State of California identification card	<ul style="list-style-type: none">• California may issue an identification card to use as official identification.• A person may have both a driver's license and a state identification card which will contain the same ID number.• The card is issued through the DMV. It has a similar appearance to the California driver license.
Social Security card	<ul style="list-style-type: none">• Generally an unreliable form of ID.• It can be obtained by just applying for it.<ul style="list-style-type: none">- Some criminals have applied for dozens of them.- Fraudulent check passers use different ones to back up phony ID that they carry.
Other Identification	<ul style="list-style-type: none">• Armed Forces identification cards• Passports

NOTE: The above listed forms of identification are not all-inclusive and officers may encounter other types of documents which may provide satisfactory evidence of the person's identity.

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Making Contact with Vehicle Occupants, Continued

Returning to patrol vehicle

Patrol officers should move to a safe and tactically appropriate location when conducting the business of the vehicle pullover (e.g., running a license check, writing a citation, etc.).

Depending on the specific situation, officers should select a location which:

- provides cover and/or concealment,
- permits them to maintain visual contact with the target vehicle, and
- permits them to observe the occupants of the target vehicle.

Officers may elect to return to their patrol units in order to gain access to mobile data terminals when minimal risk is perceived, or at times of inclement weather.

NOTE: Individual agencies may discourage sitting inside the patrol vehicle to write a citation or operate an MDT. This may be based on the perception that it puts the officer at a tactical disadvantage with vehicle occupants.

Recontacting target vehicle driver

Patrol officers should be cautious and not become complacent in their second approach to the target vehicle. The same principles discussed in the initial approach and contact apply when recontacting the driver.

Termination of contact

Once patrol officers have concluded the business of the pullover, they should:

- return the driver's license and registration, and
 - assist the driver to reenter the flow of traffic. (e.g., dimming the lights on the patrol vehicle so the driver has a clearer view of passing traffic)
-

Chapter Synopsis

Learning need Peace officers must understand the techniques for conducting tactically sound vehicle pullovers.

Safety and tactical considerations
[22.02.EO1, 22.02.EO2, 22.02.EO3] Once an officer has a legal justification for initiating a vehicle pullover, there are a number of officer safety guidelines that should be considered.

Placement of patrol vehicle
[22.02.EO4] Placing the patrol vehicle in an offset position means the officer will stop behind and slightly to the right or left of the target vehicle, with the center of the patrol vehicle in line with the right or left bumper of the target vehicle.

Exiting patrol unit
[22.02.EO5] Patrol officers should exit their patrol units as safely and quickly as possible.

Approaching target vehicle
[22.02.EO6] Once the officer has exited the patrol unit and determined that a safe approach can be made, the patrol officer should stay close to the patrol vehicle to minimize any hazard from passing traffic, continuously observe the occupants of the target vehicle, maintain an awareness of the surrounding and other hazards, keep gun hand free during the approach, and use a flashlight sparingly to avoid the potential of vehicle occupants being able to track the officer's movement.

Methods of approach
[22.02.EO7] There are different methods of approaching a target vehicle that all have advantages and disadvantage.

Continued on next page

Chapter Synopsis, Continued

**Patrol
officer
positioning**
[22.02.EO8]

When officers make contact with the driver of the target vehicle during a vehicle pullover, they should position themselves for the greatest safety and tactical advantage.

**Communication
skills**
[22.02.EO11]

Once peace officers are familiar with the basic communication skills, these skills can be combined into formal processes designed to reduce the likelihood of physical confrontation. Communication skills can be used for obtaining voluntary compliance, and when conducting vehicle stops.

**Directing
occupants
out of vehicle**
[22.02.EO9]

It is generally desirable for patrol officers to have the driver and occupants of the target vehicle remain in the vehicle throughout the duration of the pullover. But in certain situations, officers may need to direct the driver/occupants to get out of the vehicle.

**License
examinations**
[22.02.EO10]

Officers should carefully examine both the front and rear of each license. Driver's license formats will vary depending on the state of issue. Officers should look for driving restrictions signs of unlawful alterations, deletions or additions to the license.

Workbook Learning Activities, Continued

Activity questions
(continued)

3. Officers stopped a car on a highway shoulder to conduct an investigative pullover. The edge of the shoulder is bounded by a guardrail with a shallow ditch beyond it. On the other side of the ditch is a flat field. Traffic is moderate. Draw a diagram of the pullover showing appropriate placement of the unit and the target vehicle. Indicate on your diagram:
- areas that would be illuminated by headlights, spotlights, etc.
 - areas in which an approaching officer would be silhouetted in the light.
 - locations in which an officer could take cover. (Remember to consider the cover provided by each vehicle.)
 - locations in which the officer is at the greatest risk.

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Workbook Corrections

Suggested corrections to this workbook can be made by going to the POST website at: www.post.ca.gov

Chapter 3

High-Risk Vehicle Pullovers

Overview

Learning need Peace officers must recognize situations involving high level of risk in order to apply appropriate tactical actions during a vehicle pullover.

Learning objectives The chart below identifies the student learning objectives for this chapter.

After completing study of this chapter, the student will be able to...	E.O. Code
<ul style="list-style-type: none">• demonstrate officer safety precautions that should be taken during any high-risk vehicle pullover.	22.03.EO1
<ul style="list-style-type: none">• discuss appropriate actions for cover officers who are called to assist the primary officer during a high-risk vehicle pullover.	22.03.EO2
<ul style="list-style-type: none">• demonstrate tactics for conducting a safe and effective high-risk vehicle pullover.	22.03.EO3
<ul style="list-style-type: none">• discuss officer safety considerations when searching the target vehicle, including:<ul style="list-style-type: none">- use of available cover officer(s)- types of objects sought and likely locations- potential hazards (e.g., needles, edged weapons, etc.)- a systematic search process<ul style="list-style-type: none">- interior- exterior	22.03.EO4

Continued on next page

Overview, Continued

In this chapter This chapter focuses on basic tactical guidelines for conducting high-risk vehicle pullovers. Refer to the chart below for specific topics.

Topic	See Page
Officer Safety Considerations	3-3
Tactical Considerations for High-Risk Vehicle Pullovers	3-7
Vehicle Searches	3-14
Chapter Synopsis	3-19
Workbook Learning Activities	3-21

Officer Safety Considerations

[22.03.EO1, 22.03.EO2]

Introduction

High-risk pullovers are conducted in any situation where patrol officers perceive a greater level of risk. Such perceptions may be based on the officer's observations, information received through communications with dispatch, other officers, or other reliable means.

High-risk pullovers

High-risk pullovers are generally made when patrol officers have:

- reason to believe that one or more of the occupants of the target vehicle may:
 - be armed,
 - represent a serious threat to the officer, or
 - has committed a felony.

NOTE: Individual agency policies may dictate the specific criteria as to what constitutes a high-risk vehicle pullover.

Officer reactions

Because of the elevated level of potential danger along with the unpredictable responses of vehicle occupants associated with high-risk vehicle pullovers, patrol officers can encounter a multitude of different personal emotions or reactions. It is normal for patrol officers to experience excitement, fear, anger, confusion, impatience, and even complacency.

In order to prepare for such responses and prevent them from compromising officer safety, officers can:

- discuss hypothetical situations with their partners ahead of time,
 - have a plan of action prior to initiating the vehicle pullover,
 - obtain appropriate ongoing training in advance to maintain skill levels,
-

Continued on next page

Officer Safety Considerations, Continued

Officer reactions
(continued)

- work as a team,
 - maintain communication with dispatch and other involved officers,
 - move slowly and methodically,
 - rely on known tactics and procedures while also remaining flexible enough to adapt or improvise if necessary, and
 - exercise emotional restraint and self-control.
-

Safety precautions

A number of safety precautions are critical when conducting a high-risk vehicle pullover. The following table identifies some of these precautions.

Action	General Guidelines
Utilize appropriate resources/equipment.	<ul style="list-style-type: none"> • Request sufficient personnel and equipment to perform any necessary actions safely and effectively and achieve a psychological advantage over the vehicle's occupants. • Use marked patrol vehicles to effect the vehicle pullover, if possible, to prevent recognition problems and to ensure necessary equipment is available within the vehicle.
Rely on basic training and known tactics.	<ul style="list-style-type: none"> • Use available cover and concealment. • Maintain visual contact with vehicle occupant(s) at all times. • Always maintain a position of advantage.
Maintain personal control and professional attitude.	<ul style="list-style-type: none"> • Do not rush. • Guard against becoming impatient. (<i>Time is usually on the officer's side.</i>) • <i>Wait</i> for requested backup/assistance to arrive before taking action.

Continued on next page

Officer Safety Considerations, Continued

Contact officer

The roles and responsibilities of each officer involved in a high-risk vehicle pullover must be clear. The **contact officer**:

- conducts the business of the pullover
 - directs the driver and occupant(s) of the target vehicle
 - takes necessary actions related to the investigation (e.g., obtaining identification, searching suspects, etc.)
-

Cover officers

It is the general responsibility of any **cover officers** called to assist the primary officer at the scene of a high-risk vehicle pullover to:

- protect the primary officer who is conducting the business of the pullover,
- place their own patrol vehicles in a proper position to avoid silhouetting other officers with the vehicle's headlights or other lighting equipment,
- take and maintain proper positions of cover and concealment,
- maintain their firearms at the ready, and
- maintain visual contact with the vehicle occupant(s) at all times,
- avoid a crossfire situation.

NOTE: For additional information regarding the roles and responsibilities of contact or primary officers and cover officers, refer to LD 21: *Patrol Techniques* and LD 23: *Crimes in Progress*.

Continued on next page

Officer Safety Considerations, Continued

Communication between officers In order to ensure officer safety and help ensure an appropriate outcome, the primary officers and cover officers must effectively communicate with one another. Appropriate communication involves:

- advising the primary officer of any critical occurrences or safety issues (e.g., movement within the target vehicle, someone approaching outside the primary officer's field of vision, possible crossfire situations, etc.),
 - avoid inappropriate interruptions, and
 - avoid giving directions which conflict with those given by the primary officer. (Only one person, usually the primary officer, gives the commands, unless a specific situation calls for another officer to issue a command.)
-

Tactical Considerations for High-Risk Vehicle Pullovers

[22.03.EO3]

Introduction No arrest is so important that the patrol officers involved should expose themselves to needless danger. In order to meet the safety challenges inherent to the situation, patrol officers must employ tactically sound procedures when effecting any high-risk vehicle pullover.

Communication It is vital that the primary officer initiating any high-risk vehicle pullover maintain communication with dispatch and any assisting or backup officers involved in the situation.

Such communication should include the:

- primary officer's location and direction of travel,
- safest approach to the scene
- possible traffic diversions or road closures,
- license number and a description of the target vehicle,
- number and description of the target vehicle's occupant(s),
- existence of any known or suspected weapons within the vehicle, and
- any additional information regarding the offense(s) or the suspect(s),
- request additional resources (helicopter, K-9, less than lethal, etc.)

NOTE: It may be advisable for the officer initiating the pullover to write down the license number and a short vehicle description of the target vehicle. Such information may be helpful if an officer assault occurs during the pullover.

Continued on next page

Tactical Considerations for High-Risk Vehicle Pullovers,

Continued

Tactical procedures

The following table identifies a number of general guidelines for conducting a safe and effective high-risk vehicle pullover.

Action	General Guidelines
Develop a plan of action.	<ul style="list-style-type: none"> • Develop a plan of action with: <ul style="list-style-type: none"> - that officer’s partner, - involved assisting cover units, and - dispatch. • The plan should clearly identify the tactics that will be employed when initiating the pullover as well as throughout the pullover.
Initiate the pullover.	<ul style="list-style-type: none"> • Prepare for the pullover by: <ul style="list-style-type: none"> - rolling down patrol vehicle windows, and - unlocking the vehicle’s doors. • Properly position the patrol vehicle an appropriate distance from the target vehicle. (Two to three car lengths or 20 to 30 feet) • Employ appropriate lighting equipment such as: <ul style="list-style-type: none"> - emergency lights, - headlights, - spotlights, - takedown lights, • Deploy firearms (i.e., handgun, shotgun) at the ready. • Utilize available cover and concealment.

NOTE: “At the ready” refers to how a patrol officer’s weapon should be deployed according to academy training and the specific type of weapon involved (e.g., firearm drawn, pointed at the suspect(s), safety off, or other considerations).

Continued on next page

Tactical Considerations for High-Risk Vehicle Pullovers, Continued

**Tactical
procedures
(continued)**

Action	General Guidelines
Direct action of vehicle occupant(s).	<ul style="list-style-type: none"> • Utilize available cover and concealment. • Use clear, audible, and direct commands. • Identify your law enforcement agency. (“San Jose Police Department”) • Direct the occupant(s) to: <ul style="list-style-type: none"> - keep hands in sight at all times, and - not to move unless instructed to do so. • Give the vehicle’s driver specific instructions to: <ul style="list-style-type: none"> - turn off the vehicle’s engine, - remove the keys from the ignition, - place the keys in a designated location, (e.g., atop the car, dropped out the window, etc.) and • return hands to a position where they can be clearly seen.
Order occupant(s) from the target vehicle.	<ul style="list-style-type: none"> • If multiple occupants, have each person exit the vehicle one at a time. • Direct the suspect(s) to: <ul style="list-style-type: none"> - move slowly, and - keep hands above their heads. • Visually check the suspect(s) for weapons as they exit the vehicle.

Continued on next page

Tactical Considerations for High-Risk Vehicle Pullovers, Continued

**Tactical
procedures
(continued)**

Action	General Guidelines
Establish physical control of occupant(s).	<ul style="list-style-type: none"> • Primary and cover officers must be aware of possible cross fire situations and position themselves accordingly. • Maintain visual contact with the suspect(s) at all times. • Direct occupant(s) to move, one at a time. • Have suspect(s) assume a position of disadvantage. • Handcuff suspect(s). • Conduct a thorough search of each suspect before placing the person into patrol vehicle. • Obtain intelligence information from suspects.
Clear the target vehicle of any additional occupants.	<ul style="list-style-type: none"> • Until otherwise proven, assume additional occupants are hiding in the target vehicle. • Call out a bluff for hiding individual(s) to exit the vehicle (e.g., “You, in the car, get out now!”). • Approach vehicle in a low profile position. • If hidden suspect is located in the vehicle, assume a position of cover. • Feel for vibrations or movements within the vehicle by placing a hand on the trunk lid. • If necessary, use flashlight to cautiously illuminate the vehicle interior. • After checking the vehicle’s interior, consider other areas of possible concealment. • If appropriate, consider use of a canine to clear the vehicle.

Continued on next page

Tactical Considerations for High-Risk Vehicle Pullovers,

Continued

Fleeing suspect(s)

It may be inadvisable for officers to engage in a foot pursuit of any fleeing suspect(s) during a high-risk pullover. Taking such action may:

- draw officer(s) into potentially unsafe (uncleared) areas, and
- compromise the safety of officer(s).

Rather than initiating the foot pursuit, officers should consider establishing a perimeter of the area and initiating a systematic search of the area.

NOTE: For additional information regarding foot pursuits of fleeing suspects, refer to LD 21: *Patrol Techniques*.

Specific agency policies

Specific policies and guidelines can vary. It is each patrol officer's responsibility to be aware of and comply with their own agency's policies and guidelines that pertain to initiating and the use of appropriate tactics regarding high-risk vehicle pullovers.

Continued on next page

Tactical Considerations for High-Risk Vehicle Pullovers,

Continued

Examples:

Example: Intending to stop a vehicle for a suspected DUI, a single officer noticed that the driver threw a handgun into the street as soon as he saw the patrol car's red lights activated. The officer immediately initiated high-risk procedures. He used the PA system to order the suspect to place his hands on his head and to remain in the car. The officer then radioed his situation and location and requested assistance. When the backup unit arrived, the suspect was taken into custody and the weapon was recovered. It was determined that the handgun had been used in a robbery in which the victim was shot. The car had been the victim's and the suspect used it to flee the scene of the robbery.

Example: An officer patrolling in a rural area late at night observed a compact pickup truck run a stop sign at a high speed. The officer initiated a radio broadcast, giving location, license plate number, vehicle and occupant's description. When the officer made the pullover one of the passengers exited the truck and began to walk away. The officer called out on the PA for the passenger to return to the vehicle, which he did. The officer approached the truck, instructing the driver to turn off the ignition. Communications informed the officer, in a confidential transmission, that the truck was stolen. The officer drew his weapon and ordered both occupants not to move. When the officer realized that backup was a minimum of 25 minutes away, he directed both occupants to put their hands on the dashboard and then directed each to crawl out of the truck and to lie prone on the roadway. The ability to be flexible and to adapt tactics to a changing situation allowed the officer to safely detain the suspects until assistance arrived.

Continued on next page

Tactical Considerations for High-Risk Vehicle Pullovers, Continued

Examples (continued)

Non-example: Officers stopped a confirmed stolen vehicle occupied by four suspects. The contact officer had directed the driver out of the car as the assisting officers provided cover. An additional officer arrived and positioned his vehicle to block the target vehicle. The additional officer then ran to the stolen car and dragged a passenger out of the car. The officer acted on his own, without communicating with the others, interfering with the contact officer's commands. This independent action could have jeopardized the operation, and endangered all the officers involved.

Vehicle Searches

[22.03.EO4]

Introduction

The primary purpose of conducting any type of vehicle search is to locate and seize any:

- weapons,
 - contraband, or
 - evidence associated with criminal activity that may be located within the vehicle.
-

Lawful search

Any physical search of a vehicle must be lawful. The type and extent of a physical search of a vehicle during a vehicle pullover is determined by the circumstances of the pullover along with a number of additional factors.

If the driver and/or occupants exit the vehicle voluntarily, the officer may legally enter the target vehicle to retrieve registration papers. While inside the vehicle, the officer may visually scan the area and seize any weapons, contraband, etc., that is in the officer's plain view.

NOTE: For additional information regarding the different types of searches and probable cause requirements for each, refer to LD 16: *Search and Seizure*.

Officer safety

Patrol officers who are conducting a vehicle search should be aware of specific officer safety hazards that may be associated with the search. Possible safety hazards may include, but not be limited to:

- dangerous weapons, (e.g., edged weapons, loaded firearms, etc.)
 - biological hazards, (e.g., hypodermic needles, etc)
 - chemicals, (e.g., dangerous drugs such as PCP, drug lab materials, etc.)
 - booby traps, (e.g., explosives)
 - animals, or
 - bystanders.
-

Continued on next page

Vehicle Searches, Continued

Fundamental principles

There are a number of fundamental principles that apply to vehicle searches that officers may be called upon to conduct.

Action	Additional Information
Use assistance/ backup.	<ul style="list-style-type: none">• Officers must <i>maintain control of the situation</i> at all times.• The use of backup assistance officers when available is strongly recommended.• Additional officers may be required to:<ul style="list-style-type: none">- properly remove occupant(s) from the target vehicle,- maintain control of the occupant(s) while the contact officer is conducting the search, and- prevent interference by other persons. (e.g., witnesses, victims, onlookers, other officers, etc.)
Never “relax.”	<ul style="list-style-type: none">• Officers must never let down their guard while conducting the search.• If the suspect perceives that the officer is distracted or has relaxed, that person may attempt to take some action the suspect might otherwise attempt. (e.g., flee on foot, reach for the officer’s weapon, etc.)
Maintain integrity of evidence.	<ul style="list-style-type: none">• Any evidence that is located within the target vehicle during the search must be properly collected, preserved, secured, and documented.

NOTE: For additional information regarding the collection and preservation of evidence, refer to LD 30: *Preliminary Investigation*.

Continued on next page

Vehicle Searches, Continued

Systematic searches

Vehicle searches should be conducted in a systematic manner. The following table identifies a number of general guidelines for conducting a systematic search of a vehicle.

Action	General Guidelines
Plan the search.	<ul style="list-style-type: none">• Officers should consider the:<ul style="list-style-type: none">- nature of the area to be searched,- type and size of objects being sought (e.g., drugs that can be hidden in small areas, weapons, ammunition, etc.),- specific circumstances of the pullover,- time limitations, and- legal restrictions based on the type of search being conducted.
Search systematically.	<ul style="list-style-type: none">• Cover the area in a systematic manner in order to prevent missing any possible locations where items could be located.• Possible systematic patterns may include but not be limited to:<ul style="list-style-type: none">- starting at the top of the target vehicle and working down,- searching from front of the target vehicle to rear, or- searching the interior first, then the exterior.
Search each area thoroughly.	<ul style="list-style-type: none">• Search all areas that could reasonably contain the item that is the target of the search (e.g., weapons, contraband, instruments of criminal activity, etc.).

Continued on next page

Vehicle Searches, Continued

Examples

- Example: On a high-risk vehicle pullover one officer was tasked with searching the interior of the vehicle for evidence of a robbery. After a very thorough, painstaking search, the officer found the weapon used in the robbery and the stolen property. The handgun was found under the driver's seat, wedged between the seat cushion and the supporting springs. The stolen money was found jammed into the ashtray base in the back seat. It took an extremely thorough search to locate these well concealed items.
- Example: Two officers stopped a vehicle for a traffic violation. During the pullover, the officers determined that the suspect was driving with a suspended license and registration. After the driver was arrested and secured, he consented to a search of his vehicle. The officers located ten rocks of rock cocaine inside the vent of an air conditioning air duct.
- Non-example: An officer searched the interior of a narcotics suspect's vehicle. The officer was searching for a bundle of cocaine that had just been purchased from a known dealer by the suspect. The officer, in a hurry and anxious to find the drugs, shoved his hand into the recess between the rear bench seat and the back rests. The officer's hand was punctured by a syringe. It is important for officers conducting a search of a vehicle to proceed in a cautious and deliberate manner.
-

Continued on next page

Vehicle Searches, Continued

Examples
(continued)

Non-example: A patrol officer stopped a motor home for a traffic violation. The driver was arrested on an outstanding warrant. The driver was searched, pursuant to the arrest, and found to be in possession of methamphetamine and needles. The officers searched the motor home but did not locate any drugs. The motor home was towed to a yard for storage. The driver who towed the motor home to the storage yard called the police to report that a large amount of drugs was found in a hollow rear bumper. A more thorough search by the officers would have located the drugs.

Chapter Synopsis

Learning Need Peace officers must recognize situations involving high level of risks in order to apply appropriate tactical actions during a vehicle pullover.

Safety precautions [22.03.EO1] A number of safety precautions are critical when conducting a high-risk vehicle pullover including:

- Utilize appropriate resources/equipment.
 - Rely on training and known tactics.
 - Maintain personal control and professional attitude.
-

Cover officers' responsibilities [22.03.EO2] It is the responsibility of any cover officers called to assist the primary officer at the scene of a high-risk vehicle pullover to protect the primary officer who is conducting the business of the pullover. Also, to place their own patrol vehicles in a proper position to avoid silhouetting other officers with the vehicle's headlights or other lighting equipment, take and maintain proper positions of cover and concealment, maintain their firearms at the ready, maintain visual contact with the vehicle occupant(s) at all times, and avoid a crossfire situation.

High-risk vehicle pullover [22.03.EO3] Guidelines for conducting a safe and effective high-risk pullover include developing a plan of action prior to initiating the stop. Initiate the pullover maintaining appropriate distance and using appropriate equipment. Direct the occupant(s) of the vehicle regarding appropriate actions. Order occupant(s) from the target vehicle. Establish physical control of the occupant(s). Clear the target vehicle of any additional occupants.

Continued on next page

Chapter Synopsis, Continued

**Conducting
a vehicle
search
[22.03.EO4]**

Safety hazards for officers who are conducting a vehicle search include dangerous weapons, biological hazards, chemicals, booby traps, (e.g. explosives) animals, or bystanders.

Fundamental principles that apply to vehicle searches include the use of assistance/backup, never “relaxing”, maintaining integrity of evidence, planning the search while searching systematically, and searching each area thoroughly.

Workbook Learning Activities

Introduction

In order to help you review and apply the material covered in this chapter, a selection of learning activities has been included. No answers are provided. However, by referring to the appropriate text, you should be able to prepare a response.

Activity questions

1. Under what conditions, if any, should officers direct the occupants of a target vehicle involved in a high-risk pullover to exit their vehicle? Under what, if any, circumstances should these occupants be directed to remain in the vehicle?

2. An officer on patrol alone initiates a traffic enforcement pullover of a station wagon traveling 70 mph in a 55 mph zone. The vehicle occupants appear to be a driver and one passenger. Rather than pulling over immediately, the car continues down the road for another half-mile, and the passenger throws several small bags out of the window and over the guardrail at the edge of an overpass. The vehicle then moves another quarter-mile down the road and pulls off onto the shoulder. What actions should the patrol officer take at this point? Should the officer call for backup? If so, what actions if any, should the officer take while waiting for backup to arrive? Describe how the officers should proceed once backup arrives.

Continued on next page

Workbook Learning Activities, Continued

**Activity
questions**
(continued)

3. How does the existence of heavily tinted windows on the target vehicle change how officers should handle a high-risk pullover?

Chapter 4

Other Types of Vehicle Pullovers

Overview

Learning need Peace officers must make appropriate safety and tactical adjustments when conducting pullovers involving vehicles other than passenger cars and pickup trucks.

Learning objectives The chart below identifies the student learning objectives for this chapter.

After completing study of this chapter, the student will be able to...	E.O. Code
<ul style="list-style-type: none">• Explain appropriate safety and tactical considerations when conducting vehicle pullovers involving:<ul style="list-style-type: none">- vans, campers, and motor homes,- motorcycles,- buses and semi-trucks.	22.04.EO1 22.04.EO2 22.04.EO3

In this chapter This chapter focuses on basic tactical guidelines for conducting vehicle pullovers involving different types of vehicles. Refer to the chart below for specific topics.

Topic	See Page
Vans, Campers and Motor Homes	4-2
Motorcycles	4-8
Buses and Semi-trucks	4-10
Chapter Synopsis	4-13
Workbook Learning Activities	4-14

Vans, Campers, and Motor Homes

[22.04.EO1]

Introduction

Because of their shape and concealment possibilities, vans, campers, and motor homes provide a unique set of circumstances that officers should be aware of in order to protect their own safety and conduct an effective vehicle pullover.

Officer safety considerations

There are a number of officer safety considerations when effecting a vehicle stop involving vans and campers because of their size and visibility limitations. Because of these, extra caution is required regardless of the reason for the pullover.

	Considerations
Conducting the Pullover	<ul style="list-style-type: none">• Position of the patrol vehicle related to the target vehicle, pullover locations, use of lights, etc. may need to be modified.• Traditional patrol vehicle positioning (e.g., offsetting) may obscure the officer's view of the passenger's side door of the target vehicle.
Approaching the Target Vehicle	<ul style="list-style-type: none">• Officer is at greater vulnerability when approaching the vehicle.• Driver and occupant(s) may be concealed from the officer.• Vehicle may have curtains or tinted windows.• Vehicle may have side door(s) and/or rear doors that occupants could attempt to escape from.

Continued on next page

Vans, Campers, and Motor Homes, Continued

Traffic enforcement pullovers

When conducting a traffic enforcement pullover with an unknown level of risk, officers should:

- stop the patrol vehicle back far enough, within reason, to afford the officer(s) a better view of all potential exits.
 - base the manner of approach to the vehicle and whether or not to remove the driver and occupant(s) from the vehicle, on the specific circumstances of the pullover.
-

Investigative pullovers

Investigative pullovers involving vans and campers should be conducted with *at least two officers* present when possible. The following table identifies general guidelines for each officer during an investigative pullover.

Action	Primary Contact Officer	Cover Officer(s)
Initial contact	<ul style="list-style-type: none">• Directs the driver to:<ul style="list-style-type: none">- turn the ignition key off,- exit the van, and- bring the keys to the rear of the van	<ul style="list-style-type: none">• Protects the primary contact officer• If cover not available, officer may elect to remain behind the passenger door of the patrol vehicle

Continued on next page

Vans, Campers, and Motor Homes, Continued

Investigative pulovers (continued)

Action	Primary Contact Officer	Cover Officer(s)
Clearing the vehicle	<ul style="list-style-type: none"> • Directs the driver to: <ul style="list-style-type: none"> - open the vehicle's rear door(s) and side door(s), and - stand on the passenger side of the vehicle. • May move to the passenger side of the vehicle in order to achieve better visibility inside the vehicle • Checks inside the vehicle for other occupant(s) • Directs occupant(s) out of the vehicle one at a time through the rear or side door of the van 	<ul style="list-style-type: none"> • Maintains visual observation of the vehicle and the driver • Watches the occupant(s) as the primary contact officer continues to clear the vehicle
Conduct investigation	<ul style="list-style-type: none"> • Clears the vehicle for any additional occupants • Takes necessary actions related to the investigation such as: <ul style="list-style-type: none"> - obtaining identification, - searching driver/ occupant(s), - searching the vehicle if necessary, - writing citation or taking other enforcement action, etc. 	<ul style="list-style-type: none"> • Continues cover responsibilities throughout the investigation

NOTE: A traffic pullover or an investigative pullover may escalate at any time into a high-risk pullover.

Continued on next page

Vans, Campers, and Motor Homes, Continued

High-risk pullovers

Just as with an investigative pullover, *at least two officers* should always be present during any high-risk pullover. The following table identifies general guidelines for each officer during a high-risk pullover.

Action	Primary Contact Officer	Cover Officer(s)
Initial contact	<ul style="list-style-type: none"> • Maintains control of the stop from the beginning • Directs the driver to: <ul style="list-style-type: none"> - turn off engine, remove keys from ignition, and hold the keys in one hand, and - place both hands out the driver's side window. 	<ul style="list-style-type: none"> • Maintain visual contact with suspect(s) at all times • If cover not available, officer may elect to remain behind the passenger door of the patrol vehicle. • Protects the primary contact officer
Remove driver	<ul style="list-style-type: none"> • Directs the driver to: <ul style="list-style-type: none"> - open the driver-side door by using the <i>outside handle</i>, - slowly step out of the vehicle, and - close the vehicle door. • Once driver is outside the vehicle, orders the driver to: <ul style="list-style-type: none"> - move slowly, and - keep hands above head. • Visually check driver for weapons as driver exits the vehicle. 	<ul style="list-style-type: none"> • Maintains visual observation of the vehicle and the driver • Watches the occupant(s) as the primary contact officer continues to clear the vehicle

Continued on next page

Vans, Campers, and Motor Homes, Continued

High-risk pullovers (continued)

Action	Primary Contact Officer	Cover Officer(s)
Remove occupants	<ul style="list-style-type: none"> • Questions the driver regarding additional occupants who may be in the target vehicle • Directs driver to: <ul style="list-style-type: none"> - move to the rear and/or side doors of the vehicle, - open door(s), and - spread curtains or any other items that may block observation into the vehicle • Secures the driver • Removes occupant(s) one at a time from the nearest door • Directs occupant(s) to <ul style="list-style-type: none"> - move slowly, and - keep hands above their heads. • Visually checks occupant(s) for weapons as they exit the vehicle. 	<ul style="list-style-type: none"> • Guards the driver as occupants are being removed <p>NOTE: If the cover officer has better visibility, the roles of contact and cover may be switched.</p>
Conduct the investigation	<ul style="list-style-type: none"> • Clears the vehicle for any additional occupants • Conducts a vehicle search • Takes any necessary law enforcement actions 	<ul style="list-style-type: none"> • Continues cover responsibilities throughout the investigation

Continued on next page

Vans, Campers, and Motor Homes, Continued

High-risk pullovers (continued)

NOTE: Individual agency policies may vary with regard to specific procedures for high-risk pullovers of other types of vehicles. It is each officer's responsibility to be aware of and comply with their own agency's policies and guidelines.

Examples

Example: An officer observed a large van roll through a stop sign in a residential area during daylight hours. The officer did not observe anything else. The vehicle had tinted windows on the side and rear and a sliding door with no windows on the passenger side. The officer was able to see only the face of a young male in the driver's side mirror. Because of the officer's limited visibility, the officer chose a nonapproach. She remained with the patrol vehicle and used the PA to instruct the driver to exit the van and bring his license, registration, and proof of insurance to her.

Example: An officer initiated an investigative pullover of a van whose driver was operating the vehicle erratically. On approach, the officer saw the driver was paying particularly close attention to the officer in the rear view and side mirrors. The officer did not have a clear view of the driver's hands or if there were any other occupants in the vehicle. The officer halted his approach, returned to the patrol vehicle, and requested backup. Using the patrol vehicle as cover, the officer used the PA and instructed the driver to exit and move to the curb. When the backup officer arrived, the primary officer continued to clear the vehicle of two occupants as the backup officer maintained cover. During the investigation, it was determined that there were open containers of alcohol in the vehicle and that the driver was DUI.

Motorcycles

[22.04.EO2]

Introduction

Because of their maneuverability and speed, motorcycle pullovers present special safety and tactical considerations for patrol officers.

Operator safety

As a motorcycle pulls off a roadway, it can easily slip or slide on surfaces that are different from the road surface. (e.g., loose gravel on road shoulder)

Officers must also be aware that the motorcycle operator (and rider) are highly vulnerable to injury if the motorcycle should go down as a result of the officer's actions when conducting a pullover.

Mobility

The driver of the stopped motorcycle can easily pull away as the officer approaches and can drive to areas that are impassible by the patrol vehicle. For this reason, it is advisable that patrol officers write down as well as notify dispatch information regarding the:

- motorcycle license number, and
 - identification/description of the operator.
-

Effecting the pullover

When initiating the pullover, the patrol officer must be careful not to follow too closely while directing the operator to a safe location for the stop.

Once the motorcycle is stopped, the patrol officer should:

- pull in behind the motorcycle just as with any other vehicle,
 - have the operator shut off the engine,
 - remove keys from the ignition, if applicable,
 - have operator (and rider) take off helmet(s), (to verify ID)
-

Continued on next page

Motorcycles, Continued

Effecting the pullover (continued)

- step off the motorcycle, and
 - move away from the vehicle to:
 - prevent the person(s) from having any access to weapons that may be on the motorcycle, and
 - ensure the operator does not try to get back on the motorcycle and flee.
-

Examples

Example: A patrol officer paced a motorcycle traveling 53 mph in a 30 mph zone. The officer informed dispatch of his intention to stop the vehicle and then initiated the pullover. The operator initially pulled over along the right side of the road with a narrow shoulder but then continued to a parking area at a nearby gas station when the officer instructed him to do so. The officer took appropriate safety precautions to have the operator move away from the motorcycle while the officer conducted the business of the pullover and wrote the citation.

Non-example: A patrol officer initiated a pullover of a motorcycle without a license plate. The operator told the officer that he needed to stay on the motorcycle because he did not trust the vehicle's kick stand. After obtaining the operator's license, the officer moved back to the patrol vehicle to write the citation. As soon as the officer reached the patrol vehicle, the operator started the motorcycle and sped away, traveling at high speed into a nearby orchard where the officer could not follow. The officer's failure to have the operator move away from the motorcycle led to the potentially dangerous situation.

Buses and Semi-Trucks

[22.04.E03]

Introduction

Pullovers of buses and semi-trucks can involve a number of safety and tactical problems. In addition, a vehicle pullover of a bus can present a significant public relations problem with the passengers.

Initiating the pullover

The selection of an appropriate location for the stop becomes a significant issue when a pullover involves a large vehicle. The officer must direct the bus to a location that not only allows for a safe and tactical approach by the officer but also a location where the passengers will be safe should they have to exit the vehicle.

When a semi-truck is pulled over, it should not be stopped on a grade. Depending on the semi-truck's load, it may be difficult to restart the vehicle parked on a grade.

General guidelines

There are a number of general guidelines officers should be aware of when effecting a pullover of a vehicle that is not a passenger car or pickup.

- Traffic enforcement pullover
 - Investigative pullover
 - High risk pullover
-

Continued on next page

Buses and Semi-Trucks, Continued

General guidelines (continued)

Just as with other unconventional vehicles, there are a number of general guidelines officers should be aware of when effecting each type of pullover.

Type of Pullover	General Guidelines
Traffic enforcement pullover	<ul style="list-style-type: none"> • Basic tactical considerations regarding positioning of the patrol vehicle to the target vehicle and use of emergency lights/siren/horn to get the driver's attention, remain the same as with other traffic enforcement pullovers. • Because of the size of the bus or semi-truck, the officer may have difficulty seeing the driver while the driver has a sight advantage of the officer's approach. • When a pullover involves a bus, officers should have the driver exit and approach the officer. • When a pullover involves a semi-truck, officers should: <ul style="list-style-type: none"> - not require the driver to turn off ignition due to potential engine damage. - instruct the driver to leave the vehicle rather than attempting to climb up on the tractor. - question the driver regarding additional occupants who may be in target vehicle.
Investigative pullover	<ul style="list-style-type: none"> • At least two officers should be present when the stop is initiated, whenever possible. • The officers' approach to the vehicle and the removal of the driver and passengers should be based on the specific circumstances of the pullover (i.e., level of perceived risk). • When clearing the cab of a semi-truck, officers should check the sleeper area for additional suspects.

Continued on next page

Buses and Semi-Trucks, Continued

General guidelines
(continued)

Type of Pullover	General Guidelines
High-risk pullover	<ul style="list-style-type: none">• There are two key safety considerations unique to bus pullovers that officers should be aware of:<ul style="list-style-type: none">- the vulnerability of the patrol vehicle in relation to the size and weight of the vehicle, and- the visibility of the approaching officer to the occupants of the vehicle.• At least two officers should be present when the stop is initiated. Additional support/backup may also be required.• Driver and passengers should be instructed to exit the vehicle one at a time and moved to a safe location.• Once driver and passengers have exited, officer(s) can secure the vehicle and conduct investigative actions (e.g., vehicle search, etc.).

Chapter Synopsis

Learning need Peace officers must make appropriate safety and tactical adjustments when conducting pullovers involving vehicles other than passenger cars and pickup trucks.

Safety and tactical considerations Because of their shape and size, and concealment possibilities, there are a number of safety and tactical considerations officers should be aware of when stopping other types of vehicles.

[22.04.EO1,
22.04.EO2,
22.04.EO3]

- Vans, campers and motor homes
 - Motorcycles
 - Buses and semi-trucks
-

Workbook Learning Activities, Continued

**Activity
questions**
(continued)

3. How might an officer's actions or tactics vary during an investigative pullover involving a full size pickup truck from an investigative pullover involving a car? What if the investigative pullover involved a sport utility vehicle?

Continued on next page

Workbook Learning Activities, Continued

Activity questions
(continued)

4. Use the following table to list specific *officer safety* considerations when conducting a pullover noted with each type of vehicle.

	Motorcycle	Motor home	Semi-truck
Traffic enforcement pullover on a two lane county highway			
Investigative pullover on a four lane freeway during rush hour			
High-risk pullover on a gravel country road			

Glossary

Introduction **The following glossary terms apply only to Learning Domain 22: Vehicle Pullovers.**

concealment Anything that prevents occupant(s) of a vehicle from observing an officer

contact officer The patrol officer who initiates a vehicle pullover and who therefore becomes responsible for conducting the business of the pullover

cover Anything that may provide protection to an officer during a vehicle pullover by *stopping* or *deflecting* a suspect's weapons

cover officer The patrol officer called to assist the primary or contact officer at the scene of a vehicle pullover

high-risk pullover Pullovers conducted in any situation where patrol officers perceive a greater level of risk; such perceptions may be based on the officer's observations and/or information received through communications with dispatch, other officers, or other reliable means

Mobile Digital Terminal (MDT) Mobile access systems used in law enforcement vehicles to receive and transmit information

officer safety The practical application of tactically sound procedures in conducting all categories of vehicle pullovers

Continued on next page

Glossary, Continued

offset position Placing the patrol vehicle behind and slightly to the right or left of the target vehicle with the center of the patrol vehicle in line with the right or left fender of the target vehicle

primary officer The patrol officer who initiates a vehicle pullover and who therefore becomes responsible for conducting the business of the pullover.

risk assessment The level of anticipated risk involved with any vehicle pullover based on the officer's perception of danger due to a suspect's conduct, or advance knowledge

target vehicle The vehicle that is the object of the law enforcement action
