How to
Conduct a
Felony
Traffic Stop



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By: Jessica Stewart

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Introduction

Route traffic stops have always had potential for danger. Felony traffic stops can be even more deadly because your suspect is already known to be a possible threat. Each year officers are killed and thousands are injured in all traffic related incidences. In 1999, it was found that over half of all officer line-of-duty deaths were correlated with traffic incidences. The number of these deaths increased when the use of weapons was present. Safety should be the main focus of law enforcement officers training.

The risks faced during felony traffic stops will always be present, but there is a way to enhance the safety of our officers. The objective of this manual is to instruct officers in training how to conduct felony traffic stops and make felony arrests. In the process they will learn proper radio communication and use of their equipment during felony traffic stops. Officers should have a clear understanding of the dangers and safety concerns of making felony traffic stops.

Your Weapon

This chapter will cover when your weapon will be out and when it will be put away. It will discuss the appropriate time that your weapon should be fired as well as the proper way to hold the weapon.



Figure 1: Officer belt, handcuff holder and gun holster.

Your Weapon 3

Your Weapon

While conducting a felony traffic stop, you will have your weapon in hand for most of the stop. You weapon will be pulled from your belt as soon as you have the offending vehicle stopped and are out of your own vehicle. You will not put your weapon away unless you are the arresting officer conducting a pat down or until the all the occupants of the offending vehicle have been detained.

You should already be aware that the placement of your trigger finger is significant. The correct placement of your trigger finger is on the slide. By keeping your finger on the slide you have more control of your weapon and the number of unwanted incidences is diminished. If your trigger finger is inside the trigger well, you increase the possibility of pulling the trigger at an unwanted time. The firing of a weapon at an undesired time could result in problems such as harming a suspect, harming an innocent victim, harming your fellow officers or damaging nearby property.

As stated before, if you are the arresting officer your weapon will be put away during a pat down. Your fellow officers should have their guns out to cover you when you are performing the first pat down. Your weapon will be brought out again when you are moving the suspect to the rear of your squad car. When doing this, your arm that is holding the weapon will be over the suspects shoulder with the gun pointed to the offending vehicle. Your gun will be put away again when you perform the second pat down. The vehicle-searching officers will have their weapons put away for the vehicle search once all the occupants have been detained.

You are eligible to fire your weapon when it is clear that the suspect is going to harm another. People that he or she can harm could possibly be a pedestrian, a hostage, your fellow officers or yourself. If you do not feel that any lives are at risk, you should avoid firing your weapon.

Initiating the Traffic Stop

This chapter will discuss the importance of radio communication with dispatch. It will explain the team structure of conducting a felony traffic stop. In the end it will discuss how to station your vehicle and use it for your protection.



Figure 2: A police squad cars reflection in another vehicles rear view mirror

Initiating the Traffic Stop

Radio Communication with Dispatch

For officer safety it is essential to keep contact with dispatch. By doing so others will know what you are doing, where your location is, the situation you are in and with whom you are about to approach.

Radio communication with dispatch:

- 1. Run vehicle license plate and give a vehicle description
 - a. Ex. "license plate check on Texas TPX23L for a brown sedan."
- 2. If possible, wait for dispatch return before making a traffic stop.
- 3. Check out with vehicle
 - a. Ex. "I'll be out on traffic with TPX23L, a brown sedan at 415 Carroll Blvd., vehicle occupied by 2 white males."

It is important to always give a vehicle description when running a license plate; it also essential to give the location of the stop, number and brief description of the people of the vehicle. At this point you should also call for back up. Normal misdemeanor traffics stops will not require back up. If you are in a two-man unit, the officer in the passenger seat should be the radio operator.

Team Structure

When conducting a felony traffic stop you should never attempt to do it on your own. Always have a partner in your vehicle and call dispatch for backup. When you have back up you will have two more officers to assist with the stop and arrest. With these four officers, you create a team consisting of a

- Primary Officer
- Secondary Officer (rides with the Primary Officer)
- Back up unit 1

Back up unit 2

Each officer has his or her own responsibilities during the felony traffic stop. The primary officer will be in charge of driving the first vehicle, giving the commands to the occupants of the offending vehicle and performing as a vehicle search officer. The secondary officer acts as the arresting officer and radio operator. The backup unit will consist of another arresting officer and a vehicle search officer.

Your Vehicle and Traffic Safety

Felony traffic stops should always be done in a safe location out of traffic and away from pedestrians. Be aware that suspects may run, so include that in determining where the stop should be made.

Position your stoplights on the suspect vehicle to blind the suspects. Use spotlights even during the daytime. Both vehicles should be parked by each other with enough space to open the car doors and give the officers enough room to pass through to get to suspects and the offending vehicle.

Once the vehicle is stopped officers should take the following positions:

Unit 1:

- Driver (primary officer):
 - o Uses the public address system.
 - Gives commands to the vehicle occupants.
 - Assists with the vehicle search at the end of the occupant removal.
- Rider (secondary officer):
 - Performs as an arresting officer and radio operator.
 - o Checks out with dispatch for the traffic stop.

Unit 2:

- Driver (back up unit):
 - Performs as an arresting officer.
- Rider (back up unit):

o Performs as a vehicle search officer.

During the stop use your car as cover; it will serve as protection from any possible fire from the offending vehicle. You do this by keeping your side door open and standing behind it. You will stand on the spot directly behind the door that is closest to the main body of the vehicle. In this location, most of your body will be shielded from any possible fire from the vehicle occupants without obstructing your view of the offending vehicle. From this location, you will also be able to fire at the offenders if it is needed.

Challenging Personnel in Vehicle

This chapter will cover the commands given to specific occupants of the offending vehicle. It will note the importance of giving the occupants clear and direct commands as well as using well thought word choice.



Figure 3: Police officers challenging the driver of a vehicle during a felony traffics stop.

Challenging Personnel in Vehicle

For officers, challenging the personnel in the vehicle can be the most difficult part of performing a felony traffic stop. Your commands to the personnel must be direct and clear in order to get them to perform the desired action. It is also important to announce yourself, the reason for the stop and what actions are going to be taken. For example, "This is the Denton Police, you are driving a stolen vehicle. All occupants in the vehicle are under arrest. All occupants place your hands outside of the vehicle through the windows." After having all the occupants of the vehicle place their hands outside of the vehicle, begin to give direct commands to each of the occupants.

Commands for the Driver

The following is a script of the commands that should be given to the offending vehicles driver:

- 1. Driver only, with your left hand turn off the vehicle and drop the keys on the ground outside.
- 2. Driver only, with your left hand undo your seat belt.
- 3. Driver only, with your right hand slowly open the car door from the outside.
- 4. Driver only, with your arms above your head exit the vehicle slowly and face away from us.
- 5. Driver only, take two steps to your left.
- 6. Driver only, with your left hand close the vehicle door and continue to keep your back to us.
- 7. Driver only, while keeping your back to me, take three steps to your left.
- 8. Driver only, while keeping your arms above your head, turn in a circle until instructed to stop.
 - a. When you instruct them to stop they should be facing away from you.

- 9. Driver only, slowing walk backwards until instructed to stop.
 - a. The stopping point should be between their vehicle and yours, but closer to yours.
- 10. Driver only, get down on the ground and lay flat on your stomach.
- 11. Driver only, make a T-shape with your arms away from your body and keep your palms up.

At this point the arresting officer will be moving to search and to arrest the suspect. Searches and arrests will be covered in another chapter of this manual.

As you have already learned, these instructions are specific. The reason for this is safety. You command the suspect to perform a task a certain way so that you are aware of their actions. For example, you ask the driver to turn off the ignition with their left hand when it would be easier for them to do it with their right hand. But if they were to use their right hand it would also be easier for them to perform another act such as reaching for a gun. By asking them to do it with their left hand, you make it almost impossible for them to reach anywhere else. If you are skeptical of this then you should try this yourself next time you are in your own vehicle.

Commands for the Other Passengers

Now the script you previously read was for the driver and the driver only. Not every felony traffic stop you make is going to consist of only a driver; passengers will always be a possibility. When this is the case you will give similar commands to the passengers but the commands will differ depending on the side of the vehicle they are on. Also the first command you would give is for all vehicle passengers to stick all of their hands outside of the vehicles windows. From there you will first give the driver the commands then the front seat passenger, rear left passenger, the rear right passenger and finally middle passenger.

The following is a script of the commands that should be given to the front seat passenger and rear right passenger.

- 1. Front seat passenger/rear right passenger, with your right hand undo your seat belt.
- 2. Front seat passenger/rear right passenger, with your left hand slowly open the car door from the outside.
- 3. Front seat passenger/rear right passenger, with your arms above your head exit the vehicle and keep you back to us.
- 4. Front seat passenger/rear right passenger, take two steps to your right.
- Front seat passenger/rear right passenger, with your right hand close the vehicle door and continue keep your back to me.
- 6. Front seat passenger/rear right passenger, while keeping your back to us take three steps to your right.
- 7. Front seat passenger/rear right passenger, while keeping your arms above your head, turn in a circle until instructed to stop.
 - a. When you instruct them to stop they should be facing away from you.
- 8. Front seat passenger/rear right passenger, slowing walk backwards until instructed to stop.
 - a. The stopping point should be between their vehicle and yours.
- 9. Front seat passenger/rear right passenger, get down on the ground and lay flat on your stomach.
- Front seat passenger/rear right passenger, make a T shape with your arms away from your body and keep your palms up.

The following is a script of the commands that should be given to the rear left passenger.

- 1. Rear left passenger, with your left hand undo your seat belt.
- 2. Rear left passenger, with your right hand open the car door from the outside.

- 3. Rear left passenger, with your arms above your head exit the vehicle and keep you back to me.
- 4. Rear left passenger, take two steps to your left.
- 5. Rear left passenger, with your left hand close the vehicle door, continue keep your back to us.
- 6. Rear left passenger, while keeping your back to me, take three steps to your left.
- 7. Rear left passenger, while keeping your arms above your head, turn in a circle until instructed to stop.
 - a. When you instruct them to stop they should be facing away from you.
- 8. Rear left passenger, slowing walk backwards until instructed to stop.
 - a. The stopping point should be between their vehicle and yours.
- 9. Rear left passenger, get down on the ground and lay flat on your stomach.
- 10. Rear left passenger, make a T shape with your arms away from your body and keep your palms up.

With the middle passenger, you can have them exit the vehicle on whichever side you desire them to as long as they are able to exit the vehicle with those instructions. You just have to follow the commands for that position.

It is important to be cautious with your word choice. In the past officers have gotten themselves into problems by not choosing their words carefully. Take for example the second to last command you give to the suspect, "Get down on the ground and lay flat on your stomach." You might be tempted to instead say, "Get down on your knees." In past experiences officers have been put into sexual harassment lawsuits due to commanding a suspect to get down on their knees. Try to avoid using wordage that has inappropriate connotations.

Detaining the Occupants

This chapter will cover how to detain the occupants of the offending vehicle. The pat down procedures will be discussed as well as the arrest and the questioning.



Figure 4: Officers in training practicing the pat down procedure.

Detaining the Occupants

Pat Down

The pat down is the most used technique that you will use during your policing career. You have most likely already have been taught this during your time at your police academy, but we will be pointing out the difference between a regular pat down and a pat down during a felony traffic stop.

First, your suspect is lying flat on the ground in between your vehicle and theirs. When performing as the arresting officer, you will approach them with caution while your partner, the officer who just gave the commands, has you covered. When you have reached them you will put your weapon away and take hold of their arm from the side you approached them and place it behind their back as if you were going to handcuff them then repeat with their other arm. It is important to start with the side you approached from because if you first go for the arm that is further away, your suspect will have an open opportunity to attack you. At this point you will handcuff the suspect.

From here you will perform a precautionary check. A precautionary check is asking the suspect if there is anything on them that could harm them or yourself during the search, such as needles, knives, guns and etc. Be sure to get a clear answer from the suspect; a yes or no will do. If a weapon is found on them when they had answered no, then you must start the search over.

Before starting the pat down, an important issue to remember is patting down a suspect of the opposite sex of the searching officer; always try to match the sex of the suspect to the sex of the searching officer. The main issue with this is when it comes to giving female suspects a pat down. To avoid potential sexual harassment lawsuits always call in a female officer to search the female suspect(s). Female officers must still follow procedure; they must still only use the back of their hand when searching the chest

and groin regions of a suspects' body. The same applies to male officers when searching a male suspects groin region.

When conducting a pat down, in your mind you will divide their body in half from head to toe. You will first search one half and then the other. The half that you search first will be the side opposite of that which you approached the suspect.

The standard pat down procedure that should be done during a felony traffic stop is as follows:

- 1. Command the suspect to turn their head away from the side that you are on.
- 2. Check their hair to see if there is anything hidden and slowly work down to the back of their neck.
- 3. Instruct them open their mouth to see if they may be hiding something inside.
- 4. Use your thumb and index finger to check the inside of the back of their shirt collar.
- Use your hand to feel around their shoulder and their arm.Once you get to their hand, you will search the opposite side of their arm up until the armpit.
- 6. Search the top of the back to the bottom of the back starting at their armpit.
- 7. Inspect their waist line area by inserting your thumb inside of their underwear and moving it across their entire back waist line. You will repeat this for their pants and belt if they are wearing one.
 - a. If the suspect is wearing clothing that does not allow you to do this, such as a dress, use the back of your hand to feel for anything out of place around their waist.
- 8. Pat their back pockets using the back of your hand to inspect for weapons or drugs. If there is anything sticking out of their back pockets you may remove it. If you want to remove something that can't be seen, you must ask the suspect for permission to reach into the pocket. Since some

- suspects will feel violated by this try to avoid having to enter their back pockets.
- 9. Search the groin area from the outside of their clothing.
 - a. For this step it is important to remember to pat them using the back of your hand.
 - b. It is better to simply just pat the area around the groin instead on fully placing your hand on it.
- 10. Work down the back of their thighs until you get down to their kneecap.
- 11. Place your hand on the back of their kneecap and then raise your elbow to place it in between your face and their foot. This will prevent them from being able to kick you in the face.
- 12. Pat down their legs. If they are wearing pants and boots or high top shoes, it is necessary to lift their pants leg over the top of their shoe and feel it for any strange bumps that could signify weapons or contraband. If there is anything sticking out of their footwear, you may pull it out. If it is hidden in the shoe then you should attempt to squeeze it out just like the situation with the pocket.
- 13. Lift your suspect to where only one side of their body is touching the ground. The side that is off the ground will be the side that you are searching.
- 14. Place your thumb on the inside of the collar of the suspects' shirt and feel for any sort of weapon starting from the front of the shirt to the shoulder.
- 15. Using your hand, check their torso for any weapons or drugs.
 - a. If you are searching a female it is necessary to pat their chest area with the back of your hand. If there is something found there, you should pull the bra from the section in between the cups, pull it away from the suspects' body and shake it.
- 16. Insert your thumb and only your thumb into their underwear and run it from the their middle front to side

- hip. Repeat this with their pants and belt if they are wearing one.
- 17. Pat your hand down their thighs to check for any dangerous objects or drugs. This area will be the area where their pants pockets should be. If anything is sticking out of their pockets and in view, you have every right to remove it. If there is something inside their pocket that you cannot see, but feel, you have to ask for permission to reach into their pocket(s). Do not worry if they do not give you permission, you can always just push the object to the top of the pocket where it is in view. Another options is using only your thumb and index finger, without going into the pocket, you can slowly pull the pocket out of the pants by inching it out.
- 18. Repeat on the opposite side of the suspects' body.

Regardless of what the suspects are wearing you should always follow this procedure. You never know where they could be hiding weapons or contraband.

Arrest

When arresting a suspect, inform them of the charges against them. You can do at some point between the search and questioning. Once the first pat down is completed you will tactically move them to the rear of your vehicle.

The way to do so is by:

- 1. Standing up before commanding the suspect to stand.
- 2. Holding on to the chain of the cuffs; command them to stand and do not let go of the chain of the cuffs.
- 3. Remove your weapon from its holster.
- 4. Stand behind the suspect and place your arm holding your gun past their shoulder and point it towards the offenders' vehicles. By using the suspect as cover you are better insuring your own safety.
- 5. Walk backwards to the rear of your squad car.

At this point you will conduct a more thorough search of the suspect. In other words, you are performing another pat down. You do this because you may not be able to follow the procedure of the pat down while your suspect in lying on the ground. Even if you feel that your first pat down was successful, you could have missed something that you could possibly find in the second search. The second pat down you will do is a standing search since your suspect is handcuffed.

The standing search is as follows:

- 1. Keep hold of the handcuffs by the chain.
- 2. Inspect their hair for any possible weapons.
- 3. Starting with one half of their body, begin the rest of the search.
- 4. Place you thumb on the inside of their collar and search from the front to the back.
- 5. Using your hand, check their torso for any weapons or drugs.
 - a. If you are searching a female it is necessary to pat their chest area with the back of your hand. If there is something found there, you should pull the bra from the middle, pull it away from the suspects' body and shake it.
- 6. Search their arms starting from their shoulder.
- 7. When you get to their hands, search the opposite side of their arm.
- 8. Pat their back starting from the top and end at the bottom.
- 9. Search their waist starting from the front by only using your thumb.
- 10. Place your thumb on the inside of their underwear and check it from their front to their back. Repeat with their pants and belt if they are wearing one.
 - a. If the suspect is wearing clothing that does not allow you to do this, such as a dress, use the back of your hand to feel for anything out of place around their waist.

- 11. Pat your hand down their thighs to check for any dangerous objects or drugs just like you did with the previous pat down. This area will be the area where their pants pockets should be. If anything is sticking out of their pockets in view, you have every right to remove it. If there is something inside their pocket that you cannot see, but feel, you have to ask for permission to reach into their pocket(s). Do not worry if they do not give you permission, you can always just push the object to the top of the pocket where it is in view. Another options is using only your thumb and index finger without going into the pocket, you can slowly pull the pocket out of the pants by inching it out.
- 12. Pat the buttock area and groin area with the back of your hand.
 - a. It is best to just pat the area around the groin instead of placing you hand on it.
- 13. If there is anything sticking out of their back pockets you may remove it. If you want to remove something that can't be seen, you must ask the suspect for permission to reach into the pocket. Since some suspect will feel violated by this try to avoid having to enter their back pockets.
- 14. Work your way down their thighs to their legs.
- 15. Continue to pat down their legs. If they are wearing pants and boots or high top shoes, it is necessary to lift their pants leg over the top of their shoe and feel the boot for any strange bumps that could signify weapons or contraband. If there is anything sticking out of their footwear, you may pull it out. If it is hidden in the shoe then you should attempt to squeeze it out just like the situation with the pocket.

Before making an official arrest you must be certain that your warrants are correct. After the scene has been cleared you may begin searching the vehicle.

Questioning

Questioning does not need to be done at the scene. This can be done at the police department or county jail. Before questioning can begin you must read the suspect(s) their Miranda Rights. If this is not done anything they tell you is inadmissible in court and cannot be used against them. You may, however, still ask questions on scene such as how many people are in the vehicle or if there are any weapons on them before performing a search.

Searching the Vehicle

The final chapter will go over the procedure of searching the vehicle once all the occupants have been removed and detained.



Figure 5: Two female officers searching the trunk of a vehicle.

Searching the Vehicle

Both search officers should approach the vehicle with caution and do a visual pat down while approaching. Each officer will take one side of the vehicle. They will perform the search in a synchronized manner. During the search each officer will have a mirror that allows him or her to inspect the underside of the vehicle. You will use this mirror, as you are moving up or down the vehicle. The following steps are the procedures for the search:

- 1. Go to the front of the vehicle
- 2. Open the hood and inspect the engine.
- 3. Look for any new wires, new parts or anything that is out of place.
- 4. At the same time, both officers will inspect the tire wells and the wheels.
- 5. Go to the front seat and open all of the compartments.
- 6. Look through the compartments for anything that is illegal or dangerous.
- 7. Inspect the spaces underneath the seats and in between seat cushions.
- 8. Check the space in between the seat and the middle compartment that most vehicles have in the middle of the car.
- 9. Go to the backseat.
- 10. Repeat the search of compartments, other open spaces and in between seat cushions.
- 11. Go the rear to inspect the tire wells and wheels.
- 12. The person on the side with the gas cap will open it and examine the inside.
- 13. Go to the back and look through the trunk or bed of the vehicle.

If anything is found it must be removed from the vehicle and taken for evidence. The object taken will be placed in an evidence container and later be processed. At the end of this process the officers will switch places and repeat the procedure on their new side. This is done to make sure that nothing has been missed. You may also do this procedure starting from the rear of the vehicle, but it is recommended to start from the front. The reason it is recommended to begin at the front is so that the officers can perform a more accurate visual pat down of the vehicle.