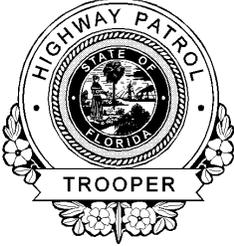


FLORIDA HIGHWAY PATROL POLICY MANUAL

	SUBJECT COMPREHENSIVE ROADSIDE SAFETY CHECKPOINTS	POLICY NUMBER 17.08
		ISSUE DATE 09/01/96
		REVISION DATE 11/23/15
		TOTAL PAGES 14

17.08.01 PURPOSE

To provide operational guidelines for conducting Comprehensive Roadside Safety Checkpoints.

17.08.02 AUTHORITY

Section 321.05, Florida Statutes

17.08.03 POLICY

It is the policy of the Florida Highway Patrol to promote safety for motorists using the public highways and to provide a deterrent for those who violate laws contained in the Florida Statutes. Although other law enforcement measures may realize a greater number of arrests, the purpose of a checkpoint is deterrence of certain offenses such as driving under the influence. The intent of a checkpoint is to increase the motorists' perceived risk of detection and arrest and to affect a greater public awareness of the problem which is targeted by the checkpoint.

Any procedure used by the Florida Highway Patrol members in conducting Comprehensive Roadside Safety Checkpoints should be measured against the following considerations and priorities:

- A. Enhancement of member and motorist safety.
- B. Avoidance of undue inconvenience to the public.
- C. The deterrent effect created by the roadside safety check.

Driver license inspection, registration inspection, vehicle equipment inspection and motorist insurance inspections conducted during daylight hours will be conducted in accordance with Chapter 17.07 of this manual.

17.08.04 OBJECTIVES

To provide guidelines for the use of Comprehensive Roadside Safety Checkpoints as part of a continuing, systematic and assertive enforcement program to identify persons who are operating a motor vehicle with defective equipment, without a valid drivers license or permit, without a proper vehicle registration, without proper insurance or while under the influence of alcohol or drugs.

17.08.05 RESPONSIBILITIES

- A. Troop Commanders will be responsible for:
 - 1. Approving all Comprehensive Roadside Safety Checkpoint operational plans.
 - 2. Ensuring that local state attorneys and chief administrative judges are periodically consulted regarding the planned operations to identify any legally mandated requirements for conducting Comprehensive Roadside Safety Checkpoints and the prosecution of cases arising from the checkpoints.
- B. District Commanders will be responsible for designating a supervisor to serve as the checkpoint command officer to ensure that the checkpoint is conducted in accordance with this policy.
- C. The Checkpoint Command Officer will be responsible for preparing the operational plan and overseeing the operations of the checkpoint.
- D. The Troop Public Affairs officer will prepare the appropriate press releases and ensure the releases are distributed and the media is notified of the checkpoint.
 - 1. The Troop Public Affairs Officer will collect and maintain a file of media notification documentation.
 - 2. Media notification will be coordinated with other participating agencies.

17.08.06 PROCEDURES

- A. SELECTION OF A LOCATION TO CONDUCT A COMPREHENSIVE ROADSIDE SECURITY CHECKPOINT
 - 1. The Troop Commander or his/her designee will approve in writing the location and time of the Comprehensive Roadside Safety Checkpoint. The time of a Comprehensive Roadside Safety Checkpoint (CRSC) shall not interfere with commuter rush hour traffic.
 - 2. The location to be used as a Comprehensive Roadside Safety Checkpoint site will fulfill certain minimum requirements as follows:
 - a. The frequency of traffic violations or traffic crashes shall be a primary consideration in determining the general location of the checkpoint.
 - b. Adequate safety and visibility to oncoming motorists.
 - c. Ample room for police and subject vehicles.
 - d. Availability of a secondary screening area.
 - e. Freedom from business and residential driveways, alleys and intersecting streets or highways that may be impacted by the operation.
 - f. The roadway and parking areas should be well-drained.

- g. Freedom from obvious hazards on the highway.
 - h. Adequate advance warning signs and sufficient lighting to ensure motorist and member safety.
 - i. Comprehensive Roadside Safety Checkpoints are prohibited from being conducted on limited access facilities.
- 3. FCIC and the Department of Highway Safety and Motor Vehicles Information System Administrator should be contacted to ensure that no anticipated computer down time is scheduled to occur during the checkpoint.
 - 4. Notify the appropriate Regional Communications Center of the Comprehensive Roadside Safety Checkpoint and request a dedicated talk-group, if necessary.

B. THE OPERATIONAL PLAN

- 1. The operational plan will be completed and submitted to the Troop Commander no less than 10 days prior to the start of the Comprehensive Roadside Safety Checkpoint. The operational plan will contain at a minimum the following (see Addendum 17.08-1):
 - a. Purpose.
 - b. Objectives.
 - c. Operational Time-Line.
 - d. Specific Job Assignments.
 - e. Job Descriptions.
 - f. Equipment List.
 - g. Manpower Allocation.
 - h. Contingency Plan.
 - i. Alternate Scheduling Date.
 - j. Provisions for an After Action Report/Critique.
 - k. Approval/Disapproval Section with a space for the Troop Commander's signature.
- 2. Each operational plan for a Comprehensive Roadside Safety Checkpoint will specify the techniques to be used (i.e., driver license inspection, registration inspection, vehicle equipment inspection, sobriety inspection, motorist insurance inspection or a combination thereof.) The purpose and procedures of the safety check will be uniformly applied during the operation.
- 3. Assigned members do not have the authority to change the operational plan. Member discretion will not be used in adjusting the plan with the

exception of the safety check supervisor who will document the reason(s) for any adjustments.

C. GENERAL COMPREHENSIVE ROADSIDE SAFETY CHECKPOINT PROCEDURES

1. Close cooperation between checkpoint personnel and the local communications center shall be provided to assure rapid reply in those cases where an inquiry is considered necessary.
2. The selection of vehicles to be stopped (i.e: every vehicle, every fifth, tenth or fifteenth vehicle) will be prescribed and uniformly applied during the operation.
3. The detail supervisor will ensure that proper assistance is available to any suspect that may request an independent blood test pursuant to Section 316.1932, Florida Statutes (see Policy 17.06).
4. A driver's effort to avoid a checkpoint is not sufficient to justify the stopping of a vehicle. Probable cause or reasonable suspicion of criminal activity or other traffic related violations must occur in order to warrant the stopping of a vehicle.
5. The detail supervisor and all other personnel and equipment will be in the proper place and ready to proceed before the first subject vehicle is stopped.

D. TRAFFIC DIRECTION

At the scene of a Comprehensive Roadside Safety Checkpoint, traffic will be directed by using appropriate procedures as follows:

1. Barricade and sign placement and any necessary lane closures are to be in accordance with state and/or local transportation department procedures. Florida Department of Transportation's Roadway and Traffic Design Standards manual outlines FDOT's procedures.
2. Comprehensive Roadside Safety Checkpoints will be conducted only when manpower is available to reasonably ensure efficient operation with member and motorist safety first in mind.
3. Uniformed members and official vehicles will be in sufficient quantity and visibility to show the presence of legal authority.

E. PRESENCE OF SUPERVISION

A detail supervisor will be designated by the Troop Commander and will be present on the scene to oversee operations. Should it be necessary for the detail supervisor to leave the scene, another supervisor will be designated by the detail supervisor.

F. PUBLIC RELATIONS

It is important for members conducting the checkpoint to be extremely courteous to motorists to minimize any inconvenience or displeasure that they may experience from this operation.

G. INSPECTION PROCEDURES

The checking procedure will be thorough but with a minimum delay to motorists:

1. Unless the driver's license check is a designated part of the safety check procedure, members are not to request to see a driver's license. However, if the driver offers the license to a member it may be reviewed. A driver's license that appears valid on its face will be considered as prima facie proof that the driver is in compliance with the Florida driver licensing laws.
2. If the driver is also the owner or registrant of the vehicle, as shown by a comparison of the vehicle registration certificate with the operator's license, the member may require the driver to display proof-of-insurance which shall include a uniform proof-of-insurance card, a valid insurance policy, insurance policy binder or a certificate of insurance (proof-of-self insurance).
3. License plates will be inspected to determine whether they are current.
4. A check of FCIC/NCIC and the Department driver's license files will not be made unless the member has reasonable grounds to believe that a violation has been or is being committed.
5. If the member has at least reasonable suspicion that a driver is in violation of the law, the driver will be directed to a secondary screening area and appropriate enforcement action will be taken. Vehicle registration and proof of insurance shall be required.
6. Any case arising from use of the authority afforded by the statutes will be judged on its own merit. If the member detects a violation or acquires probable cause to believe an offense has been committed or observes contraband in plain sight, appropriate enforcement action will be taken.
7. The member will listen for speech difficulties and look for any other signs that might indicate driver impairment such as bloodshot eyes, the odor of alcoholic beverages and lack of coordination.
8. The member or an assisting member should observe the vehicle for any equipment violations.
9. Traffic shall not be allowed to accumulate. If traffic congestion occurs and a significant delay to motorists results, vehicles should be allowed to proceed through without checking until the congestion is cleared. All traffic congestion which results in allowing vehicles to proceed without checking, shall be documented in the roadside safety check After Action Report.

H. ASSISTANCE BY OTHER AGENCIES

Prior to the implementation of a Comprehensive Roadside Safety Checkpoint, the Troop Commander or his designee should notify appropriate local law enforcement agencies of the planned operation and invite them to participate. Only local agencies having jurisdiction or a Mutual aid agreement that provides its officers with jurisdiction at the checkpoint location should be invited to participate.

Any local law enforcement agency who wishes to assist the FHP in a Comprehensive Roadside Safety Checkpoint will be required to adhere to this policy.

I. POST-DETAIL REQUIREMENTS

At the conclusion of the detail, the command officer will complete a Comprehensive Roadside Safety Check After Action Report, and submit it through the chain of command to the appropriate Chief of Patrol Operations for review.

DIVISION OF FLORIDA HIGHWAY PATROL
ROADSIDE SAFETY CHECKPOINT
OPERATIONAL PLAN
FORMAT AND PROCEDURES

PURPOSE:

The Division of Florida Highway Patrol (FHP) is committed to promoting safety for motorists using the public highways and to provide a deterrent for those who violate laws which regulate and control motor vehicle traffic. Comprehensive Roadside Safety Checkpoints may be used to enforce Sections 316.215(1) and 316.610, "Safety of vehicle; inspection," 316.193, Florida Statutes, "Driving Under the Influence; penalties", 316.646, Florida Statutes, "Security Required; Proof of Security and Display Thereof; Dismissal of Cases," and Chapters 320, Florida Statutes, "Motor Vehicle Licenses" and 322, Florida Statutes, "Drivers' Licenses."

OBJECTIVES:

To provide guidelines for the use of Comprehensive Roadside Safety Checkpoints as part of a continuing, systematic and assertive enforcement program to identify persons who are operating a motor vehicle while under the influence of alcohol or drugs. The objective of this operational plan is to identify a specific method to quickly and safely slow motorists as they approach a safety check point for the purpose of stopping each motorist at a safe location to perform a safety check. (A safety check consists of the member noting signs of impairment and observing for equipment violations, tag and license violations, and verifying vehicle owner/operator insurance requirements.)

This plan will also determine the appropriate technique for directing a suspect driver who exhibits evidence of impairment or other violations from the flow of traffic to a safe and nearby location, where further investigation may continue.

Finally, this plan will specify the appropriate action for traffic violators, such as:

- * release (with or without a citation)
- * arrest

ADDENDUM 17.08 - 1

POLICY 17.08 - 7

OPERATION:

Date: _____, Public Affairs Officer, has notified media of a planned "Comprehensive Roadside Safety Checkpoint" to show law enforcement will be out in force. (Exact time and location of checkpoint will not be given.)

Date/Time: _____ Detail members report to classroom (specify location and who will conduct the briefing) for briefing.

Date/Time: _____ An FHP supervisor (identify) will be assigned to coordinate with the Florida Department of Transportation or appropriate county or municipal department, the placing of adequate lighting and traffic control devices. The site should be recorded on video film for classroom critique after completion of the operation. This same supervisor will also be responsible for securing the detail when concluded.

Date/Time: _____ Representatives of the Florida Department of Transportation or appropriate county or municipal department arrive at the designated briefing site and are escorted to checkpoint location by (name here) to assist setting up lighting and traffic control devices.

Date/Time: _____ Trooper (Name) picks up BATMOBILE with the designated equipment and responds to checkpoint prior to the operation.

Date/Time: _____ Trooper (name) and Trooper (Name) designated as transportation and booking members bring arrest reports and DUI processing packets to command post with any other appropriate paperwork required for booking prisoners.

Date/Time: _____ Roadblock begins.

Date/Time: _____ Roadblock concludes and all members return to designated briefing site for debriefing by _____

ASSIGNMENTS:

Command Officer:

Name: _____

Roadblock Supervisors:

Staging Area:

Name: _____

Alternate Name: _____

Checkpoint:

Name: _____

Alternate Name: _____

Checkpoint Line Officers:

(Direction)

(Direction)

Vehicle Inventory Officer (VIO):

Name: _____

Name: _____

Data Collection Officer(s):

Name: _____

Name: _____

Transportation Booking Officers:

Name: _____

Name: _____

Name: _____

Observation Post Officers:

Name: _____

Name: _____

Name: _____

Staging Area Security Officer:

Name: _____

Name: _____

JOB DESCRIPTIONS:

Command Officer:

The lead member of a supervisory rank, designated to coordinate all checkpoint activities, including briefing, debriefing, staffing, operations, and overall supervision. The command member is additionally responsible for ensuring the safety of motorists and members participating in the checkpoint operation.

Checkpoint Supervisors:

Staging Area - The designated supervisor will ensure the smooth operation of staging area and work with checkpoint supervisor to ensure a smooth transition from checkpoint to staging area.

Checkpoint - The designated supervisor will ensure the smooth operation of checkpoint and work with staging area to ensure smooth transition from checkpoint to staging area.

Checkpoint Line Officers (CLO) - CLOs will be responsible for stopping all vehicles at the designated "stop area," checking for signs of intoxication and other traffic violations.

Unless the driver's license check is a designated part of the safety check procedure, members are not to request to see a driver's license. However, if the driver offers the license to a member it may be reviewed. During this initial contact, a driver license that appears to be valid on its face will be considered as such and no computer check will be made.

The following introduction and follow-up statement should be given to each motorist by the CLO:

"Good afternoon [evening], I am Trooper _____ of the Florida Highway Patrol. This is a sobriety checkpoint

The CLO may take enforcement action on any violation of law which he may personally observe. If an impaired driver is detected, the line member will be responsible for the arrest procedures (i.e. video and report).

When a violation is detected, the line member will direct the suspect's vehicle to the staging area and notify the communications center of the stop. Further investigation consisting of the standardized processing requirements for the appropriate offense shall be conducted at the staging area. In the case of a DUI suspect, when probable cause exists to believe that the driver has committed the offense of DUI, the driver will not be allowed to continue operating the vehicle. The driver will be secured and processed in accordance with Florida law and local procedures for DUI offenders.

Vehicle Inventory & Tow Officer (VIO):

The VIO will be responsible for securing arrested person's vehicles. The VIO will ensure that a proper inventory is completed and the vehicle is towed from the staging area. The VIO is also responsible for placing a tow sheet with any arrested person's property and arrest package.

Intoxilyzer Operator:

(Specify procedure for administering the breath test.)

Data Collection Officer (DCO):

The DCO shall be responsible for recording the number of vehicles which pass through the checkpoint, the number of vehicles stopped, the average length of delay, and violations committed, including arrests, written warnings and faulty equipment notices.

Transportation/Booking Officer:

(Specify procedures/duties of the TBO.)

Observation Post Officer (OPO):

These members will be stationed in marked cars with blue light activated prior to the entrance of the checkpoint. The OPO will act as an additional safeguard for the security and safety of the Comprehensive Roadside Safety Checkpoints by increasing the awareness of motorists approaching the checkpoint. The OPO members will stop only those persons who commit a violation while attempting to avoid the safety check. If the OPO has probable cause to

believe that a violation has been committed such as an illegal U-turn, or a reasonable suspicion of criminal activity, such as driving under the influence, the OPO may stop a vehicle. A driver's efforts to avoid the checkpoint alone are not sufficient to justify the stopping of a vehicle unless other acts are present which support probable cause or reasonable suspicion of criminal activity. However, the OPO may pursue and stop drivers who fail to stop for a member on the line.

Staging Area Security Officer (SASO):

The SASO is responsible for searching all arrested persons for weapons and to provide back-up to any member who may experience an unruly prisoner. The SASO is also responsible for the smooth and safe operation of the "staging area."

The SASO will be responsible for handcuffing all persons immediately after arrest and will be sure to have on hand as many flex-cuffs as necessary.

At no time will this member leave the staging area unless relieved by an alternate SASO.

EQUIPMENT:

- ___ Mobile Command (BATMOBILE)
- ___ Quartz flood lights and generator (DOT)
- ___ Marked patrol units
- ___ Video camera
- ___ VHS cassette tapes
- ___ Flashlight batteries
- ___ DUI Checkpoint Signs
- ___ **Specify any other required equipment**

MANPOWER:

(Specify all assigned manpower, for example)

- ___ Troopers
- ___ Additional Uniformed Officers (other agencies or FHPA)
- ___ Supervisors

CONTINGENCY PLAN:

The operational plan should include a contingency plan for situations that may alter the checkpoint operation, for example; should traffic not be adequate for an effective operation on a multi-laned roadway, the checkpoint will be reduced to one lane in either direction, and four (4) members will resume patrol duties concentrating on DUI enforcement.

ALTERNATE SCHEDULING DATE:

In case of inclement weather the checkpoint will be held on _____.

AFTER ACTION REPORT/CRITIQUE:

Upon conclusion of the roadside safety check, a written report will be forwarded to the appropriate Chief of Patrol Operations containing statistics, an evaluation of the operation and recommendations for future operations. As a minimum, the following information will be gathered during the checkpoint operation:

- Date/Location of checkpoint.
- Checkpoint evaluation.
- Recommendation(s) regarding future operations.
- Delay Periods (number of occurrences and delay time).
- Number of motorists stopped.
- Number of vehicles waived through checkpoint.
- Number of arrests by offense.
- Number of written warnings.
- Number of faulty equipment notices.
- Copy of press releases.
- A list of media outlets notified prior to checkpoint.

Note: The operational plan and all related documents shall be filed in a checkpoint notebook and retained for four years from date of the operation. The notebook shall be identified by troop, date and location of checkpoint.

ROADSIDE SAFETY CHECKPOINT REVIEW:

Approved Date: _____ Disapproved Date: _____

Troop Commander

