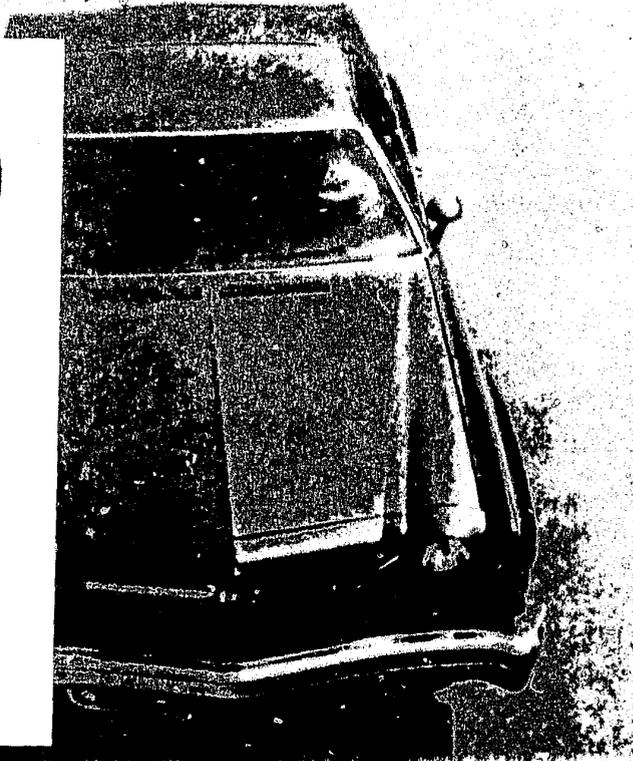


POLICE CONDUCT



46583



Every police officer, in the course of his duties, serves a variety of citizens from many walks of life. Among them are the affluent and the destitute, the executive and the homemaker—people of all persuasions. Each person the officer encounters responds to a given situation on the basis of his or her distinct personality, prejudices, interests, and immediate disposition.

Likewise, as police officers, our reaction to situations is determined by our feelings at any particular moment. Too often, we become the unfortunate victims of our own preconceptions when we fail to approach our daily confrontations objectively. Obviously, we must guard against allowing personal feelings to interfere in our encounters with the public and shape our public contacts to minimize misunderstanding and to maximize good will. Each positive interaction

FBI Law Enforcement Bulletin

V. 40, No. 8, Aug. 1977

The Traffic Officer and the Motor Vehicle Violator

By

CAPT. RODNEY L. VARNEY
Director of Training
Stamford Police Department
Stamford, Conn.

between the police and the public becomes a plus for us.

Consequently, public relations, which for our purposes can be defined as all activity that fosters community feelings favorable to the police department, is a most important police resource.

"[P]ublic relations . . . is a most important police resource."

Police work, primarily, is a service, and our mission has been universally geared toward the protection of life and property, the prevention of crime, and the apprehension of offenders. As police officers, we are charged with the awesome responsibilities of safeguarding human rights. As representatives of the people in our community, we are committed to protect their safety and well-being. The



term "public servant" strongly applies to our mode of service.

Since very many encounters with the public occur in the course of investigations of traffic violations, it is the traffic officer who becomes the most prominent public relations agent of any department. His is a law enforcement function demanding thoughtful consideration.

With this in mind, let us examine this important police operation, which as a matter of convenience we have separated into four specific stages: The stop, encounter, interview, and departure.

The Stop

Great care should be exercised when a violation is observed and an offender pursued. Taking into account weather, road, and traffic conditions and the

speed and direction of the violator's travel, the officer must avoid committing traffic violations himself which would endanger the public. The officer, as well as the violator, is judged by observers during a pursuit.

"The officer, as well as the violator, is judged by observers during a pursuit."

In preparing to stop a vehicle, the officer should seek a location that will not place the offender, himself, or other motorists in danger. It is desirable to attempt to stop the motorist as soon as possible after the violation has occurred. Two important reasons for this are: First, so that the violation will be fresh in the offender's mind, and second, so that he will have no doubt as to the reason for the stop. When stopping a vehicle at night, it is advantageous to locate a well-lighted area: the illumination will afford protection against any act of violence the offender may be capable of committing and will provide ample visibility for carrying on the interview. During business hours, detaining violators in private parking areas or those of commercial establishments should be avoided.

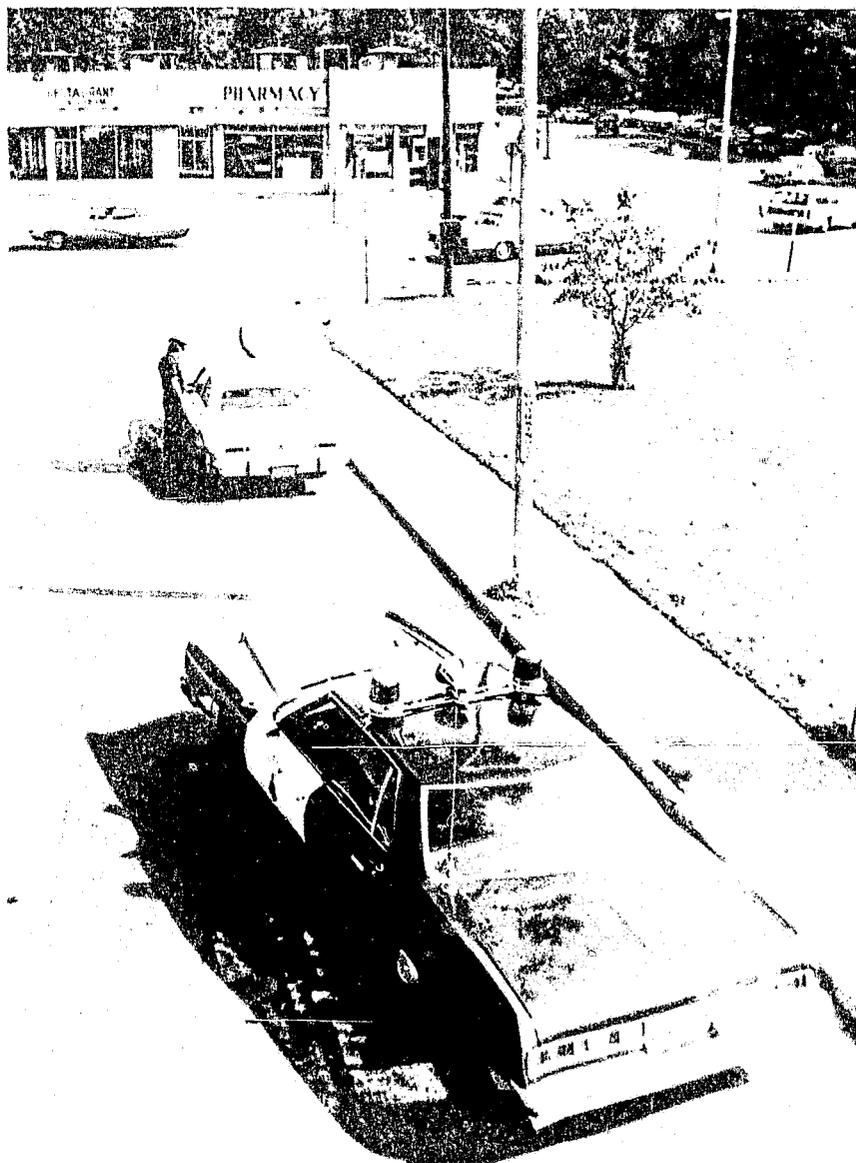
The officer can alert the driver to his intentions of stopping him by sounding the horn and making exaggerated motions with his hand. At night, sounding the horn and blinking the headlights should suffice to gain his attention. Ordinarily, the use of the siren and overhead red lights in this situation should be avoided; too often, they draw unwarranted attention to or incense the driver. Also, the use of the siren could panic the driver who might lose control of his vehicle, overreact by stopping suddenly in traffic, or even try to escape. Only on a major highway, with traffic moving rapidly, is the use of the overhead lights suggested, because there

not only the violator must be alerted, but other traffic as well. Of course, if the violator refuses to stop or cannot be made aware of the officer's intentions through desired procedures, the application of the siren and red lights becomes a last resort measure. It should be remembered that the violator may not be aware that he has committed an offense or may not understand the officer's motives for the stop. He may be preoccupied with

his car radio, engrossed in conversation with his passengers, or lost in thought.

Being alert for anything out of the ordinary is very important at this time. As mentioned earlier, some drivers may panic and stop suddenly. Drunken drivers have poor reaction time and may continue to weave about the highway. Being prepared and allowing sufficient space between the patrol vehicle and that of the violator

Figure 1.



is required so that the officer can make whatever adjustments circumstances require.

Because many municipal roadways are too narrow to permit moving to the left side of a violator's automobile, the suggested procedure is to drive the patrol car directly behind that of the violator. This maneuver denies the offender the opportunity of moving to the right and attempting to flee or cutting to the left, forcing the patrol vehicle into the oncoming lane of traffic.

After the motorist has stopped his automobile, the patrol vehicle should halt about 2 feet to the left and approximately one car length behind the stopped vehicle. Some departments suggest that the patrol car stop to the rear of the car at an angle, with its wheels turned to the extreme right. (See fig. 2.) This positioning offers the dual advantage of providing protection against the flow of traffic for the merging officer and affording some cover should the violator be armed and fire at the officer. Additionally, the angle and distance between the patrol car and the violator's vehicle could prevent injury to the officer should a passing motorist strike the patrol car while the interview is being conducted.

The use of the overhead lights after the violator has been stopped, of course, depends upon many factors. The location of the stop (near a curve or crest of a hill) and the lighting in the area, as well as traffic, road, and weather conditions, must be considered. The safety of the officer, the violator, and other motorists is the prime concern.

The Encounter

One of the most critical stages in any traffic violation situation is the encounter. It is suggested that the officer compose himself and decide a course of action before confronting the viola-



Figure 2.

tor. The course may assuredly be altered after he has discovered additional facts related to the violation, but he should be prepared beforehand. The plan of enforcement action—verbal or written warning, a summons, or arrest—should be formulated. The officer is dealing with an unknown quantity—a human being—a person capable of any reaction, and he must exercise care. For this reason, complete self-control, although sometimes difficult after a chase is imperative.

“The officer is dealing with an unknown quantity—a human being—a person capable of any reaction, and he must exercise care.”

Each violation is to be evaluated objectively. The violator himself may be involved in some sort of emergency, and the officer can never permit personal feelings to unfairly influence his

conduct. The violator, like everyone else, has a unique personality. He may be meek and submissive or antagonistic and aggressive. Self-control provides an obvious advantage.

After the violator has been stopped, but before emerging from the patrol car, the officer should:

- (1) Review the elements of the violation in his mind in order to articulate these elements to the violator and evaluate the course of action.
- (2) Request a National Crime Information Center (NCIC) check regarding the car, including description and license registration number, and notify the dispatcher of his location.
- (3) Check that all needed equipment is ready and in his possession.

Upon receiving a response to the NCIC inquiry, the officer should approach the violator's car cautiously, being prepared for any sudden movements inside the car and alert to any passengers. The officer is extremely vulnerable to attack at this time. When approaching the driver, he should position himself to the rear of the violator's car door, forcing the driver to look over his left shoulder when conversing. This maneuver, to the officer's advantage, places the driver in a relatively awkward position. (See fig. 2.) In addition, the officer should watch the offender's hands and be prepared for any sudden moves he might make. It is important that the officer never lean into the car window or place his hands where the driver can grab them. Aside from the safety factor, such tactics are unprofessional and tend to antagonize the driver.

The Interview

The interview is the most important phase of traffic violation investi-

"The interview is the most important phase of traffic violation investigation and will usually determine the success or failure of the enforcement action."

gation and will usually determine the success or failure of the enforcement action. Greeting the violator in a courteous and pleasant manner is essential. The violator-officer relationship should be handled with as little friction as possible. A pleasant smile and attitude are most disarming and place the violator at ease. Use of polite terms, such as "Good day, Sir (or Madam)," "thank you," "please," and "may I," is important. After learning the violator's name, he should be addressed accordingly. Courtesy involves more than mere words. The of-

ficer should avoid actions which might inflame the violator, such as leaning onto the hood of his car or placing his foot on the bumper. Gestures which might draw attention to the violator from passing motorists or pedestrians should likewise be avoided. Never belittle the driver in the presence of passengers or members of his family.



Chief Victor I. Cizanckas

The astute officer will announce immediately what violation the motorist has committed and state his intentions. This tactic minimizes bickering and lessens the possibilities for debate and argument. He will request the violator's operator's license and registration and leave the car as soon as he receives them. His departure reduces the motorist's opportunity for argument. Also, when asking for the driver's documents, he will be certain they are relinquished separately. A license case should be accepted with the officer's weak hand; the strong hand being left free in case it's needed quickly. Should the violator reach into the glove compartment, a most accessible place for weapons or contraband, the officer must be alert.

On returning to his vehicle, the officer should write the summons or

warning. Many departments require patrol officers to call the dispatcher with the information for warrant and suspension checks. This summons will bear mute testimony to the officer's intelligence and should be completed clearly, legibly, and correctly. Violators may take pleasure in displaying poorly written citations to their friends in support of their belief that policemen are incompetent. The summons should be completed as quickly as possible, for unwarranted delay serves as additional provocation for the violator.

It is not generally considered advisable to have the violator join the officer in his patrol car. Contacts with him should be kept to a minimum.

When returning the summons to the driver, the officer should offer the violator whatever advice is necessary and explain what is expected of him. Orally identifying each document as it is returned tends to lessen the possibility of any charges being made against the officer, if the offender misplaces or loses them following the exchange.

If the motorist insists upon arguing, the officer should allow him to state his position. Regardless of how the officer may feel about the violation, he will listen attentively and sympathetically. The officer cannot permit irritating or abusive remarks to influence his decisions; "throwing the book" at a violator serves no worthwhile purpose. The mark of a professional requires that he do his job without prejudice or vindictiveness.

"The mark of a professional requires that he do his job without prejudice or vindictiveness."

The Departure

The last phase of this operation, the departure, is also important be-

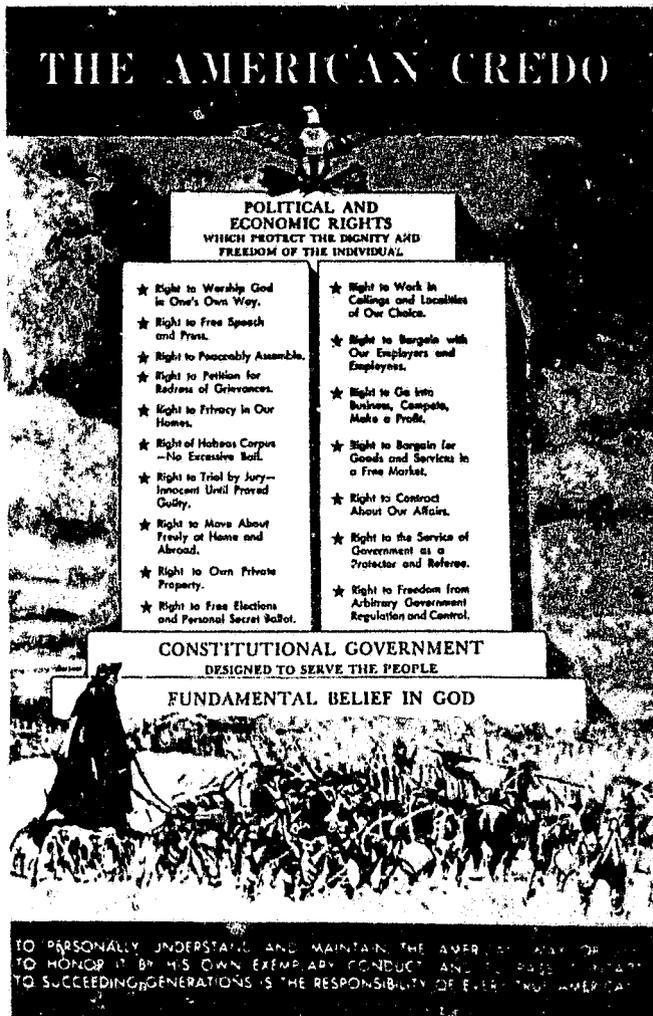
cause it leaves the violator with a lasting impression of the officer. Upon completing the interview and returning the violator's documents, the officer should assist him into the flow of traffic. To prevent the violator's forming the opinion that the officer

is harassing him, the officer should delay his departure from the scene. The motorist should be allowed to proceed normally on his way until he is out of sight, and then, the officer can resume patrol.

Law enforcement agencies have

been charged with the responsibility of enforcing the law, and that, by definition, can be restrictive and repressive. But, the task will be easier if we maintain law and order through willing compliance, rather than through the powers of our office. TFM

Foundation Honors Bulletin



VALLEY FORGE HONOR CERTIFICATE

BE IT KNOWN THAT

FEDERAL BUREAU OF INVESTIGATION

IS AWARDED THIS HONOR CERTIFICATE

GOVERNMENTAL UNIT ACTIVITIES

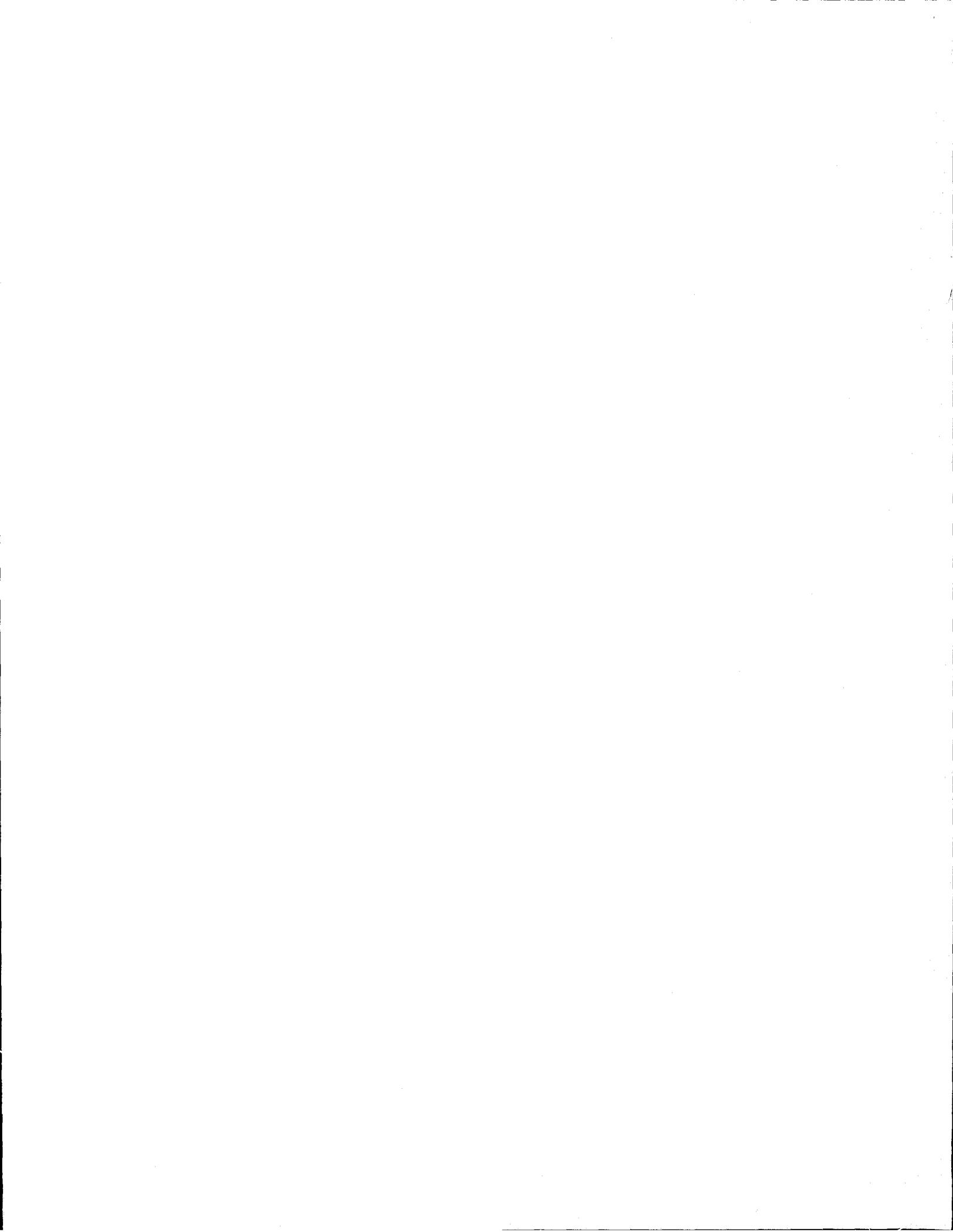
1976

*AN OUTSTANDING ACHIEVEMENT IN BRINGING
ABOUT A BETTER UNDERSTANDING OF
THE AMERICAN WAY OF LIFE.*

WASHINGTON'S BIRTHDAY - 1977

**FREEDOMS FOUNDATION
AT VALLEY FORGE**

In ceremonies at Washington, D.C., on June 7, 1977, the FBI Law Enforcement Bulletin was presented the above honor certificate by the Freedoms Foundation at Valley Forge, Pa. In 1969, the Bulletin was similarly honored.



END