

Officer/Traffic Violator Relations

506.1 POLICY

Agency Content

Traffic violation enforcement is one of the many routine tasks performed by police officers, but for violators it can be an emotional and traumatic experience. The purpose of this policy is to establish procedures that should assist officers in dealing with the traffic violator.

The Syracuse Police Department strives to have every officer make the contact courteous, informative and safe, leaving with the traffic violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

506.2 GENERAL GUIDELINES

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Once the officer has stopped the violator and approached to a point where communications begin, the officer/traffic violator relations begin.

- (a) Be alert for the unexpected, but do not be obviously apprehensive.
- (b) Be absolutely certain your observations of the traffic violation were accurate and without reservation.
- (c) Present a professional image in dress, grooming, language, bearing, and emotional stability.
- (d) Be prepared for the contact by having the necessary equipment and forms immediately available.
- (e) Decide on an appropriate enforcement action based upon the violator's driving behavior, not their attitude.

506.3 OPERATION GUIDELINES

Agency Content

Generally, officers are expected to adhere to the following format known as Tactical Communication: "The Tactical 8 Steps" when dealing with every traffic violator. Note: These steps should be adhered to whenever feasible and without compromising officer safety.

Step 1: The Greeting.

- (a) The greeting consists of "Good morning/afternoon/evening (depending on the time of day) Sir or Ma'am".

Step 2: Identify yourself and the Department.

- (a) The greeting is immediately followed by identifying yourself and your Department. By giving the violator your name as it personalizes the encounter, making it more difficult for the violator to be disrespectful and/or confrontational.

Step 3: Reason for the Stop.

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- (a) Tell the violator your reason for stopping them. By explaining to the violator the reason for stopping them, you alleviate speculation on their part and establish the fact that the stop was based on the violation of law and not just an arbitrary act.

Step 4: Ask for a Justified Reason for the Violation.

- (a) Ask the violator if there was a justifiable reason for them committing the violation for which you stopped them. This places the burden on the violator and gives them an opportunity to explain what actually may be a justified reason. Additionally, the statement(s) the violator makes may be of some use in court.
 - 1. The following is an example of what using the first four steps would sound like: “Good morning sir, I am Officer Smith of the Syracuse Police Department. I stopped you for failing to stop at the stop sign at Park St. & Pond St. Is there any justifiable reason why you failed to stop?”
 - 2. The initial engagement is quick, efficient, and sounds professional.

Step 5: Ask the Violator for their Driver’s License.

- (a) Ask the violator for their driver’s license. Remember to maintain safe tactics by watching the violator’s hands and movements. This may necessitate asking the violator where their driver’s license is before they retrieve it.
 - 1. If the driver has no driver’s license, attempt to obtain another legal document of identification to supplement any citations, etc. tendered.

Step 6: Ask the Violator for Proof of Insurance.

- (a) After receiving all of the necessary documents, tell the violator something such as “I will need to evaluate these items. For your safety and mine, please remain in your vehicle.” This lets the violator know what you are doing and makes it clear and precise as to where you want them to remain. Return to your patrol vehicle, complete your computer checks and make your decision on what action to take.

Step 7: Decision of action- Issue a verbal warning, Issue a citation, or make a custodial arrest.

- (a) Unless tactically unsound, return to the violator’s vehicle and inform the violator of your decision to either give them a verbal warning or issue a citation. If your decision, based on your investigation, is to make a custodial arrest, request an additional unit before re-approaching the violator vehicle. After the additional unit has arrived proceed tactically.

Step 8: Closure- Effectively Disengage.

- (a) An effective disengagement will dramatically enhance your professionalism and safety. There is no benefit to making sarcastic comments when disengaging, while there is benefit from making a statement such as, “Please drive carefully”, or “Please drive carefully, your safety is important to us”.
- (b) In addition to the above contact and decision making guidelines an officer can beneficially enhance the contact with a traffic violator by taking the time to do the following:

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1. Allowing the driver to discuss the violation and answering any questions they may have;
2. Not arguing, berating, belittling, or otherwise verbally abusing the violator;
3. Explaining to the violator exactly what he/she is supposed to do in response to the verbal warning or issued citation and how it will affect him/her;
 - (a) If the enforcement action requires a court appearance, make sure the violator knows where and when to appear;
 - (b) Explain any alternatives to the violator, but do not predict the actions of the court.
4. Return the violator's driver's license, proof of insurance, and give the violator his/her copy of the citation;
5. Be alert to any emotional stress exhibited by the violator. If stress is noticed, you may need to address the following before letting the violator resume driving:
 - (a) Your instructions may have to be repeated;
 - (b) You may need to calm the violator down.
6. Assist the violator in safely re-entering the traffic flow;
7. Do not follow the violator; but rather wait until the motorist has pulled away, and then turn off of his/her path as soon as practical.