

	LOWER MERION TOWNSHIP POLICE DEPARTMENT Ardmore, Pennsylvania	
	Policy 3.7.7	
Subject:		Distribution:
Sobriety Checkpoint		All Sworn Personnel
Date of Issue:	Expiration Date:	Rescinds:
06-01-2014	Until Amended or Rescinded	Directive: 99-76
References:		
CALEA: N/A; PLEAC: N/A		
By Authority of:		
		Superintendent of Police

PURPOSE

The purpose of this policy is to establish procedures and guidelines for conducting sobriety checkpoints.

POLICY

It is the policy of this department to decrease the number of Driving Under the Influence (DUI) related incidents on our roadways by utilizing sobriety checkpoints with the goal to decrease deaths, injuries, and property damage caused by DUI offenders. Sobriety checkpoints are designed to make the potential DUI violator aware that they are likely to be arrested for DUI even if they do not exhibit obvious impairment in their driving performance.

DEFINITIONS

A. Sobriety Checkpoint: A procedure, wherein police officers utilize a systematic method for stopping vehicles at selected locations, designed to gain maximum visibility to the potential driving under the influence population and to generate DUI arrests, by brief observation of drivers for articulable facts and /or behaviors associated with driving under the influence violators.

PROCEDURE

A. OPERATIONAL REQUIREMENTS

1. Site location and selection: Sites utilized as sobriety checkpoints shall be authorized by the Superintendent of Police, or his designee. Selection of sites shall be based on the following criteria:
2. Areas which are within a close proximity to one of the following:

- a. Locations that are on updated site lists provided by the Pennsylvania Department of Transportation. This data shall be based on driving under the influence DUI related crash reports.
- b. Locations that are selected from data gathered and compiled by the Traffic Safety Unit. This data shall be from any source which identifies a particular location as having high incidence of DUI related activity.
- c. Sites which offer maximum visibility from both directions of travel, and sufficient illumination including streetlights, headlights, roof-mounted lights, flares and/or artificial lighting.
- d. Sites that have a low to medium traffic flow during time periods when checkpoints will be operational. When electing to stop traffic in one direction only, the site selection should be made with provisions for attempting to slow traffic in the opposite direction.
- e. Sites selected should permit the safe stopping of traffic in the traffic lane for preliminary observation of the drivers.
- f. Site locations should have sufficient adjoining space available off the traveled portion of the roadway when reasonable suspicion of DUI or other violation has been developed, where additional inquiries, including Standard Field Sobriety Tests may be safely conducted.
- g. Site selections should include alternate sites should safety considerations or situations arise at the time of the proposed operation of the checkpoint. Safety considerations might include circumstances such as extremely heavy traffic due to an unforeseen event or major accident, etc. at or near the checkpoint.
- h. The Superintendent of Police, or his designee, based on the same criteria, as the site selection shall authorize day and time of checkpoint operation.
- i. All personnel shall be in uniform and wear a traffic vest.

B. OPERATIONAL GUIDELINES - Check Point Supervisor

1. Each checkpoint shall be established under the direction and control of a checkpoint supervisor. The supervisor shall actively participate in the sobriety checkpoint. The supervisor shall be responsible for the advance preparation, including, but not limited to the following:
 - a. Notification of news media for advance publicity and notification to the general and motoring public of the intended checkpoint operation. Specific information as to time and location of the checkpoint location are not required.

- b. Preparation of a comprehensive operational plan which includes all procedures to be followed in conducting the checkpoint.
- c. Organize and conduct a pre-deployment and post-deployment briefing of personnel.
- d. Oversee the overall operation of the checkpoint operation. Periodically checking each officer to insure that the participants are conducting the checkpoint in a safe and expedient manner. Being mindful that safety for the motorist and participants is the primary responsibility.
- e. Be available to answer questions concerning operational policy and procedures from participants, and questions that might be posed by inquisitive motorists.

C. OPERATIONAL PROCEDURES

1. The following procedures have been established to help ensure the safe and successful operation of a sobriety checkpoint, in compliance with guidelines established by both the Federal and Pennsylvania courts:
2. Prior to the pre-deployment briefing, the Superintendent of Police or his designee shall provide the checkpoint supervisor with the following information.
 - a. The authorized location of the site(s) and alternate site(s).
 - b. The articulable and systematic method to be used for stopping vehicles.
 - c. The time frame for the operation of the checkpoint(s).
3. The checkpoint supervisor shall conduct a pre-deployment briefing with the participating officers. This briefing shall include the dissemination of the following information:
 - a. The location of the site(s) and alternate site(s).
 - b. The articulable and systematic method to be used for stopping vehicles.
 - c. A review of the overall operational plan.
 - d. Specific duty assignments of each participating officer.
 - e. Proper procedures, stressing safety and courtesy to the public.
4. Ideally all vehicles approaching the checkpoint should be stopped. However, any articulable, systematic method for stopping vehicles may be used, e.g. stopping

every fifth vehicle. The predetermined method shall not be abandoned or modified by participating officers. In the post checkpoint report the supervisor shall note the method of stopping. Any change from the predetermined method shall be justified and documented by the supervisor.

5. If a backup of traffic occurs during the operation of the checkpoint, activity shall immediately cease, allowing traffic to proceed through the checkpoint until the congestion is relieved.
6. No physical searches of the driver, vehicle or occupants should occur at the initial stop area without probable cause.
7. If the officer observes articulable signs and behavior which is normally associated with a driver that has consumed alcohol or controlled substances, or any other traffic/criminal violation has been observed, then further investigation will be conducted. The operator will be instructed to pull his/her vehicle to the secondary testing area, where additional information will be sought and gathered.
8. In the event that probable cause to arrest a motorist is determined in the secondary testing area, from this point on, normal investigation/arrest procedures will be used (the officer who originally screens the driver should be the same officer that conducts the additional inquiry, arrests and transports the suspected DUI offender). Drivers who are not arrested after completing the field sobriety tests and/or preliminary breath tests shall be safely sent on their way.

RESPONSIBILITY

It is the responsibility of all supervisory personnel to ensure that all personnel under their immediate supervision comply with this policy.