

BETHLEHEM POLICE DEPARTMENT GENERAL ORDERS

**SUBJECT: TRAFFIC STOPS BY MARKED AND UNMARKED CRUISERS**

CALEA STD. REF.

AMENDS/SUPERSEDES:

REVISED:

EFFECTIVE DATE:9/2007

APPROVED:9/2007

**NOTE:** In any civil action against any individual, agency or governmental entity, including the State of New Hampshire, arising out of the conduct of a law enforcement officer having the powers of a peace officer, standards of conduct embodied in policies, procedures, rules, regulations, codes of conduct, orders or other directives of a State, County or local law enforcement agency shall not be admissible to establish negligence when such standards of conduct are higher than the standard of care which would otherwise have been applicable in such action under State law. (RSA 516:36).

---

**INDEX WORDS:** Marked cars; Unmarked Cars

**I. PURPOSE:**

1. The purpose of this policy is to set forth uniform standards for safe and efficient handling of motor vehicle stops, utilizing professional and courteous treatment of motorists. It is also designed to address concerns involving stopping a lone motorists at night.

**II. DISCUSSION:**

- A. This policy is designed to give guidance and direction to members of the department, and to remind us that no motor vehicle stop should be looked upon as commonplace or routine.

**III. STOPS BY MARKED VEHICLES**

- A. When an officer initiates a motor vehicle stop, s/he shall make every effort to ensure that s/he is recognized as a Police Officer by following the regulations and policies regarding the wearing of the uniform.

- B. When an officer has reasonable suspicion to stop a vehicle, the officer shall take into consideration the road and weather conditions, terrain, lighting, traffic, and the nature of the violation, and attempt to pick the safest available spot for the officer and the motorist, consistent with the need for prompt action. S/he should also attempt to choose a location that will afford both the driver and the officer a sense of safety.
- C. Except in the case of a felony takedown stop, when stopping a motorist and upon approaching the vehicle, the officer will (a) give a greeting, (b) introduce himself/herself, (c) give the reason for the stop (or, in the alternative, ask the motorist if they realized why they were being stopped and if they do not demonstrate that they understand, give the reason), (d) politely ask if the motorist has any excuse or justification for the violation, and (e) request license and registration, IN THAT ORDER.
- D. Should the motorist express concern for his/her safety due to the location of the stop or other valid reason (a female alone, someone carrying a large amount of cash, etc.), the motorist shall be advised that a second uniformed officer will be called to the scene and that no further action will take place until that officer arrives.

#### **IV. STOPS BY UNMARKED VEHICLES**

- A. The BPD does not authorize stops in unmarked cruisers or POVs in any circumstance.

#### **V. OTHER PROVISIONS**

- A. It is recognized that, like the force continuum, a fluid situation confronting an officer may change, and it may be impossible to follow the steps outlined above because of a danger that arises to the safety of persons or property, aggressive action on the part of the motorist, flight, the failure of the motorist to comply despite excessive repetition of instructions by the officer, or revised priorities such as the receipt of an emergency dispatch. Officers will be expected to use their common sense to determine if these circumstances exist.

B. All officers are reminded that a member of the Police Department is expected to maintain exceptionally high standards of conduct and to act in the courteous manner that is expected of members of our profession.