



# ACTON POLICE DEPARTMENT

DEPARTMENT MANUAL; P&P: Traffic		
POLICY & PROCEDURE # 5.10	DATE OF ISSUE: 3/16/2020	EFFECTIVE DATE: 3/23/2020
SUBJECT: Roadside Checkpoints	ISSUING AUTHORITY: Chief Richard Burrows	
REFERENCE(S): Massachusetts Police Accreditation Commission # 61.1.6	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS	

## I. POLICY

A. Roadside safety checks are a temporary operation in which law enforcement or other authorized personnel stop some or all traffic to inspect individual vehicles, or their contents, or to interview drivers. **[61.1.6]**

**Checkpoints** – Locations selected for conducting sobriety checkpoints will be determined by the following criteria:

1. Data that pertains to alcohol-related traffic accidents, the frequency of impaired driving arrests, and the incidents of injurious accidents based on location, time of day, and day of the week.
2. Physical considerations of the site selected for the sobriety checkpoint in order to accommodate a safe approach and stopping area for motorists and officers.
3. Availability of nearby legal parking for the vehicles of arrested motorists.

B. Each sobriety checkpoint must be authorized in writing by the Chief of Police and only after a written request for the checkpoint is submitted.

C. A supervisor shall be designated by the Chief of Police to be on scene during the entire time that the sobriety checkpoint is being conducted. This supervisor shall be responsible for the following:

- Adequate vehicles and equipment, including lighting, warning signs, and other necessary available safety devices.
- Prior to conducting the operation, briefing all involved police personnel and news media representatives present regarding the guidelines and purposes of the sobriety checkpoint.
- Providing written instructions for all police personnel involved in the operation.
- Assuring that a sufficient number of uniformed officers shall be present to maintain a safe and efficient operation of the checkpoint.

- Ensuring that adequate records of each operation will be kept. Information to be collected shall include but not be limited to the following:
  - a. Number of vehicles passing through roadblocks.
  - b. Number of vehicles checked (i.e., total vehicles checked)
  - c. Number of vehicles detained for further check (i.e. license and registration etc.).
- D. All vehicular traffic passing through the checkpoint should be stopped. However, if this is not possible or safe, (due to the volume of traffic or unusual delay to motorists) then a pre-established non-biased formula must be used instead (stop every other vehicle, stop every third vehicle, etc.). The application of the formula used by the on-scene supervisor must be flexible enough to adjust to changing traffic conditions and the number of personnel available. In the event that traffic begins to back up, all traffic is to be allowed to pass until the checkpoint is cleared of any congestion. It is not the purpose of the checkpoint to require an unreasonable delay for the motorist.
- E. Contact time for each motorist should be kept to a minimum. Each contact should take a minimum amount of time unless evidence of possible alcohol or drug impairment has been detected.
- F. No enforcement action should be taken other than alcohol/drug-related driving offenses or driving without a driver's license. This should not be construed to mean that officers are to ignore other offenses that, in the interest of public safety, should be investigated.
- G. Officers will advise the motorists contacted of the purpose of the checkpoint and request to see their driver's license. If the officer perceives no evidence of alcohol or drug impairment, the motorists should be allowed to proceed immediately and be assisted in merging safety back into traffic.
- H. Each officer shall maintain a record of the name, driver's license number, and vehicle license number of the motorists he/she contacts. The number of persons contacted will be reported to the on-scene supervisor.
- I. If an officer perceives articulable conditions normally associated with persons driving under the influence of alcohol or drugs, then he/she will detain the motorist for further investigation. If sufficient evidence of intoxication exists, the driver will be arrested. The normal procedures for handling an impaired operator shall be followed.
- J. The sobriety checkpoint shall be maintained for a predetermined period of time by the on-scene supervisor unless other circumstances occur that would warrant its cancellation.
- K. The on-scene supervisor shall prepare a post-action summary of the sobriety checkpoint for the Chief of Police.

## **II. NEWS MEDIA RELATIONS**

A press release notifying the news media of the scheduled sobriety checkpoint will be made well in advance of the operation. The press release will not include the exact location or the time of the sobriety checkpoint. The use of this strategic enforcement tool is intended to be widely publicized in order to serve as a deterrent to persons driving under the influence of alcohol or drugs.

## **ROADSIDE CHECKPOINTS INFORMATION**

**History: Manual I, Section III.**