

Vehicle Checking Stations

507.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to the members of the Montgomery County Sheriff's Office in the establishment of vehicle checking stations, DWI checking stations, and special operation checking stations.

507.2 DEFINITIONS

Standard Vehicle Checking Station: A pre-planned, systematic stopping of vehicles to check motorist for compliance with motor vehicle laws, including driving while impaired.

Impaired Driving Checking Station: A checking station that complies with all of the requirements of state law.

Special Operations Checking Station: A preplanned, systematic stopping of vehicles to survey occupants for the presence of fleeing offenders implicated in the commission of a felony, escape, etc. Offenses related to such checking stations would include, but are not limited to: fatal assaults, assaults involving serious bodily injury, and robberies.

507.3 STANDARDS FOR ALL VEHICLE CHECKING STATIONS

A. The site for every checking station shall be selected with due regard for the safety of motorists, members of the public and the members operating the checking station. Sufficient distance must be provided to allow a motorist traveling at the speed limit to stop his vehicle in a normal manner under the existing conditions. No checking station shall be conducted without at least two uniformed members present and at least one marked patrol car.

B. All checking stations shall be marked by signs and/or activated emergency lights, marked patrol vehicles parked in conspicuous locations, or other ways to assure motorists are aware that an authorized checking station is being conducted. A blue light on at least one patrol vehicle shall be operated at all times.

C. Unless a particular vehicle is being sought, all checking stations shall provide for the stopping of every vehicle. Individual members shall not vary from this plan. The sheriff's office member in charge may allow variance from this requirement if the traffic congestion or other factors are creating a hazard. The member in charge may then authorize all vehicles to pass through the checking station until there is no longer a hazard. When a particular vehicle is being sought, only those vehicles meeting the description may be stopped.

D. Checking stations shall be operated so as to avoid unnecessary delay to motorists and traffic congestion.

E. Adequate area must be available off the traveled portion of the highway to allow for the safety of motorists when enforcement action is taken.

F. Patrol vehicles must be parked to allow access to the highway for pursuit in any direction.

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G. Members must maintain radio contact with the telecommunications center.

H. The use of force and arrests made shall be in accordance with State Law and Departmental Policy.

507.4 STANDARD CHECKING STATIONS

A. A standard checking station should be used to check motorists for compliance with North Carolina motor vehicle laws, including driving while impaired.

B. All standard checking stations must be approved by the Field Services Director, and it is the responsibility of that Field Services Director to determine that a checking station is warranted.

C. During the course of a stop at a checking station, if an deputy determines that there is reasonable suspicion to believe that the driver or other occupant has violated a provision of Chapter 20 or other provision of law, the deputy may detain that driver or occupant for a reasonable period of time in order to investigate further.

507.5 IMPAIRED DRIVING CHECKING STATION

A. For an Impaired Driving Checking Station to be established, the Field Services Director must approve of this type of checking station. The Field Services Director shall select the predetermined time and location of the Impaired Driving Checking Station, the member participants, and solicit assistance from local agencies.

B. The Field Services Director shall ensure that prior to any establishment of an Impaired Driving Checking Station a pre-event meeting be called to cover the procedures associated with the checking station.

C. When an Impaired Driving Checking Station is selected, all of the provisions of must be followed.

D. The driver of any vehicle may be requested to submit to an alcohol screening test if during the stop the deputy determines that the driver had previously consumed or has an open container of alcoholic beverage in the vehicle. The deputy so requesting shall consider the results of any alcohol screening test or the driver's refusal in determining if there is reasonable suspicion to investigate further.

507.6 SPECIAL OPERATIONS CHECKING STATIONS

A. A Shift Supervisor or higher authority must determine that such action is necessary because it may likely result in the apprehension of a suspect who poses a danger to life and property before such checking station is authorized. Members must be satisfied that less obstructive means would not be appropriate.

B. A Special Operations Checking Station may also be utilized to interact with citizens in a specific neighborhood in an effort to solicit information about certain crimes in their area.

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- C. The location, equipment, time and operation of the checking station must be in accordance with policy.
- D. When the suspect sought to be apprehended by the checking station has a hostage in the vehicle or the member reasonably believes a hostage is in the vehicle, the priority shifts from apprehending the suspect to preserving the life of the hostage.
- E. Members operating the checking station shall position themselves and their patrol vehicles in a manner that will provide a tactical advantage and maximize officer safety.
- F. Members will wear their body armor at all times while operating a Special Operations Checking Station.
- G. Supervisors should periodically check with members operating the checking station for the purposes of insuring officer safety and updating information.
- H. Specific written directions may be provided for a particular Special Operations Checking Citation. When issued by a supervisor or higher authority, these written directions shall be considered additional policy.
- I. All documentation of the Special Operations Checking Station shall be the responsibility of the designated Shift Supervisor. The same documentation applies to all types of checking stations, in addition to specific directions or orders.

