

Being Stopped by Law Enforcement

Interacting with Law Enforcement on the Roadway

Nobody likes being stopped by law enforcement; but knowing how to respond when it happens can really pay off later when it does happen.

As the operator of a motor vehicle, you take on the responsibility of the safe operation of that vehicle at all times. If you stay focused on driving, watch everything going on around you, keep enough space around your vehicle, and don't interfere with other drivers, you have the best chance of getting to your desired location without any issues. Some drivers are never involved in traffic collisions, but almost every driver will eventually be stopped by law enforcement at least once. Being stopped can be a very positive occasion and could even save you and your vehicle's occupants from a dangerous experience in the event there is a safety issue with your vehicle.

Or being stopped by law enforcement can become a very perilous event for both the driver and his or her occupants and Law Enforcement Officers (LEO), also often referred to as Police or Peace Officers. Since it is likely that you will be stopped by an officer someday, it is important that you know:

- What your responsibilities are,
- What to do and what not to do when you are stopped by a LEO,
- And how you can minimize the risks to yourself and the LEO.

To increase positive relations and reduce the risk to motorists and law enforcement officers (Peace Officers), drivers should know and follow a few simple practices.

In order to do so, think of a traffic stop as a sequence of three small events.

- 1. Pulling over**
- 2. The officer approaching your vehicle**
- 3. Conversations with the officer**

It's normal to experience an emotional reaction when you see flashing lights behind you. A driver can feel any of the following emotions; nervous, angry, scared, inconvenienced, surprised, amused, and even other feelings. But panicking usually only makes it more difficult and dangerous.

What about the law enforcement officer's perspective? What might he or she be thinking?

The LEO might be a bit anxious or nervous, particularly if he or she is on high alert due to another nearby event. He or she might be a bit on edge due to recently completing a collision investigation in which someone was injured or killed. The LEO needs to go home safely after work just like everyone else does, but it's their job to enforce the rules of the road.

What are some of the reasons you might be pulled over?

Speeding, unsafe turns, unsafe passing, unsafe lane changes, tailgating, weaving, being distracted while driving, lights or other visible equipment damaged or not properly functioning. A LEO could be justified to stop you for any traffic infraction, misdemeanor or felony.

If you have not committed a traffic-related offense, you could be stopped because the vehicle you are driving is similar to one used in a crime such as a hit and run collision or another crime. The LEO might

only have a general description of the type and color of vehicle to watch for and stopping you can help verify that you and your vehicle are not involved in the crime.

- Sometimes LEO's reward drivers for safe driving! On occasion, LEO's have given out gift certificates or other items to thank drivers for their safe driving.

Step 1: Pulling Over

- After you see the flashing lights behind you, the first step is to safely pull over and stop.
- *How* you do that is likely to affect the outcome of the traffic stop.

What is the first thing you should do?

- Communicate to the LEO that you see them. This lets them know that you see them and that you will be pulling over. You can wave and/or activate your hazard flashers.

What is the second thing you should do?

- Safely reduce your speed and pull over in a safe location out of the traffic lane.
- Stay calm and focus on pulling over safely. This will usually be to the right side of the roadway unless it is safe to pull to the left side, which might be possible on a one-way street.
- Pull over in a safe, well-lit location with plenty of room around you.
- You might need to turn your hazard flashers off, so you can activate your turn signal.
- Put your vehicle in Park and take your foot off the brake.

Some "Do Nots"

- Do not accelerate or attempt to evade.
- Do not reach for any object or reach into the glove box, console or other closed area, or under your seat or down toward the floorboard.
- Do not attempt to get your license or other documents out before the officer approaches and asks you to do so.

What would be a safe location?

- A position safe for you and your vehicle.
- Out of the traffic flow.
- A position safe for the LEO and their vehicle.
- With enough room for the LEO to bring their vehicle to a stop, out of traffic.
- With plenty of room for the LEO to walk around your vehicle.
- You might have to pull into a parking lot or onto a side street.

Examples of unsafe locations:

- In the middle of a traffic lane.
- In an intersection.
- In a position where part of your vehicle is sticking out into the traffic lane.
- Along a guardrail or other barrier that would limit the space for the LEO to approach your

vehicle.

- In a curved section of roadway, including blind curves.

Now that you are pulled over in a safe place, what should you do next?

- Put your vehicle in Park and take your foot off the brake. Otherwise it might look like you are about to drive off.
- Remain in the vehicle. DO NOT get out unless the LEO asks you to do so!
- Turn your radio or sound system off or down to zero volume so it is completely silent.
- Roll your window down all the way-not just partially down. Keep the other windows up.
- The LEO might approach on the right side of your car, so you might need to roll the right side window down.

If you are pulled over at night, what else should you do?

- Turn your vehicle's interior lights on. This allows the LEO to more clearly see what is going on in your vehicle.

Next, the LEO will most likely approach your vehicle.

Step 2: The Officer Approaching Your Vehicle

- It might be a minute or two before the LEO approaches your vehicle. Before they exit their vehicle, they notify their department that they are engaged in a traffic stop of your vehicle.
- The LEO might also check information resources based on your vehicle's license plate.
- Your driver window should already be rolled all the way down.

As the LEO approaches your vehicle, what should you do?

- When a LEO is harmed, it is usually related to something that the driver did with their hands. Holding a weapon or throwing something are two examples. Because of these types of dangers, LEOs are trained to watch the driver's hands as they approach.
- **So, make sure your hands are empty and visible!**
- **You can place your hands on the steering wheel at the "10 and 2" position, which means placing your left hand where the number 10 would be if the steering wheel was marked like a clock, and your right hand where the number 2 would be.**
- **Or you could extend your hands outside the window. This makes your hands more visible to the LEO.**
- **Do this as soon as you see the officer exit their vehicle.**

This will help indicate that you are not a threat, that you recognize the LEO's safety concerns, and that you are making a sincere effort to help keep the LEO safe.

It is possible that if the LEO believes either you or your vehicle have been involved in a crime (because of similarities between your vehicle and a suspect's vehicle), he or she might handle the contact differently. In the vast majority of contacts though, the LEO will approach very cautiously prior to making direct contact.

What should you do if you have passengers in your car?

- Passengers seated in the front seat should put their hands on the dashboard and keep them there.
- Passengers seated in the back seat should put their hands on the back of the head restraints (headrests) of the seats in front of them and keep them there.

The LEO has to be concerned about the actions of *everyone* in the vehicle.

Your actions will determine the actions the LEO takes in response.

- Safely pulling over in a good area, placing your vehicle in park, taking your foot off the brake, and turning your radio volume all the way down to zero are the initial steps.
- Making your hands visible by either placing them out the window or on the steering wheel at the “10 and 2” positions will help relieve some of the tension that could otherwise develop.

Step 3: Conversations with the Officer

What is the first thing *you* want to know?

- You will probably want to know why you were pulled over. It’s normal to want to know that right away.

What is the first thing the LEO *needs* to know? Who they are dealing with! Who you really are.

- Why do they need to know that? For their own safety!
- They don’t know for sure if you are a law-abiding citizen.
- They don’t know if you’re the most dangerous, murderous, insane criminal.
- That’s why they need to find out who you are right away-often before getting to why you were pulled over.

For an LEO, there’s no such thing as a “routine” traffic stop. They have to be prepared to respond to any and all possible behaviors by any driver.

How should you refer to the LEO?

- “Officer” is generally good. “Sir” or “Ma’am” also shows respect.

What should you say if the LEO asks you if you know why you were pulled over?

- Be honest! Be open to the possibility that you were pulled over for a legitimate offense.
- Or maybe the LEO knows of a dangerous situation that requires you to stop your vehicle.
- That is why you should let the LEO start the conversation.
- Answer all their questions. Keep it short and sweet.
- Be patient! You will learn why you were pulled over soon enough.

Be courteous and polite! Law enforcement is a tough job. Extending courtesy and politeness to the LEO can make a big difference.

How you respond to the LEO will set the tone for the entire traffic stop.

- If the LEO asks you if you know why you are being stopped, it's alright to say something similar to, "Probably because I was making an idiot of myself by speeding," (or what ever the offense was). The LEO might find this type of response positive and refreshing.

What are some things you should do, and some things you should not do, when you are taking with the LEO?	
Do's	Don'ts
Be polite	Immediately ask why you were pulled over
Be courteous	Argue your case <ul style="list-style-type: none">• The roadside is not the place to argue or plead your case• You will have plenty of opportunity to fight your case later – in court
Be 100% honest	Being contentious
Do as you are instructed	Ask questions
Answer only what is asked	Defend your actions
Listen	Complain
Relax	Call the LEO names
Be patient	Be disrespectful
Be respectful	Attempt to bribe the LEO

What will the LEO ask you to show them?

- **Driver's license**
- **Vehicle registration**
- **Proof of insurance/ financial responsibility**

It is best to always have these documents with you every time you drive.

Many drivers keep these documents in their wallet, glove box, or center console. It is becoming more common for drivers to have these documents available on their smart phone or cellphone.

Are you required to provide these documents to law enforcement?

- Yes – if you are driving on a public road.
- If you do not want to be subject to this requirement, do not drive on public roads.

Who owns your driver's license?

- The state that issued your license to you owns your license. It does not belong to you.
- Driving is not a right, but a privilege granted to those who drive safely.
- Therefore, the state, in the form of the LEO, can request to see your license.

Can you get in trouble if you choose to not provide these documents?

- Yes! Such a decision would be viewed as a lack of cooperation on your part.
- You can be issued a citation for failing to provide certain documents.

Who is in charge at this point?

- The LEO is in charge. The state grants the LEO the authority to conduct traffic stops.

When should you reach for the documents?

- Only after the LEO asks you to provide them!
- Do not start searching for your documents until you are asked to do so.
- If the LEO sees you reaching for something, either as you pull over or as they approach your vehicle, for their safety, they must assume you are reaching for a weapon or hiding something.

So, wait until the LEO is at your window and has asked you for these documents!

How should you reach for these documents?

- First, tell the LEO that you would be happy to provide the documents.
- Second, tell the LEO the location of each document, one at a time.
- Then ask if you can reach for the item, one at a time.
- For example, "Officer, my driver's license is in my wallet in my right rear pants pocket. May I reach for it?" Then wait for the officer's response and follow his or her directions.
- If possible, reach for the documents with one hand.
- It's best if you can leave one hand on the steering wheel where it will be completely visible to the LEO.
- Reach for the documents slowly. Do not make any sudden moves; there is no need to rush.

When Passengers Cause Trouble

Passengers can cause you and the LEO unnecessary problems by doing the wrong thing.

- They could say something that causes a problem with the LEO.
- They could interrupt the LEO's discussion with you.
- So, tell your passengers to keep quiet!

If one of your passengers says anything damaging such as:

- "It's OK officer-he always drives that way when he's drunk."
- Or "You're not going to search the trunk are you, officer?"

Then you need some new friends!

What if you have a weapon in the vehicle?

- **Tell the LEO about it early in the conversation.**
- **LEOs need to know about any and all types of weapon(s) in a vehicle.**
- **LEOs will generally appreciate your concern for their safety.**
- **If you have a concealed weapon permit, you should mention that too.**

Example: “Just so you know, there’s a loaded weapon in the vehicle. It’s legal-how would you like proceed, officer?” You can tell the LEO where the weapon is located such as in the glove box, under the front passenger’s seat, or in the trunk.

- There usually are two conversations with the LEO.
- The first is when he or she obtains your documents.
- The second conversation generally occurs after they have checked your information on their department’s database.

In this case, the LEO will approach your vehicle a second time.

Make sure your hands are just as visible as the first time the LEO approached.

Concluding the traffic stop

- If you received a citation, accept it as gracefully as possible. Be polite the entire time!
- Be sure that you understand the citation and the steps you will need to take afterward.
- Thank the LEO. You might not want to, but the LEO is truly just doing their job. One of their primary duties is to prevent traffic collisions-particularly those that can result in serious injuries or death.

Do not drive away until the LEO says it’s OK to do so.

- Be very careful pulling back into traffic!
- You have just experienced an emotional event.
- Drivers sometimes forget to check traffic and pull directly into an active traffic lane without looking first.
- Be safe when getting back on the road!

Driving a vehicle is a privilege given to you by the state. When you obtain your driver’s license, you promise to obey all the rules of the road. By doing so, the chance of being stopped by law enforcement drastically diminishes. The chance of becoming involved in a traffic collision also decreases. Your safety and the safety of your family and friends should be your utmost concern. By abiding by the Vehicle Codes and other state and government codes, you are far less likely to experience an incapacitating or deadly event.

Here’s Wishing You Safe Travels!