



GENERAL POLICE ORDER CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: MARCH 1, 2002	REVISED DATE:	NO. PAGES: 1 of 3	NUMBER: 8.2.02
SUBJECT: DRIVER LICENSE CHECKPOINT			
ASSOCIATED MANUAL:		RELATED ORDERS:	
CHIEF OF POLICE: <p style="text-align: center;"><i>Edward F. Lohn, Chief</i></p>			

PURPOSE: To provide guidelines to conduct driver license checkpoints that are minimally intrusive and effective in protecting citizens from unqualified or illegal drivers.

POLICY: The Division of Police shall use driver license checkpoints to deter driving without a valid license. A driver license checkpoint uses a brief traffic stop to determine license status and is not for vehicle safety checks.

PROCEDURE:

- I. The District Commander or Traffic Commissioner shall:
 - A. Plan the time and location of the driver license checkpoint and consider the traffic problems in the area. The physical characteristics of the area selected must allow for checkpoint activity without creating a traffic hazard.
 - B. Designate a superior officer the Checkpoint OIC.
 - C. Ensure the site is identifiable as an official police activity with an adequate number of police vehicles, uniformed officers, and traffic control devices.
 - D. Request media notification through the chain of command.

- II. The Checkpoint OIC shall:
 - A. Conduct a pre-checkpoint briefing for assigned officers, which includes safety procedures and a review of motorist interaction with an emphasis on courtesy.
 - B. Establish a driver license checkpoint that contains two screening areas.
 - 1. The primary screening area is a roadway section where vehicles will initially be stopped.
 - 2. The secondary screening area is a safe, off the travel portion of the roadway where drivers who could not produce a driver license will be

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detained for further investigation: LEADS checks, citations, arrests, vehicle tows, etc.

3. Ensure well lit, reflective warning signs are conspicuously placed to give motorists advanced notice of the driver license checkpoint and allow traffic through the checkpoint at a safe speed.
- C. Supervise the driver license checkpoint and ensure that all personnel and equipment are in place and ready to proceed before the first vehicle is stopped.
- D. Temporarily or permanently close down the operation if traffic congestion or circumstances arise that warrants discontinuing the operation.
- E. Ensure that a chronological written log of stopped vehicles is kept along with enforcement action.
- F. Predetermine a neutral selection sequence to stop motorists. Example: One in every five motorists will be stopped.
- G. Change the selection sequence if necessitated by traffic volume or checkpoint capacity. Document the change, note the time and the reason for the change.
- H. Provide a post checkpoint briefing for detailed officers to discuss improving the effectiveness of the checkpoint.
- I. Complete a written post checkpoint report and forward it through the chain of command to the Deputy Chief of Field Operations. It shall include the location, date, and time of the checkpoint, a list of assigned personnel, arrests/citations totals, a description of any unusual events, and suggestions for improvement. Attach the checkpoint vehicle stopped log to this report.

III. Officers shall:

- A. Wear the orange reflective safety vest.
- B. Stop selected motorists at the primary screening area according to the predetermined neutral selection sequence. Uniformly apply the selection sequence and not vary from it unless directed by the checkpoint OIC.
- C. Greet the driver with a standardized statement. The statement will briefly explain the purpose of the checkpoint, estimate the time of delay, and request to view the motorists drivers license.
- D. Direct motorists who display a valid driver license to proceed safely.

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- E. Not delay a motorist more than briefly (approximately 45 seconds) in the primary screening area unless the motorist does not display a valid driver license or the officer:
1. Receives legal consent from the motorist.
 2. Articulates reasonable suspicion that a crime has been or is being committed. Example: The motorist shows signs of impairment.
 3. Observes a misdemeanor occurring in their presence or the law allows for a probable cause arrest for a misdemeanor.
 4. Has probable cause to believe that a felony has occurred.
- IV.** If the officer contact with a motorist results in one or more of the above, divert the motorist to the secondary screening area. In the secondary screening area, determine the license status of the driver via a LEADS check. If the driver does not have a valid driver license, take appropriate action. However, if the driver has a valid license but it is not in their possession, do not issue a citation.
- V.** The checkpoint OIC shall assign officers with vehicles at both ends of the checkpoint to observe traffic entering and leaving the checkpoint. If these officers observe illegal activity, they shall describe such behavior to the Checkpoint OIC. Officers may follow and stop motorists **only** after receiving permission from the Checkpoint OIC.
- VI.** Motorists who have not been selected by the selection sequence, but show signs of obvious impairment, shall be investigated in the secondary screening area. Officers shall not allow obviously impaired motorists to drive within the checkpoint area.
- VII.** Avoiding a checkpoint is not sufficient reason to justify stopping a motorist. Probable cause or reasonable suspicion of criminal activity or traffic related violations must occur for officers to stop a motorist outside of the sequentially selected stops. Officers shall not pursue motorists that avoid the checkpoint by making a legal turn, absent indicators of impairment or probable cause.