



## Professional Contacts and Stops

Policy Number:

4.01.0104

Effective Date:

10/09/2012

Current Revision Date

12/09/2021

Related Policies:

1.02.0105, 4.01.0201

### PURPOSE

The purpose of this policy is to establish member conduct that will gain respect and promote public safety while guiding the trooper through daily interactions to promote officer safety and professionalism.

### DEFINITION(S)

**Contact** is an in-person interaction with an individual, whether or not the person is in a motor vehicle, initiated by a peace officer, whether consensual or nonconsensual, for the purpose of enforcing the law or investigating possible violations of the law. A contact does not include routine interactions with the public at the point of entry or exit from a controlled area; a non-investigatory and consensual interaction with a member of the public, initiated by a member of the public, unless and until the interaction progresses into an investigation of a possible violation of the law; a motorist assist; undercover interactions; or routine interactions with persons detained in a jail or detention facility.

**Enforcement action** means an action taken against a driver for a violation of law. It may consist of a verbal or written warning, the issuance of a citation, or a physical arrest.

**High risk stop** means stopping a known dangerous person that places the trooper in a position of danger.

**Illegal Profiling** is profiling as defined within C.R.S. § 24-31-309 that prohibits the practice of relying solely on race, ethnicity, gender, national origin, language, religion, sexual orientation, gender identity, gender expression, age, or disability in determining the existence of probable cause to place in custody or arrest an individual or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a vehicle; or determining the scope, substance, or duration of an investigation or law enforcement activity to which a person will be subjected; except that a peace officer may use age when making law enforcement decisions if the peace officer is investigating a juvenile status offense.

**Legal Basis** means any basis authorized by statute or that the Colorado Supreme Court or United States Supreme Court has determined is lawful pursuant to Section 7 of Article II of the State Constitution or the Fourth Amendment to the United States Constitution.

**Motorist Assist** is any assistance, actual or offered, by a trooper to a motorist who appears to be disabled, stranded, or otherwise in need of aid. This does not include motorists involved in traffic crashes. Motorist assists require communication between a trooper and someone in the vehicle.

**Stop** is a seizure with limited detention for the purposes of obtaining a person's name and address, identification, and an explanation of the person's actions. A stop must be supported by reasonable suspicion of criminal activity. A stop does not automatically constitute a reason for a frisk.

### **POLICY STATEMENT(S)**

The trooper or Port of Entry officer has discretion to take the appropriate enforcement action necessary to gain voluntary compliance, promote public safety, protect human life and enhance the public trust. The trooper or Port of Entry officer shall rely on their training, experience and the totality of the circumstances to determine the appropriate enforcement action.

Troopers shall have a legal basis to initiate stops and contacts while considering the public's need for safety assistance. See CSP Policy 1.02.0105 (Biased Policing) for restrictions on initiating stops.

Members will be courteous but firm during their traffic contacts and stops.

### **OPERATIONAL PROCEDURES**

#### **A. Stopping a Vehicle or Pedestrian**

1. Determine the safest location to affect the stop.
  - a. The member should consider the time of day, traffic flow, location and the weather.
  - b. Activate the necessary emergency equipment required to affect the stop.
  - c. Position the patrol vehicle behind the stopped vehicle or pedestrian as appropriate.
  - d. Consider the safest method when approaching the vehicle using a non-traffic side approach whenever feasible.
    - I. A non-traffic side approach is the preferred method of contact.
2. Notify the regional communication center of the stop.
  - a. Give location, license plate and a brief description of the vehicle or pedestrian.
  - b. If unable to provide information prior to approaching the subject, because of the circumstances surrounding the stop, the information shall be communicated as soon as practicable.
  - c. Troopers are only permitted to utilize the self-initiated, or T-stop button, on the mobile data computer (MDC) program if they are unable to provide the information due to heavy or restricted radio traffic (i.e. mandatory enforcement weekends, 10-33 traffic).

#### **B. Conducting a Motorist Assist**

1. Ascertain the need for help.
2. Consider the safest method when approaching the vehicle using a non-traffic side approach whenever feasible.
  - a. A non-traffic side approach is the preferred method of contact.
3. Offer the driver assistance and, if wanted, make reasonable attempts to get them safely off the roadway or back into traffic.

- C. Approaching the Vehicle or Pedestrian
  - 1. Check the trunk, tailgate or the rear portion of the vehicle for any unsecured doors or latches.
  - 2. Pedestrian
    - a. Separate the pedestrian from bags or possessions as appropriate.
    - b. Observe the pedestrian's movements.
- D. Personal Contact
  - 1. Identify self as a member with the Colorado State Patrol.
    - a. Provide working title as appropriate.
  - 2. Inform the person the reason for the stop or contact and ask for the required documentation.
  - 3. Advise the driver of the intended enforcement action to be taken.
  - 4. If more than one trooper is present at the scene, the initiating trooper should conduct all business. Once the personal contact has stabilized, non-essential trooper(s) should disburse.
- E. Driver or Pedestrian information
  - 1. Check for warrants and verify driving status by use of the mobile data computer (MDC) or through the regional communication center.
  - 2. All wants, warrants and driving under restraint will be confirmed and cleared through the regional communication center.
- F. Concluding the stop
  - 1. Return the subject's possessions and any enforcement documentation per Policy 4.01.0201 (Enforcement Actions).
  - 2. Advise the subject the traffic stop has concluded and instruct them how to return safely into traffic or move to a safe location.
- G. High Risk Stops
  - 1. Known high risk
    - a. Advise the regional communication center and request cover officer(s).
    - b. Maintain a safe distance and utilize the appropriate cover available.
    - c. Delay personal contact with the subject(s) until cover officer(s) arrive on scene.
  - 2. Removing occupant(s) from the vehicle
    - a. Direct with a loud and clear verbal commands to the occupant(s) how to exit.
  - 3. Placing the occupant(s) into custody should be conducted by the cover officer.
  - 4. Complete the investigation as appropriate.

## **COMMUNICATIONS PROCEDURES**

- A. Receive information from the member.

1. Location of the stop or contact and identifying information.
  2. Input information into Computer Aided Dispatch.
- B. Provide the member with clearances or other requested information.
1. Advise the member of any warrants and driving status.
  2. Advise and send back up officer(s) for felony and other high risk warrants.
- C. Status check the member within 10 minutes if there has not been direct communication with them, then follow local directives for further protocol.

**ADMINISTRATIVE PROCEDURES**

- A. Trooper
1. Enter information from all stops into the Niche system.
  2. Troopers do not need to enter a motorist assist or abandoned vehicle contact into the Niche system unless it results in enforcement action as described in Policy 4.01.0201 (Enforcement Actions).
  3. Notify immediate supervisor of any show of force or use of force incidents. See CSP Policy 4.04.0101 (Use of Force).
  4. Complete any Blue Team entries or reports required.
- B. Vehicular Crimes Analysis Unit
1. Compile, analyze and provide all required data relating to contacts conducted by troopers.

**RELATED RESOURCES AND FORMS**

Resource or Form Number	Title	Office of Professional Responsibility