



# LOUDON POLICE DEPARTMENT LOUDON, TN



## Chapter 12

Subject: Sobriety Checkpoints	Effective Date: 2/26/2006	Revised Date: 03/31/2020
Title: Sobriety Checkpoints	Pages: 5	Distribution: All Officers
Cross Reference:	Chief of Police Approval:	

The following directive shall contain:

- I. Purpose
- II. Procedure
- III. Personnel and Equipment
- IV. Pre-Checkpoint Briefing
- V. Operation
- VI. Notification to the Public of a Sobriety Checkpoint
- VII. Reporting

I. Purpose:

The City of Loudon Police Department established his sobriety checkpoints as a deterrent to and in the detection of persons driving under the influence of intoxicants , and who pose a significant threat to the welfare of the citizens of the City of Loudon and conduct sobriety checkpoints in a safe, effective, uniform, and lawful manner.

II. Procedure

a. Site selection

- i. Individual site selection will be based on the frequency of alcohol related incidents and the knowledge of DUI arrests in a particular area. The patrol Sergeant will maintain documentation of site selections.
- ii. The location of a checkpoint will be selected for its safety and visibility for approaching motorists, giving them ample warning that a checkpoint is ahead.
- iii. The location will also provide a safe area to move a vehicle in the event further inquiry is warranted.
- iv. The site supervisor will select an alternate site should the primary site prove unsafe or if a hazardous condition exists. If the site is moved, the site supervisor will record the time and reason for the change.
- v. The patrol Sergeant will submit a planned location, an alternate location, and a planned date and time to the chief of police, at least three days prior to the planned date.

b. Personnel and equipment

- i. There will be a minimum of five uniformed officers at a checkpoint to show police presence, and to minimize fear, surprise or the likelihood of apprehension but motorists approaching the checkpoint. A Sergeant, or above, will be present at each checkpoint site and act as supervisor of that site.
- ii. The majority of the vehicles used at the checkpoint will be marked patrol units with all emergency lighting activated, including headlights, spotlights, and takedown lights, while the checkpoint is in operation.

- iii. Traffic cones will be placed along the roadway to assure safe traffic flow and to provide a measure of protection for officers conducting the checkpoint.
- c. Pre checkpoint briefing
  - i. Personnel assigned to work a sobriety checkpoint will attend a briefing prior to arriving at the checkpoint site. The patrol Sergeant and or the site supervisor will conduct the briefing comment and will cover all aspects of this as well as any portion not fully understood by those participating.
  - ii. The site location will be reviewed as to placement of vehicles, personnel, traffic cones, and pull off areas, and the duties of each officer will be thoroughly explained.
  - iii. The briefing will include a review of what proof of alcohol in pyramid to look for, including the smell of alcohol on the driver's breath, and inspection of the vehicle for visible alcohol containers. The briefing will also include procedures of the further questioning and or arrest of suspected violators including, but not limited to, the conduct of the field sobriety test, implied consent law requirements, and disposition of the violators vehicle after arrest.
  - iv. Officers will be designated to observe for motorists who attempt to avoid the checkpoint and will be given some specific procedures to follow as to whether to attempt to apprehend. Generally, a motorist who chooses to avoid the checkpoint should be allowed to do so unless a traffic violation is observed, or probable cause exists to take other action.
- d. Operation
  - i. A checkpoint will remain in operation for a minimum of one hour and will not remain an operation for more than three hours without approval of the chief of police. The patrol Sergeant will maintain documentation relating to any extension period in the event of inclement weather or an emergency, the site supervisor will terminate the checkpoint, informing the patrol Sergeant in his or her report the reason for terminating the site.
  - ii. Every vehicle passing through the checkpoint will be momentarily stopped, except in cases where further

investigation is warranted. If the level of traffic increases, the site supervisor may designate that every 3<sup>rd</sup>, 5<sup>th</sup> or 10<sup>th</sup> vehicle is to be stopped. In the event of a traffic backup creates a clearly hazardous situation, the site supervisor will allow vehicles to pass through until the hazard is cleared.

- iii. Personnel assigned to the checkpoint will identify themselves to the driver and advise him or her that the Police Department is conducting a routine traffic checkpoint to check for intoxicated drivers. When no noticeable signs of intoxication, or other violation, is observed, the officer shall thank the driver for his or her cooperation and wave them through. Officers may distribute pamphlets and or brochures promoting greater highway safety.
  - iv. If violations other than intoxication are identified, the driver will be directed to a predetermined area on the site and the proper enforcement action, or warning, will be issued. If an officer develops specific and articulable facts that lead to the officer to believe the driver is intoxicated, he or she will direct the driver to move to a designated area on the site for further inquiry.
  - v. An officer will ask the driver for his or her driver's license in request that the driver perform a sobriety test period when warranted, normal DUI arrest procedures will be followed such as implied consent requirements, or an incident/arrest report prepared. If, however, after inquiry there is no evidence of intoxication, the driver will be thanked for their patience and allowed to leave the site.
- e. Notification to the public of a sobriety checkpoint  
D patrol Sergeant, or designee, will provide area news media information concerning the planned sobriety checkpoint, but will not provide the location or times of the checkpoint. Announcement of the checkpoint will be given no sooner than two weeks or later than 24 hours prior to the planned date.
- f. Reporting
- i. Site supervisors will submit an activity report to the patrol Sergeant for each sobriety checkpoint held. The activity report will include:

1. The location of the checkpoint.
  2. The name and rank of the site supervisor
  3. Name and rank of all officers participating in the checkpoint
  4. The actual number of vehicles passing through the checkpoint
  5. The actual number of vehicles detained for further inquiry
  6. The number of DUI arrests as a result of the checkpoint
  7. The number of other arrests made, and violations in warnings issued as a result of the checkpoint.
  8. The beginning and ending times of the checkpoint
- ii. The patrol Sergeant will review each report, make whatever changes or have the site supervisor make whatever corrections may be necessary, and forward it to the chief of police.
  - iii. The patrol Sergeant will maintain a file of all sight reports.