

St. Joseph, Missouri Police Department



DIRECTIVE TYPE: SPECIAL ORDER		INDEX NUMBER: SO0003
SUBJECT: Sobriety Checkpoint Operations		
ISSUE DATE: July 5, 2000	REVISIONS: 7/21/06, 11/4/10, 12/2/10	AMENDS/RESCINDS: O2002
REVISIONS CONTINUED: 8/31/11, 5/15/13, 11/04/16		DISTRIBUTION: B

I. PURPOSE

To establish a standard and uniform system for conducting sobriety checkpoint operations in an effort to locate alcohol and drug-impaired drivers and remove them from the roadways, in conjunction with guidelines established by the Missouri Division of Highway Safety. Reasonable and mandated efforts will be taken to ensure the safety of participating members and the public while sobriety checkpoints are in operation. Whenever possible, a member will attempt to get voluntary compliance from those individual(s) he/she comes in contact with. Members will display a professional appearance and utilize a courteous demeanor.

II. GENERAL

The Chief of Police, a Division Commander, and/or a designee of the Chief of Police are the only personnel that can authorize a Sobriety Checkpoint. The member giving final authorization for the Sobriety Checkpoint shall designate an Officer-in-Charge (OIC) of the operation. This "OIC" shall plan, staff and oversee the checkpoint, ensuring that it is performed in accordance to Department General Orders, Policies, and Procedures.

III. PROCEDURE

A. The Officer In-Charge (OIC) shall have the following responsibilities:

1. Ensuring that the proper equipment is available for use during the operation of the Sobriety Checkpoint;
2. Ensuring that members are properly uniformed;
3. Determining the specific assignment(s) of members involved in the Sobriety Checkpoint;
4. Conducting a "Roll Call Inspection and Briefing" of members staffing the Sobriety Checkpoint;

5. Giving public notice of the impending “Sobriety Checkpoint” and upon completion of the operation, preparing a media release detailing the results;
 6. Overall supervising and/or controlling the Sobriety Checkpoint and the members assigned;
 7. Ensuring a formal plan is in place for each Sobriety Checkpoint operation conducted. Plans should be filed and maintained; and
 8. Taking responsibility for decisions relating to the operation of the Sobriety Checkpoint, including, but not limited to, the following:
 - a. Directing the parking location(s) of the police vehicles used at the scene of the Sobriety Checkpoint;
 - b. Establishing the exact location that the field sobriety tests will be performed;
 - c. Establishing the manner and location of the placement of traffic cones and warning devices;
 - d. If unexpected circumstances suddenly create a hazard to members or motorists, ordering the checkpoint operation halted, and resuming it at an alternate site and/or time;
 - e. If the volume of traffic creates unnecessary obstruction to the normal flow of traffic, stopping the operation of the Sobriety Checkpoint, and resuming it at an alternate site and/or time. If necessary, changing the criteria for stopping the selected vehicles;
 - f. Directing the report writing process of the members assigned to the detail, as well as reviewing written reports from the members assigned; and
 - g. Completing any after action reports that may be necessary.
- B. Safety Officer(s) shall have the following responsibilities:**
1. Directing the traffic as needed within the Sobriety Checkpoint area;
 2. Directing traffic in a safe manner at all times;
 3. Directing those vehicles (to be checked by established criteria) to an area in which other assigned members are stationed;
 4. Following the criteria announced by the Officer-In-Charge concerning which vehicles are to be stopped and checked; and
 5. Remaining constantly aware of the merging traffic of those vehicles leaving the Sobriety Checkpoint, as well as those vehicles approaching the checkpoint site.
- C. Checkpoint Officer(s) shall have the following responsibilities:**
1. Contacting the operator(s) of the vehicles;
 2. Being polite and courteous throughout his/her contact with drivers that are stopped;
 3. Carefully checking each driver for signs of impairment;
 4. Conducting and monitoring the application of any field sobriety tests he/she may have occasion to administer;
 5. Being aware of any unsafe conditions and immediately reporting same to the Officer-In-Charge;

6. Establishing adequate probable cause before he/she effects an arrest requiring same;
 7. Determining the enforcement action for any violation, the exception being Driving While Intoxicated;
 8. Further processing of persons taken into custody, the exception being the operation of breath-testing equipment in the case of Driving While Intoxicated arrests; and
 9. Completing any administrative duties as directed by the Officer-in-Charge.
- D. Chemical Test Officer(s) shall have the following responsibilities:**
1. Ensuring that all chemical tests he/she performs are conducted in accordance to Department General Orders, Policies, and Procedures; and
 2. Arranging the transport of any prisoner to the appropriate "Booking Facility" for further processing.
- E. Enforcement action(s) taken by members for violations other than Driving While Intoxicated shall be at the discretion of the member, including, but not limited to, the following:**
1. Verbal warnings;
 2. Written warnings;
 3. The issuance of traffic tickets;
 4. The issuance of a non-traffic citation; and
 5. Custodial arrest(s) based upon probable cause.
- F. Preliminary determination(s) by members concerning the impairment of vehicle operators shall include, but are not limited to, the following:**
1. The odor of intoxicants;
 2. Slurred speech patterns;
 3. Bloodshot and/or watery eyes;
 4. The inability to follow instructions;
 5. Open intoxicants within the vehicle;
 6. The specific manner in which the person was operating the motor vehicle; and
 7. Fumbling while attempting to produce his/her operator's license upon request by the member.
- G. When the investigating member determines that the driver of the vehicle is showing signs of impairment, he/she shall have the operator submit to a preliminary breath test. The investigating member may also administer other field sobriety tests. Those tests include, but are not limited, to the following:**
1. Gaze nystagmus test;
 2. Walk and turn test;
 3. One leg stand test;
 4. Romberg balance test;
 5. Finger to nose test; and
- H. Drivers not suspected of being legally intoxicated shall be allowed to proceed. Exceptions may be made for drivers whose level of impairment may be below**

the legal limit, but high enough that driving would be unsafe. Officers should attempt to secure a ride from a responsible party in these instances.

- I.** If the driver of the vehicle gives a preliminary breath test sample at or above the legal limit, and/or performs unsatisfactorily on the field sobriety tests, the member shall arrest the individual for Driving while Intoxicated.
- J.** The arresting member shall transport the arrestee to the DWI Taskforce trailer for processing by the chemical testing member. The arresting member shall complete any additional processing as required per Department Policy and Procedure concerning Driving while Intoxicated arrest(s).
- K.** While assigned to the Sobriety Checkpoint operation, each member shall remain alert for other violations of law to include, but not limited to, the following:
 - 1.** Suspended/Revoked/Denied Drivers Licenses;
 - 2.** Improper Driver's License;
 - 3.** Open intoxicants;
 - 4.** Minors in possession of intoxicants;
 - 5.** Weapons violations;
 - 6.** Narcotics violations; and
 - 7.** Known fugitives from justice.

Chris Connally, Chief of Police

Date