

Guidelines for Motorists Stopped by the Police
by Lieutenant Robert Valko, Wickliffe Police Department

If you are one of the millions of motorists who drive the public roadways each day, chances are that you have been pulled over by a police officer, deputy sheriff, or trooper. At a minimum, you have probably encountered a situation where you needed to yield the right-of-way to a public safety vehicle (fire truck, rescue squad, police car, ambulance, etc.). Luckily, for the majority of motorists, these contacts are infrequent. However, they can be awkward, unnerving, and uncomfortable. Is there a right way to behave in such situations? What should you do when you see those dreaded red and blue lights flashing behind you? What follows are some suggestions from the Wickliffe Police Department on getting through a safe traffic stop or pullover and returning you safely back to your journey.

1.) Understand the mission

Each year, more than 40,000 persons die in traffic crashes in the United States. In Ohio alone, 1,200 are killed. Hundreds of thousands are injured and billions of dollars are lost in medical treatment, collision repair, lost wages, insurance claims, and litigation costs. Almost all of this death, injury, and destruction has the violation (e.g., running a red light or stop sign, speeding, left-of-center, OVI, no seat belt, etc.) of some traffic law at its root. Law enforcement agencies are charged with the responsibility to enforce the traffic and criminal laws passed by the legislature. Our mission is to prevent death, injury, and property damage through active enforcement of those traffic laws.

2.) Move Right for Lights and Stop

Section 4511.45 of the *Ohio Revised Code* requires motorists, upon the approach of a public safety vehicle with lights and siren/horn activated, "...to yield the right-of-way, immediately drive if practical to a position parallel to, and as close as possible to, the right edge or curb of the highway clear of any intersection, and stop and remain in that position until the public safety vehicle has passed, except when otherwise directed by a police officer."

Think in terms of your family. If there were an emergency at your home, would you not want the emergency responders to get to your home as quickly as possible, without interference or delay?

This same procedure applies for a safe traffic stop. On roadways within our residential and business districts, move to the right and stop. However, freeway traffic stops might be a little different. Experience has taught me that on a multiple lane freeway like Interstate Route 90 or State Route 2, a motorist in the far left lane would be wiser to pull over to the left shoulder or berm. This is safer and far less disruptive than crossing right over two or three lanes of traffic, especially during inclement weather, poor visibility, or heavy traffic.

3.) Stay Seated. Stay Safe.

Once you have pulled over and stopped, remain in, or in the case of motorcycles, on your vehicle. This applies to passengers as well. We do not want to put you in harm's way. Remember that there are other vehicles moving around you. Those drivers' attention will probably be focused on the police car and they probably will not see you if you suddenly exit your vehicle. The police officer will position his or her patrol vehicle in a way that protects you and your vehicle, as well as his or her approach to your vehicle.

4.) Idle hands?

Nothing sets off the alarm bells in a traffic officer's mind quicker than a person reaching under a seat; rummaging into a glove box, visor, or console; or keeping his or her hands hidden in a jacket or coat pocket. Why? We want to go home after work and see our families too. Sadly, over 100 police officers are killed every year—the majority by firearms. You only have to look to our neighbor, Twinsburg, in July 2008. A motorist, stopped for a traffic violation, killed officer Joshua Miktarian with a handgun. We are very aware of the many other officers who have lost their lives and we operate on a heightened awareness when pulling over persons whom we have never met before. Our training, experience, and survival instinct have taught us to account for all hands in plain view.

5.) Information, please.

More than likely, the first thing an officer will ask you is to provide him or her with your driver's license, title and/or registration, and proof of insurance. This is the way that we have been trained and is a fairly universal request across all jurisdictions. We are trying to establish who we are talking with. Questions or arguments by drivers will not be addressed before this is accomplished. If you do not have your license or other documents with you, try to provide some other form of identification (e.g., work ID badge, passport, student ID card, etc.) if you have it. If you have no ID, the officer will ask you for your name, address, date of birth, and social security number. Through in-car computers or dispatchers, we will use this information to verify the identity of the driver. Our computers also have the ability to display a driver's license photograph.

6.) Explanations

Once your identification information has been provided, the officer should explain to you why you have been stopped. If he or she does not, ask. People are entitled to know why they have been detained and it helps in relieving the apprehension associated with a traffic stop. You may offer an explanation or arguments about the reason for the stop, but do not expect a long conversation. Traffic has already been distracted or disrupted and, for safety reasons, the officer will want to get off the roadway and return to his or her patrol unit.

7.) Patience

Unless instructed otherwise, remain in your vehicle until the officer returns. During this time, the officer will be verifying your license and vehicle ownership status through computer. He or she will also have several options on what enforcement action is appropriate: a citation, a written warning, a verbal warning, or a combination. The goal here is to correct or change driving behavior. A custodial arrest will also be likely if the driver is intoxicated, has a warrant issued for his or her arrest, or has committed some other crime.

8.) The outcome

Once the officer returns to your vehicle, he or she will inform you of what enforcement action (citation or warning) has been taken.

If a citation has been issued, you will be provided with a court date and time and the address and phone number of the court. The officer will let you know if the violation is waivable (court appearance not required—payment of fine can be made via mail or in person), but will not be able to tell you the amount of the fine (there are numerous types of traffic violations and only the court sets the schedule of fine amounts).

If you receive a written warning, you will be required to sign the document and will be provided with a copy. No court appearance is required and no fine will be imposed. However, the information on the warning will be entered into the Wickliffe PD computer database and can be recalled by any Wickliffe officer should you be stopped at some later date.

9.) The safe getaway

Once the officer has returned all your license and vehicle documents and has allowed you to leave, use caution when returning to the roadway. Other motorists might not be expecting you. If traffic is heavy, you might want to wait until the officer is back in his or her car. This will allow the officer to make a gap in the traffic, or act as a barrier, so that you can safely return to the trafficway.