



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

Subject: *Highway Checkpoints*

Number: *223-B*

Effective Date: *January 1, 2001*

Revised Date: *March 25, 2020*

Rescinds: *040*
 223 Highway Checkpoints
 223-A Highway Checkpoints

Dated: *December 18, 1997*
 January 1, 2001
 May 21, 2010

Approved By:

PURPOSE

To establish a procedure for conducting highway checkpoints. The specific purpose of this regulation is to discourage drunk driving and other traffic offenses that tend to cause accidents and to apprehend persons committing such offenses.

DISCUSSION

Motor vehicle deaths in the United States have exceeded the death toll of all U.S. Military personnel in all wars fought by our nation. Deaths attributed to drunk driving alone exceed 37,000 per year in the U.S.

According to the Office of Highway Safety 'South Carolina Crash Statistics, Myrtle Beach consistently ranks amongst the highest incident rates in categories such as property damage, injuries, fatalities, and persons killed in traffic collisions. The Myrtle Beach Police investigates on average over 2,500 traffic collisions each year.

It has been determined by numerous public officials and agencies as well as the City of Myrtle Beach and the Myrtle Beach Police Department that the institution of a motor vehicle checkpoint system can help promote awareness, reduce drunk driving, reduce traffic offenses, and reduce overall traffic collisions.

The Department has an interest, and in fact a duty, in preventing and deterring motor vehicle crashes and assuring that properly licensed drivers are on the road. Checkpoints will be operated in a safe and practical manner. They

will be implemented in a way to reduce the likelihood of unreasonable delay to the motoring public.

DEFINITION

1. Checkpoint -- The term "checkpoint" as used herein is defined as a deliberate obstruction by physical means at one or more selected points on a public street, highway or roadway (collectively referred to herein as a highway).

STATEMENT OF AUTHORITY

1. Checkpoints shall be established only upon authorization of the Chief of Police.
2. The decision whether or not to establish a checkpoint will be based on all relevant factors. At a minimum, it should include:
 - A. The need for a checkpoint at a particular location when measured against potential danger posed to the public and the officers involved;
 - B. The number of officers needed to operate a checkpoint at that location compared to the number of officers available;
 - C. The availability of needed equipment.
3. In deciding whether to establish a checkpoint at any given time or at any location, safety of the traveling public and the officers involved shall be the primary and overriding factor.

PROCEDURE

1. SUBMISSION OF REQUEST TO CHIEF OF POLICE FOR A CHECKPOINT
 - A. Any officer may make a request for a checkpoint to the Chief of Police by submitting the request in writing to the Traffic Unit Sergeant. The request should include the following information:
 - 1) The location of the checkpoint being requested;
 - 2) The past history of crashes at that location:
 - a) Deaths
 - b) Injuries
 - c) Total crashes;
 - 3) The relationship of the location to alcohol establishments and the related DUI statistics (local);
 - 4) The relationship of the location to major traffic arteries;

- 5) The relationship of the location to other reported crimes.
- B. The Traffic Sergeant will then submit his/her recommendation to the Chief of Police through the Chain of Command. The Traffic Sergeant's recommendation will include the time of the day the checkpoint should be operated, and potentially a contingency plan, depending on the operation, should traffic volume or manpower fluctuate and impact the checkpoint.
 - 1) The Traffic Sergeant may also submit a list of locations where in his/her opinion a checkpoint will help deter traffic offenses that tend to cause motor vehicle crashes.

2. SITE SELECTION

- A. Checkpoints shall be located at sites which permit the safe flow of traffic through the checkpoint.
- B. Consideration in selecting the site for a checkpoint shall be given to the posted speed limit, traffic, volume and visibility at the site of the checkpoint.
- C. Location for checkpoints shall have adjoining public areas available to pull vehicles off the traveled portion of the highway when circumstances warrant that its driver or any occupants should be further investigated for possible violations of the law.
- D. Checkpoints shall be visible to approaching traffic from a reasonable distance.
- E. Consideration shall be given to any other circumstances that may pose a hazard to the traveling public or to the officers involved.

3. PUBLICITY

- A. No checkpoint shall be operated without a clear police presence at the scene (i.e. marked police vehicles and uniformed officers).
 - 1) In addition to the marked police vehicles and uniformed officers, additional warning devices shall be used if necessary or deemed advisable, (i.e. signs, flares, safety cones, lighting) as outlined in the operational plan.
 - 2) The Traffic Unit Sergeant or designee shall alert the Department's Public Information Team and the media about the location and date of the public safety checkpoint.

4. SUPERVISION

- A. There will be at least one (1) Supervisor assigned at any checkpoint. If the assigned Supervisor must leave the checkpoint for any period of time without immediately being replaced by another supervisor, the checkpoint shall be terminated. It is recommended that the supervisor not perform the role of the line officer.
- B. The checkpoint supervisor's primary tasks are to insure safety and to maintain an orderly flow of traffic through the checkpoint. The supervisor is responsible for the management and oversight of the checkpoint operation including but not limited to:
 - 1) Assigning manpower responsibilities;
 - 2) Issuing proper equipment and monitoring usage;
 - 3) Overseeing the physical establishment of the site;
 - 4) Monitoring the traffic flow through the checkpoint to ensure the safety of all involved;
 - 5) Determining when the checkpoint should be terminated; and
 - 6) Completing the checkpoint "After Action" report.
- C. Prior to implementing a checkpoint, the on-scene supervisor shall brief the other officers who are to staff the checkpoint. Issues addressed at the briefing may include a description of the site, why the site was selected, and any unusual features of the site.
- D. No officer or supervisor shall participate in the operation of a checkpoint operated by the Department unless familiar with these guidelines.
- E. Because of the many variables inherent to checkpoints, it is impossible to require a certain number of officers be assigned to all checkpoints; therefore, it will be left to the discretion of the supervisor in charge to ensure that an adequate number of officers are assigned to any checkpoint.
- F. While not every possible contingency can be anticipated, supervisors should be prepared to handle various situations that may arise.
- G. Subsequent to the lifting of the checkpoint, the supervisor will debrief officers to gather information for a Checkpoint After Action Report.

5. OPERATIONAL PROCEDURE

- A. After establishing a checkpoint, specific job responsibilities and assignments will be made. The supervisor may assign some officers to the line, others to staff observation vehicles, etc. A back-up supervisor

may be designated in the event the initial supervisor leaves the checkpoint site.

- B. All officers working a checkpoint shall be required to use assigned personal safety equipment (i.e. traffic vests, flashlights etc.).
- C. All vehicles entering the established checkpoint will be systematically checked as per approved guidelines. Under no circumstances will officers be allowed to randomly stop vehicles. Additionally, should traffic become backed up, the Supervisor in charge will call for a 'flush' of the checkpoint to allow the backup of cars to dissipate and not unduly delay motorists.
- D. During the operation of a checkpoint the use of observation vehicles posted on either side of the checkpoint may be considered. Such vehicles serve at least three vital functions:
 - 1) Observation vehicles can assist the checkpoint supervisor in maintaining a safe and orderly flow of traffic through the checkpoint by early detection of traffic congestion, etc.
 - 2) Observation vehicles can assist in detection of a variety of violations as vehicles approach the checkpoint.
 - 3) Observation vehicles can monitor vehicles retreating from or attempting to elude the checkpoint. If reasonable suspicion is developed, the vehicle may be stopped and further investigated.
- E. Observation vehicles should also alert the site supervisor of any vehicle traffic approaching the site in an erratic and/or dangerous manner. The supervisor shall take immediate action based on information received from the observation vehicle(s).
- F. All checkpoints shall be operated so that no vehicle (unless facts warrant further investigation or charges against the driver or any occupant) shall be stopped for more than a reasonable time for an actual check or waiting to be checked.
- G. All officers involved in a checkpoint will maintain a high level of professionalism. The public will be treated with courtesy and without unnecessary delays or inconveniences. The checkpoint is a highly visible event, and law enforcement's encounter with the motoring public should leave all that pass through with a positive impression of both the officer and the checkpoint function.
- H. Checkpoints will focus enforcement efforts in the areas of:
 - 1) Detecting impaired drivers;
 - 2) Use of child restraints;

- 3) Driver's license violations;
 - 4) Vehicle license violations;
 - 5) Vehicle equipment violations;
 - 6) Detection of uninsured motorists;
 - 7) Enforcement of other violations that may include drug violations, weapons violations, fugitives, stolen vehicles, etc.
- I. In the event an officer discovers a violation, the vehicle will be directed out of the flow of traffic to a designated location for follow-up investigation/enforcement.

6. REPORTS

- A. In order to monitor and ensure standardization and consistency of checkpoints and to document the results, an after action report shall be completed and submitted by the supervisor in charge or his/her designee to the chain of command. This report will be completed within twenty-four (24) hours of the checkpoint. At a minimum, the report shall contain the following information:
- 1) Date and time the checkpoint was initiated, and the date and time the checkpoint was lifted;
 - 2) Location of the checkpoint;
 - 3) The number of vehicles that were checked at the checkpoint;
 - 4) Weather conditions at the checkpoint;
 - 5) The average time motorists were delayed at the checkpoint;
 - 6) Number and types of arrests and charges made at the checkpoint;
 - 7) Officers' comments about any unusual occurrence at the checkpoints;
 - 8) Safety problems observed or occurring at the checkpoint;
 - 9) Any recommendations concerning the operation of future checkpoints; and
 - 10) Any deviation from the guidelines and an explanation (i.e., officer error, traffic backing up, inclement weather, medical emergency, etc.)
- B. Checkpoint reports, both operational and After Action Reports will be documented within RMS (Daily Bulletin Module) for a minimum of three years from the date of the checkpoint. A copy of the report is to be forwarded to the Division Captain and Chief of Police.

7. CHECKPOINTS INITIATED BY OTHER AGENCIES

- A. Officers assisting other agencies involved in Checkpoint shall:
- 1) At the direction of the Chief of Police or his/her designee officers may assist at checkpoints initiated by other agencies if the

checkpoint appears to have been established for a justifiable reason and with due regard for safety.

- a) Continue to evaluate the checkpoint operation and terminate involvement if unreasonable actions or risks become apparent.
- b) While assisting other agencies with checkpoints, the requirement that a supervisor be on the site may be satisfied by the presence of a supervisor from the other agency.