



GENERAL ORDER

**DURHAM POLICE DEPARTMENT
DURHAM, NC**

NUMBER:

4012 R-2

CHECKING STATIONS

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INTRODUCTION

Checking stations may be established and operated for the primary purpose of ensuring compliance with North Carolina state laws related to drivers' licenses, vehicle registration and insurance, impaired driving, seatbelts, and child restraint systems.

PLANNING AND SUPERVISORY APPROVAL

The establishment of all motor vehicle law checking stations shall require prior approval by a Corporal, or above.

A supervisor shall be on the scene of any checking station established for the primary purpose of ensuring compliance with the laws related to impaired driving.

No checking station shall be conducted without at least two uniformed officers present and at least two vehicles equipped with emergency lighting.

An officer shall be designated in advance for purposes of establishing and supervising the operation of the checking station.

All officers participating in a checking station shall be briefed on the establishment and operation of the particular checking station, as well as the officer's responsibilities during its operation.

PLACEMENT OF CHECKING STATION

The placement of motor vehicle law checking stations should be random or statistically indicated. However, officers should note for courtroom purposes that this particular guideline is not grounds for a motion to suppress or a defense to any offense arising out of the operation of a checking station.

The site for every checking station shall be selected with due regard for the safety of motorists and officers operating the checking station. Checking stations should not be established in areas: where visibility is restricted, such as on a hill crest or in a curve; or where traffic is or could reasonably be expected to become highly congested.

Efforts should be made to utilize areas: with straight stretches of roadway with limited adjoining roads which may be used to avoid the checking station; and where vehicles may reasonably be anticipated to be safely pulled over and parked without interference to oncoming traffic.

CHECKING STATION PROCEDURES

Officers will wear the Department's full duty uniform, including reflective traffic vests, at all times while participating in the checking station.

At a minimum, one patrol vehicle on each side of the checking station shall have its blue lights activated during the time that the checking station is held. Officers should consider the use of flashlights and other available emergency lighting if visibility is otherwise limited.

Every vehicle approaching the checking station shall be required to stop.

The driver's license and the vehicle registration shall be requested for every vehicle stopped for motor vehicle law checking stations.

If traffic at the checking station becomes congested to the point that it appears to a reasonable officer that continuing to stop every vehicle may create a hazard to the officers, pedestrians or motorists, or an unreasonable delay for the public, then the officer designated as supervising the operation of the checking station may allow all vehicles to pass through the checking station without having to stop until the checking station can again be started safely and without unreasonable delay. Nothing in this subsection shall be construed however to prevent an officer with reasonable suspicion from stopping any particular vehicle. Once the operation of the checking station is resumed, every vehicle approaching the checking station shall be stopped, and the driver's license and vehicle registration shall be requested for every vehicle stopped.

An officer, who determines that there is reasonable suspicion that a driver or occupant of a vehicle has violated any provision of law, may detain the individual to further investigate in accordance with the law.

The operator of any vehicle stopped at a checking station established under this subsection may be requested to submit to an alcohol screening test under G.S. [20-16.3](#) if during the course of the stop the officer determines the driver had previously consumed alcohol or has an open container of alcoholic beverage in the vehicle. The requesting officer shall consider the results of any alcohol screening test or the driver's refusal in determining if there is reasonable suspicion to investigate further.

INFORMATIONAL CHECKING STATIONS

Checking stations may be established for the primary purpose of seeking assistance from the public in providing information about a crime. Informational checking stations should adhere to the following guidelines:

Planning and Supervisory Approval

Establishment of an informational checking station shall require the prior approval of a Corporal, or above.

When determining whether to allow the establishment of an informational checking station, the supervisor shall consider:

- The seriousness of the offense being investigated;
- How recently the crime being investigated occurred;

- The likelihood that persons passing through the checking station might possess information useful to the investigation;
- The efficiency and anticipated effectiveness of the checking station as opposed to other less intrusive methods for soliciting information such as placing flyers on vehicles parked in nearby public places, canvassing nearby businesses or neighborhoods, etc.

The placement of an informational checking station should be in close proximity to the location of the crime being investigated or in a location in which it could reasonably be anticipated that persons with information relevant to the investigation might pass.

Informational Checking Station Procedures

In addition to the procedures for all checking stations, informational checking stations shall also abide by the following guidelines:

- An officer shall briefly explain to the operator of the vehicle the reason for the checking station and solicit information related to the crime being investigated either orally or with the aid of written materials such as a flyer or bulletin.
- If written materials are distributed, the Corporal, or higher ranking supervisor who approved the establishment of the checking station shall ensure that the written material is accurate and factual.

TRAFFIC STOP REPORTS

In accordance with G.S. [114-10.01](#) and General Order 4074, officers do not need to complete an SBI-122 Form (Traffic Stop Report) for each vehicle systematically stopped as part of a motor vehicle law or informational checking station. However, a Traffic Stop Report Form must be completed for any vehicle detained upon reasonable suspicion during the operation of the checking station.

MULTI-AGENCY CHECKING STATIONS

Officers from other agencies providing assistance to the Durham Police Department shall, for purposes of operating and participating in a checking station, operate under the guidelines of the Durham Police Department for establishing and conducting checking stations. Officers of the Durham Police Department providing assistance to another law enforcement agency shall, for purpose of operating and participating in a checking station, operate under the requesting agency's guidelines for establishing and conducting checking stations. Officers of the Durham Police Department shall ensure that the requesting agency's written guidelines meet, at a minimum, the statutory requirements found in N.C.G.S. [20-16.3A](#) before providing assistance with a motor vehicle law checking station. Assistance provided to or from the Durham Police Department that is outside either agency's standard jurisdiction shall be in compliance with all applicable laws and the Durham Police Department's policies regarding mutual assistance.



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