

Getting Pulled Over

The Driving Instructor's Guide to Interacting with Law Enforcement at the Roadside



HOW*to***DRIVE**





HOW *to* DRIVE

Goal of Module

To support discussions specifically about what drivers should do, and not do, during a traffic stop/interacting with law enforcement at the roadside. The module is intended for use in the classroom portion of:

- A novice driver education course ■ A defensive driving/traffic offender course
- A fleet driving safety course ■ A senior driving safety course.

Objectives:

- Reduce the risk to law enforcement and motorists during traffic stops;
- Enhance overall relations between law enforcement and motorists.

Designed to support 20-30 minutes of discussion on best practices, the Module can be modified for local use. Instructors should feel free to:

- Add in additional content, such as local and state information
- Use whichever parts they wish
- Adjust the content to their audience and time constraints.

Integration with AAA Driver Education & Training Programs/Curriculums

If you are using:	This module might best fit in:
AAA How To Drive	Chapter 6: Traffic Laws
Responsible Driving	Chapter 11: Sharing the Roadway with Others
DriveRight (2010)	Chapter 7: Alcohol, Other Drugs, and Driving
ADTSEA 3.0	Unit 8, Part 6: Sharing the Road with Emergency Vehicles
AAA Driver Improvement Program (DIP)	Module 8: Adverse Conditions & Driving Emergencies
AAA Roadwise Driver	Module 6: Extending Your Safe Driving Career



Traffic Stops: National Curriculum Content Standards		
Organization	Standard(s)	Information
American Driver and Traffic Safety Education Association (ADTSEA)	12. Making Informed Consumer Choices 12.4. Understand operator responsibilities in regard to traffic stops. 12.4.1 Identify responsibilities and behavior of the driver.	www.adtsea.org
Driving School Association of the Americas (DSAA)	Rules of the Road, 1.1.6: F. Describe the responsibilities if stopped by law enforcement.	www.thedsaa.org

In putting together these recommendations, AAA:

- Held Focus Groups with Law Enforcement Officers (LEOs) and driving instructors
- Obtained additional input from Law Enforcement Officers and leadership.

Acknowledgements

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- By supporting ANSTSE (The Association of National Stakeholders in Traffic Safety Education);
- By supporting the creation and maintenance of the *Novice Teen Driver Education and Training Administrative Standards*, the first-ever national driver education standards, belonging to the driver education community as a whole.

Please visit AAA Driver Training Programs at <https://drivertraining.aaa.biz> to:

- Download additional “mini-modules” similar to this one;
- Review AAA’s other driving safety-related resources;
- Sign up to receive AAA’s free instructor e-newsletter, *The Accelerator*.



Introduction

- Most of the time when you're on the road, it will be smooth sailing, if you:
 - See *everything* going on around you
 - Don't interfere with other drivers
 - Keep enough space around you
 - And stay focused on driving
- But not always...
 - Some drivers *never* experience a collision
 - But almost *every* driver gets pulled over by law enforcement- at least once during their driving career
 - And this has the potential to be a very positive event, or very dangerous event- for both:
 - The driver
 - And the Law Enforcement Officer (LEO)
 - *[feel free to user your preferred local terminology instead of "LEO"- Officer, Police Officer, Peace Officer, etc.]*
- That's why we're discussing getting pulled over today
 - Since it's pretty likely that you'll be pulled over some day, you need to know:
 - What your responsibilities are
 - What to do and not do when stopped at the roadside
 - And how you can minimize the risks to yourself and to the LEO
 - Nobody likes getting pulled over, but talking now about how to respond when it happens can really pay off later, when it really does happen
- Who here has been pulled over, or been a passenger when your vehicle was pulled over?

<p>What was it like? How did you feel?</p> <p>Or if you were a passenger, how did the driver seem to feel?</p> <p><i>[Discuss responses as appropriate]</i></p>	Nervous? Angry?
	Scared? Inconvenienced?
	Surprised? Amused?
	Other?
	A driver may feel any of these, or other things, when they are pulled over
	It's actually pretty normal to have some sort of emotional reaction when you see the flashing lights behind you
<p>But drivers need to know that:</p> <ul style="list-style-type: none"> • Being pulled over is not always going to be a bad experience • Panicking generally only makes things worse 	



How about the Law Enforcement Officer? What might be going through their mind?	May be somewhat anxious or nervous
	May be on high alert, because of some other nearby event
	May be on edge a bit because they just finished working a crash in which someone was injured or killed
What is <i>their</i> perspective?	But it's the LEO's job to enforce the laws of the road
	They want to go home safe tonight, just like you do

Why might you get pulled over?	Speeding
	Tailgating
	Weaving in your lane
	Changing lanes unsafely or very frequently
	Improper turns
	Unsafe passing
	Being distracted behind the wheel
	Tail light malfunctioning
What reasons could an LEO have to pull you over and have a chat?	<i>Discuss others as brought up by students</i>
	Generally, any traffic infraction could justify an LEO pulling you over

Why might you get pulled over for a reason <i>other</i> than having committed a traffic offense?	<p>Could be that you are driving a vehicle similar to one just used in a nearby crime, such as a:</p> <ul style="list-style-type: none"> • Fuel station “drive off” • A hit-and-run collision <p>The LEO may only have a general description of the type and color of vehicle they should be watching for</p>
	<p>The LEO may have seen two similar vehicles next each other, one of which was speeding</p> <ul style="list-style-type: none"> • They may pull you, the innocent driver, over • And then quickly determine that it was the <i>other</i> vehicle they wanted to pull over
	<p>Some departments pull people over for safe driving!</p> <ul style="list-style-type: none"> - Sometimes the LEO gives those drivers a gift certificate as a reward for good driving! - So getting pulled over is not necessarily always a negative experience!



- One way to look at traffic stops is to break them down into a sequence of steps
- To make discussion easier, we will sort the stop into three steps:
 1. Pulling over
 2. The officer approaching your vehicle
 3. Conversations with the officer

Step 1: Pulling Over

- After you see the flashing lights behind you, the first step is pulling over
- *How* you do that is likely to affect how the traffic stop turns out

After you see the flashing lights behind you:	
What's the 1st thing you should do?	Communicate to the LEO that you see them This lets them know that: <ul style="list-style-type: none"> • You see them • You will be pulling over
What's the 2nd thing you should do?	Safely pull over <ul style="list-style-type: none"> - In a safe location - You need to get stopped, out of the traffic lane

Whiteboard Exercise

What are some things you should do, and some things you should not do, when you see the flashing lights behind you?

Do's	Don'ts
Let the LEO know that you see them- Communicate! <ul style="list-style-type: none"> • Could wave at them • Could turn on your hazard flashers • (Could do both) • Other ways? 	Accelerate
Reduce your speed until you pull over	Attempt to evade
Don't freak out! <ul style="list-style-type: none"> - Stay calm, and focus on pulling over safely 	Reach for any object, or into the glovebox, console or other closed area, or under your seat or down to the floorboard
Pull over to the right, generally	Pull over to the left, unless completely safe to



	do so
Pull over in a safe location with plenty of room around you <ul style="list-style-type: none"> You may need to turn your hazard flashers off for a bit, so you can signal to as you pull over 	Attempt to grab your license, or other documents before the officer approaches and asks you to do so
Other?	Other?

So, the keys at this point are:

- Communicating to the LEO that you see them
- Safely pulling over in a safe location

What would be a safe location?	A position safe for you and your vehicle
	Out of the traffic flow
	A position safe for the LEO and their vehicle
	Enough room for the LEO to bring their vehicle to a stop, out of traffic
	Plenty of room for the LEO to walk around your vehicle
	You might need to pull onto a side street or into a parking lot
	In the middle of the traffic lane
What would be some unsafe locations?	In an intersection
	In a position where part of your vehicle is sticking out into the traffic lane
	Along a guardrail or other barrier that would provide limited space for the LEO to approach your vehicle
	Some curves, including blind curves
	Other?

Put vehicle in Park



Now that you're pulled over in a safe place, what should you do next?	Take foot off the brake <ul style="list-style-type: none"> Otherwise it might look like you are about to drive off
	Remain in the vehicle <ul style="list-style-type: none"> - Do not get out unless asked to by the LEO!
	Turn radio down to zero volume- completely silent
	Roll your window down all the way <ul style="list-style-type: none"> - Not just part-way - Keep other windows raised
	Others?
And if you are pulled over at night, what else should you do?	Turn your vehicle's interior light on
	This allows the LEO see what's going on in your vehicle even more clearly
	Others?

State-Specific Content: Pulling Over	
Information about <u>your state</u> laws regarding pulling over during a traffic stop	
• Laws	
• Rules	
<i>[to be filled in by Instructor before class]</i>	

Revisiting Key Points:	
What are the keys to success in Step 1?	Your actions! <ul style="list-style-type: none"> How you initially communicate to the LEO How you safely pull over
	Your appreciation of the LEO's concerns! <ul style="list-style-type: none"> Stopping in a location with plenty of room

- Next, the LEO will approach your vehicle
- Let's talk about that process



Step 2: The Officer Approaching Your Vehicle

- To start, it may be a minute or two before the LEO approaches your vehicle
 - Before they get out of their vehicle, they may tell their department that they are engaged in a traffic stop
 - They may also look up your vehicle, based on its license plate
- Remember, your driver window should already be down all the way

<p>As the LEO approaches your vehicle, what should you do?</p>	<p>Best Answer: Make your hands visible!</p> <p>When harm comes to an LEO, most of the time it's related to something a driver does with their hands</p> <ul style="list-style-type: none"> • Holding a weapon • Throwing something <p>Thus, LEOs are trained to watch a driver's hands as they approach</p> <p>So make sure your hands are:</p> <ul style="list-style-type: none"> • Empty! • Visible! <p>One Option:</p> <ul style="list-style-type: none"> • Place your hands on the steering wheel • At the "10 & 2" position <p>Another Option:</p> <ul style="list-style-type: none"> • Extend your hands out the window a bit • This makes your hands very visible to the LEO • [see image below] <p>Do this as soon as you see the officer exit their vehicle</p>
<p>What result might this have, in terms of the LEO's safety concerns?</p>	<p>This will go a long way to showing that you:</p> <ul style="list-style-type: none"> • Are not a threat • Recognize the LEO's safety concerns • Are making a sincere effort to help keep the LEO safe





Driver extending their hands out the window a bit.

- Keep in mind that the LEO may approach your vehicle from the right side
- So you may need to roll down the right side window

What should you do if you have passengers with you?	<p>Front Seat Passengers:</p> <ul style="list-style-type: none"> • Put hands on the dash • And keep them there <p>Back Seat Passengers:</p> <ul style="list-style-type: none"> • Put hands on head restraints/back of front seats • And keep them there <p>The LEO has to be concerned about the actions of <i>everyone</i> in the vehicle</p>
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State-Specific Content: Officer Approaching Your Vehicle	
Information about <u>(your state)</u> laws regarding the officer approaching the vehicle during a traffic stop	
<ul style="list-style-type: none"> • Laws • Rules <p><i>[to be filled in by Instructor before class]</i></p>	

Revisiting Key Points:	
What are the keys to success in Step 2?	<p>Your actions!</p> <ul style="list-style-type: none"> • Preparing your vehicle: <ul style="list-style-type: none"> - Vehicle in Park - Foot off the brake - Radio volume down to zero
	<p>Your appreciation of the LEO's concerns!</p> <ul style="list-style-type: none"> • Showing your hands

- Next, we'll talk about the conversation you're about to have with the LEO



Step 3: Conversations with the Officer

- OK, so you've pulled over in a safe place
- You're prepared your vehicle and yourself to present no sort of threat to the LEO as they approach the vehicle
- Now it's down to business- actually talking through the issue (or issues) with the LEO

What's the first thing you want to know?	Why you were pulled over! It's normal to want to know that right away
What's the first thing the LEO needs to know?	Who they're dealing with! - Exactly who you are
Why do they need to know that?	For their own safety! They don't know yet if you're a law-abiding citizen Or if you're the most dangerous, murderous, insane criminal ever seen in the state That's why they need to get a sense of who you are-right away - Often before you ever get to why you were pulled over
	For an LEO, there's no such thing as a "routine" traffic stop - They have to be prepared to respond to a whole range of behaviors by any driver
How should you refer to the LEO?	<ul style="list-style-type: none"> • "Officer" is generally good • "Sir" or "Mam" also show respect
What should you say if the LEO asks you if you know why you were pulled over?	<p>Be honest!</p> <p>OK to say something like: "Probably because I was making an idiot of myself by speeding" (or whatever the offense was)</p> <ul style="list-style-type: none"> • The LEO might find this response refreshing and positive <p>Be open to the possibility that you were pulled over for a legitimate offense</p>



- That is why you should let the LEO start the conversation
 - And answer all their questions
 - Keep it short and sweet
- Regarding learning why you were pulled over:
 - Be patient!
 - You will learn why soon enough
- Be courteous and polite!
 - Law enforcement is a tough job
 - Extending some politeness and courtesy to the LEO can make a big difference
- How you respond to the LEO will set the tone for the entire traffic stop

Whiteboard Exercise	
What are some things you should do, and some things you should not do, when you are talking with the LEO?	
Do's	Don'ts
Be polite	Immediately ask why you were pulled over
Be courteous	Argue your case <ul style="list-style-type: none"> • At the roadside is not the place to argue or plead your case • You will have plenty of opportunity to fight your case later- in court
Be 100% honest	Being contentious
Do as you are instructed	Ask questions
Answer only what is asked	Defend your actions
Listen	Complain
Relax	Call the LEO names
Be patient	Be a jerk
Be respectful	Attempt to bribe the LEO
Other?	Other?



What will the LEO likely ask you to show them?	Driver's license Proof of insurance/financial responsibility Vehicle registration
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- A good practice is to have these documents every time you drive
- Many drivers put these documents in the glove box or center console

Are you required to produce these documents to law enforcement?	Yes- if you are driving on a public road You have a choice <ul style="list-style-type: none"> • If you do not wish to be subject to this requirement, do not drive on public roads!
Let's Review: Who owns your driver's license?	The state owns it! <ul style="list-style-type: none"> • You do not • The license belongs to the state, which has granted you the ability to drive • Driving is not a right; it is a privilege granted to those who drive safely • Thus, the state, in the form of the LEO, can request to see the license at any time
Can I get in trouble if I choose to not provide these documents?	Yes! <ul style="list-style-type: none"> • Such a decision would be viewed as you being uncooperative • You could lose your driver's license, and your driving privileges • [could cover relevant state laws]
Who is in charge at this point?	The LEO is in charge <ul style="list-style-type: none"> • The state grants them the authority to conduct traffic stops

When should you reach for these documents?	Only after the LEO asks you to provide them! Do not go searching for them until you are asked If the LEO sees you reaching for something (a) as you pull over or (b) as they approach your vehicle <ul style="list-style-type: none"> • For their safety, they must assume you are reaching for a weapon, or hiding something
	So wait until the LEO is at your window, and has asked you for these documents

	First, tell the LEO that you would be happy to
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How should you reach for these documents?	<p>provide the documents</p> <p>Second, tell the LEO the location of each document, one at a time</p> <ul style="list-style-type: none"> • Then ask if you may reach for the object • Example: "Officer, my driver's license is in my wallet, in my right rear pocket. May a reach for it?" <p>If possible, reach for the documents with one hand</p> <ul style="list-style-type: none"> • Best if you can leave one hand on the steering wheel, completely visible to the LEO <p>And reach for the documents slowly</p> <ul style="list-style-type: none"> • No sudden moves- no need to rush
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How Could Your Passengers Mess Things Up?	<p>Could say something offending</p> <p>Could interrupt the LEO's discussion with you</p> <p>So tell your passengers to keep quiet!</p> <p>And if one of your passengers says anything unhelpful, such as:</p> <ul style="list-style-type: none"> • "It's OK officer- he always drives that way when he's drunk" • "You're not going to search the trunk, are you officer?" <p>You need some new friends!</p>
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OPTIONAL CONTENT

What if you have a weapon in the vehicle?	<p>Tell the LEO about it early in the conversation</p> <ul style="list-style-type: none"> • LEOs need to know about any weapon in the vehicle • They will generally appreciate your concern for their safety • If you have a concealed weapons permit, you should mention that too <p>Example:</p> <ul style="list-style-type: none"> • "Just so you know, there's a loaded weapon in the vehicle. It's legal- how would you like to proceed?" <p>Also: It better be legal for you (or passenger) to have it in the vehicle!</p>
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- Understand that there will often be two discussions with the LEO:



1. The initial discussion, during which the LEO obtains your documents
2. A second discussion, after which they have checked you out on the department's database
 - In this case, the LEO will approach your vehicle a second time
 - Make sure your hands are just as visible as the first time they approached

Wrapping up the traffic stop	If you received a citation: <ul style="list-style-type: none"> • Take it with as much grace as possible • Also be sure that you understand the citation, and your next steps
	Thank the LEO <ul style="list-style-type: none"> • You might not want to • But the LEO is actually just doing their job • One of their key roles is to work to prevent crashes • Be polite the entire time!
	Do not drive away until the LEO says it's OK to do so
	Be very careful pulling back into traffic! <ul style="list-style-type: none"> • You will have just had a bit of an emotional experience • Too many drivers simply pull directly into an active traffic lane, without looking • Be safe when getting back on the road!

- If you wish to submit a compliment or a complaint about how the LEO handled the traffic stop, you have that right
 - Contact the LEO's department
 - Ask how to submit the compliment or complaint
 - Law enforcement departments are generally quite concerned with this type of input from citizens

State-Specific Content: Conversations with the Officer



<p>Information about <u>(your state)</u> laws regarding talking with the officer during a traffic stop</p> <ul style="list-style-type: none"> • Laws • Rules <p>[to be filled in by Instructor before class]</p>	
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<p>Revisiting Key Points:</p> <p>What are the keys to success in Step 3?</p>	<p>Your attitude!</p> <ul style="list-style-type: none"> • How respectful you are • The tone of your voice • Your courtesy toward the LEO <p>Your actions!</p> <ul style="list-style-type: none"> • When you do things • How quickly you do things <p>Your appreciation of the LEO's concerns!</p> <ul style="list-style-type: none"> • Your recognition of their perspective and responsibilities
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Optional Exercises/Classroom Activities

Conduct a role-playing demonstration	Set up 4 classroom chairs to match the location of seats in a vehicle
	Have a student sit in each chair
	The Instructor could play the role of the LEO <ul style="list-style-type: none"> • Help demonstrate a “simulated” traffic stop
	Alternatively, the Instructor could play the role of the driver <ul style="list-style-type: none"> • With a student playing the role of the LEO • Instructor could demonstrate both positive and negative responses as the driver
	Class can discuss experience after the demonstration

Group Projects Students could be put into groups to:	Create a graphic-only version of the lesson’s key points <ul style="list-style-type: none"> • No words or text • Images and drawings only
	Create a summary of the lesson’s key points, to go on a single 3x5 card <ul style="list-style-type: none"> • Instructor could then print out copies of the card for students to keep in their vehicles
	Conduct an engaging demonstration/“skit” that summarizes the lesson’s key points
	Create a draft tri-fold brochure summarizing the key points



Summary



- Sometimes you will see another driver pulled over ahead on the road
- What should you do?
- Slow down and/or move over!
 - This is a very dangerous situation for:
 - LEO's
 - Emergency road service providers
 - EMS responders
 - If only one lane going your way:
 - Slow way down
 - Don't want to rush by the scene
 - If two or more lanes going your way:
 - Safely change lanes to move away from the scene
 - If you cannot safely change lanes, slow way down
 - *[cover your state's specific laws regarding responding to emergency responders at the roadside]*
 - Next time it might be you needing assistance at the roadside!
- One more tip: Don't drive when you're emotional!
 - Example: Just broke up with significant other
 - It will affect how you interact with law enforcement
 - Will generally make things worse
 - So, stay off the roads until you cool off



- You can pretty much count on being pulled over at some point in your driving career
- Traffic stops can be risky
 - That's why we're talking about them
 - Helping cover key points that can help you ***prevent*** any trouble from occurring
- Always make the contact as positive as possible
 - And that can be hard work!
 - The more positive your attitude, the better the outcome will be
 - Generally, your attitude will be reflected by the LEO- whatever it is

Keys to a safe and civil traffic stop	Attitude <ul style="list-style-type: none"> • How you respond
	Actions <ul style="list-style-type: none"> • What you do and don't do
	Appreciation <ul style="list-style-type: none"> • Your appreciation for the LEO's safety, perspective, and responsibilities
	[Hey look- the abbreviation of those is "AAA"! <ul style="list-style-type: none"> • Wow- what a coincidence!]

- Law enforcement is a tough job
- If you make the traffic stop easier and safer, the LEO will feel less at risk
 - If they feel less at risk, they may be more appreciative of your concerns for their safety
 - The outcome might be better
- **[Questions/Discussion]**



Additional Resources

Organizations

International Association of Chiefs of Police (IACP)	www.iacp.org/
National Highway Traffic Safety Administration (NHTSA)	www.nhtsa.gov

Supporting Videos: Traffic Stops

Title (hyperlinked to video)	Source	Access
Traffic Stop PSA	Tampa PD	www.youtube.com/watch?v=-9QgH_ANiII
Ride Along with Us: What to Expect on a Traffic Stop	Fairfax County Police	www.youtube.com/watch?v=rcnrszOQlcQ
Traffic Stop Safety	Boca Raton Police Services Department	www.youtube.com/watch?v=fMxfEZA9QK8
What to Expect During a Traffic Stop	Sarasota Sheriff	www.youtube.com/watch?v=gKK0tvbi-j8

- Note: AAA does not endorse any of these videos; links are provided for instructors' convenience only. Prior to showing in the classroom, be sure to review each one in its entirety.

