PROCEDURE

409.01 The department's efforts will be directed toward assigning officers to those areas where there is the highest likelihood that citizen complaints will be addressed, crashes will be reduced, and crimes prevented through proactive patrol.

409.02 Traffic enforcement will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.

409.03 Motorists and pedestrians shall only be subjected to stops, seizures, or detentions, upon reasonable and articulable suspicion that they have committed, are committing, or are about to commit a violation of the law.

409.04 When stopping a vehicle/pedestrian for any reason, all members are to notify the dispatcher of the following information in the following order:

A. Unit number;

B. The fact of stopping a vehicle/pedestrian;

C. Location of the stop (pause for the dispatcher to acknowledge you);

D. Tag number for vehicles;

E. Vehicle/pedestrian description;

F. Any other pertinent information the member wishes to provide.

409.05 Back-up units should be provided to members making vehicle/pedestrian stops as follows:

A. For stops made in daylight hours by a one-officer unit, the officer stopping the vehicle/pedestrian shall notify the dispatcher as to whether a back-up unit is required.

B. For stops made in nighttime hours by a one-officer unit, the dispatcher will automatically assign a back-up unit to assist. Should this not occur, the officer making the stop shall request back-up assistance.

C. No back-up unit shall be assigned to assist a two-officer unit on a vehicle/pedestrian stop unless assistance is requested.

D. All units shall be utilized for back-up assignments. If an officer (or Detective, Sergeant, Lieutenant, etc.) is close to a unit requiring a back up, he/she shall notify the dispatcher and respond.

E. After the officer making the stop has determined the back-up unit no longer needs to stay on the scene, the back-up unit may return to regular duty.

409.06 The department recognizes that with experience, individual officers may develop individualized approaches that they find work best for them in minimizing conflict during officer/violator contacts. However, as a general guideline, the following is recommended:

A. Give a greeting, such as "Good morning, ma'am," "Good evening, sir," etc.

B. Identify yourself. Ex: "I am Officer Smith of the Wichita Police Department."

C. State the reason why the person is being stopped or detained. Ex: "I stopped you because I saw your vehicle travel through the stop sign at that last intersection without coming to a complete stop." (Describing the actions of the vehicle rather than personalizing the action to the driver tends to reduce tension.)

D. It may defuse tension to ask a motorist if there was some reason for the violation. This gives them the opportunity to "have their say," often leads to an admission that the violator realized they were in violation, and precludes a defendant from offering a different excuse at trial. If you choose not to ask but the motorist wishes to give a reason or excuse, listen politely and give them ample opportunity to tell their story.

E. Politely ask for identification and any required documents. Ex: "May I please see your license, registration, and proof of insurance?"

F. After completing any necessary paperwork, inform the driver or pedestrian as to what action is being taken and what, if any, the person must do as a result, such as how to pay any fine involved, obtain a traffic court hearing, etc.

G. Inform the driver or pedestrian that they are free to leave.

H. Give an appropriate closing. For example, if the motorist was cooperative, "Thank you for your cooperation" may be in order. Do not use the trite expression, "Have a nice day," which could be inappropriate in some circumstances. "Please drive carefully, your safety is important to us" is more appropriate.

409.07 No motorist or pedestrian, once cited or warned, shall be detained beyond the point where there exists no reasonable and articulable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent.

409.08 It is recommended that consent searches only be conducted with written consent, using the Wichita Police Department form 322.106. If the individual indicates that they will consent to a search but are refusing to sign the form, fill out the form anyway and indicate "consented to search but refused to sign," inserting initials and the signature of any witness in the signature block.

COMPLAINTS OF RACIAL OR OTHER BIASED-BASED POLICING

409.09 R Any member contacted by a person who wishes to file such a complaint, shall inform the citizen that such complaints can be made with Professional Standards (268-4256) or at any police substation. Supervisors should respond to the scene if requested by the complainant.

409.10 R Supervisors receiving a racial profiling complaint shall forward it to the Professional Standards Bureau. All such complaints shall be reviewed, acknowledged to the complainant in writing, and the complainant shall be informed of the results of the department's investigation within a reasonable period of time. The report and the conclusion shall be filed with the Chief of Police, and shall contain findings and any suggestions for disciplinary action or changes in policy, training, or tactics.

SUPERVISORS

409.11 Supervisors shall review profiling complaints and reports filed on stops by officers, and respond at random to back up officers on vehicle stops, and take appropriate action, including but not limited to coaching and discipline, being particularly alert to any pattern or practice of possible discriminatory treatment by individual officers.