Sobriety (DWI) Checkpoint
Introduction
Course Outline

✓ Traffic Control Regulations
✓ Checkpoint Uses
✓ Paperwork
✓ Sovereign Immunity & Liability
✓ Checkpoint Location
✓ Operational Plan
✓ Checkpoint Operations Requirements
  ✓ Low Level Size & Regular Size Checkpoints
✓ After Action Report
Question: Why do most agencies don’t conduct DUI Checkpoints?

- Lack of Resources (Manpower, Equipment, Logistics, etc.)
- Strain on Resources
- Liability
- Too Hard

Low Manpower Checkpoints can be done with min. resources
Are Checkpoint Necessary?
STATE OF FLORIDA, Petitioner, v. RONALD DEAN JONES, Respondent

No. 66,373

Supreme Court of Florida

483 So. 2d 433; 1986 Fla. LEXIS 1669; 11 Fla. L. Weekly 67

February 20, 1986

PRIOR HISTORY: [**1]


COUNSEL: Jim Smith, Attorney General and William I. Munsey, Jr., Assistant Attorney General, Tampa, Florida, for Petitioner.


JUDGES: McDonald, Boyd, C.J., and Adkins, Overton, Ehrlich and Shaw, JJ., concur.

OPINION BY: MCDONALD

OPINION: [*434] The Second District Court of Appeal has certified the following question as being one of great public importance:

Can a warrantless temporary roadblock which is established to apprehend persons driving while under the influence of alcohol and which stops automobiles without any articulable suspicion of illegal activity produce constitutionally permissible arrests?

Jones v. State, 459 So.2d 1068, 1081 (Fla. 2d DCA 1984). This Court has jurisdiction pursuant to article V, section 3(b)(4), Florida Constitution. We answer in the affirmative, but, based on the record in this case, approve the result reached by the district court.

The City of Tampa Police Department arrested Jones for driving while under the [**2] influence of alcoholic beverages (DUI), a violation of section 316.193, Florida Statutes (1981). The Tampa police established a roadblock on July 4, 1982, at about 2:30 a.m. for the admitted purpose of apprehending DUI drivers. The police blocked the three northbound lanes of Dale Mabry Highway to form a funnel, requiring all traffic to travel in one lane and to pass an officer stationed on the roadway. That officer had instructions to stop every fifth automobile during heavy traffic and every third automobile during light traffic. The officer directed the stopped cars off the roadway into a parking lot. Five police officers stationed in the parking lot determined if the drivers were DUI. Jones
Traffic Control Regulations

- The Federal Highway Administration sets forth a set of standards that are adopted nationally called the **Manual on Uniform Traffic Control Devices (MUTCD)**

- In Florida, as well as other States, the Department of Transportation sets the standards for roadway design, maintenance, construction and traffic zone control.
Related Web Sites
http://www.dot.state.fl.us/rrddesign/DS/12/STDs.shtm

http://mutcd.fhwa.dot.gov/

Manual on Uniform Traffic Control Devices for Streets and Highways
2009 Edition

2009 Edition with revision dated 2012)
Reference Material

National Safety Council
1121 Spring Lake Drive,
Itasca, Illinois 60143-3201
(630) 285-1121
1997 by the National Safety Council
NHTSA: Low Staffing Sobriety Checkpoints
Required Training

The FDOT requires all persons involved in Maintenance of Traffic to be certified. This requirement went into effect Jan. 1, 2002.

There are 2 levels of required certification:

1. **Basic** – This is for the personnel responsible for actually **setting up** the traffic control plan

2. **Advanced** – this is for the personnel assigned to **designing and reviewing** the traffic control plan.

The Good News:

Law Enforcement personnel are **exempt** from this requirement.
Safety is the Priority!!

Your Traffic Control Plan is important!

- The Safety of everyone involved should be your first priority.
- This includes both the Checkpoint personnel and the motoring public entering your checkpoint.
- By having a plan, both your agency’s and your liability will be minimized.
Checkpoint Overview
Various Uses of Checkpoints?

1. **Sobriety (DWI) Checkpoint**
2. Driver’s License Checks
3. Vehicle Safety Inspections
4. Fugitive Recovery
5. Immigration Checkpoint
6. **Disaster Recovery:** re-entry checkpoint for area residents returning after a natural or man-made disaster – (ie: *Hurricane activity in recent years has made these checks vital.*
Liability
Sovereign Immunity

- A government’s (State, County, & Municipality) sovereign immunity to $250,000.

- Above that, any award requires the legislative approval of the Florida State House & Senate.

- Therefore we are not immune: we must follow adopted standards and practices to limit our liability exposure.
Legal Implications
Legal Implications

• As fines and penalties increase for DWI / DUI and the impact that they have on personal life, defense attorney’s seek ways to have our checkpoints invalidated.

• Defense attorney’s are routinely requesting the entire operations plan, after action report, arrest log, etc…. and then will have their experts review them to find ways of invalidating the operation and open the door for getting the case dismissed & law suits.
Liability

- **Reasonable Person** – This is the person by which standards are set.

- **Contributory Negligence** – This means that some act or omission on the part of someone contributed to their own damages. Failing to meet the “Reasonable Person” standard would be contributory towards your own liability.

- **Comparative Negligence** – This means that there is some negligence on the part of both sides.
I don’t know about you but this sign has some safety concerns. Remember we are trying to limit liability.
Then what do we have to do?

- We must take every precaution to avoid the creation of *unreasonable risks* – particularly at night when DWI checkpoints are being conducted.

- We need to ensure that we are following **all** Statutes, Regulations and Procedures.

- This includes items such as the **MUTCD** *(Manual on Uniform Traffic Control Devices)* and the FDOT Standards.
Standard Requirements

• The MUTCD is adopted by title 23, United States Code, Section 109(d) and Title 23, Code of Federal Regulations, Part 655.603, and is approved as the national standard for designing, applying, and planning traffic control devices.

• Any violation of these standards or practices constitutes an act of negligence.
Standard Requirements

- Florida Statute §316.0745 requires that the FDOT adopt a uniform set of traffic standards for statewide use.

- By Rule 14-15.010, Florida Administrative Code, the FDOT adopts the MUTCD to comply with §316.0745.

- F.S. §316.0745(4) requires that all traffic control devices be certified by the FDOT.

- F.S. §316.006 states that traffic control devices must comply with §316.0745 for enforcement.
What do you think? Standard?
Really!!!    Not Quite...
Sovereign Immunity Summary

- Follow the standards and improve from there.
- Keep accurate records (ie: DWI Checkpoint Package).
- Document your actions and plan.
- Utilize all the expertise you have available.
SELECTING
A
CHECKPOINT LOCATION
You need to show a demonstrated Need:

DUI Traffic Crashes
DUI Traffic Fatalities
DUI Arrests

NOTE:
Improper Use of a checkpoint: Using a DUI Checkpoint in an area to meet a different goal.
When selecting a location we need to consider minimizing the disruption of the flow of traffic (i.e.: congestion), safety, etc.... and getting the motorist back on his/her way safely onto the roadway.
CITY OF MIAMI POLICE DEPARTMENT
DUI / TRAFFIC CHECKPOINT
VEHICLE SELECTION SUPPLEMENTAL GUIDELINES

The selection of vehicles to be stopped at this DUI / Traffic Checkpoint will adhere to the following guidelines:

The “CHUTE METHOD” will be utilized to channel vehicles from the roadway into a contact area. Note: We will be checking vehicles traveling eastbound on the NE 79 Street.

All traffic will be directed into one traffic lane. A second lane, separated by flares or reflective traffic safety cones, will be designated as the contact area for the officers on the “contact line.”

The “Traffic Control Officer,” or his designee, will stop all traffic at the start of the chute when operation begins. Traffic Control Officer will be responsible for directing traffic into the checkpoint while maintaining a safe and orderly flow. He will direct the predetermined number of vehicles into the chute without exception until the chute is filled and then allow the rest traffic to flow freely. The Traffic Control Officer will also maintain an accurate count of the number of vehicles diverted into the Sobriety Checkpoint. The number of vehicles directed into the checkpoint will be pre-determined prior to the commencement of the checkpoint. For this checkpoint ten vehicles at a time will be brought into the chute.

Once in the chute, the lead motorist vehicle will be directed to the beginning of the contact line and where a stop sign is located. The vehicle will then be directed to stop. The contact line officers will then make contact with the drivers of the vehicles in the chute to determine if they have a driver’s license and to observe if any indications of impairment are visible. The contact with the driver should approximately average 30-45 seconds. See Assignment Section of this report for the duties of the Contact Line Officer. All personnel will take enforcement action on any Florida criminal or traffic law violation, which are personally observed. All personnel will be responsible for all summons and arrest procedures if violations are identified. If the contact between the officer and driver needs to be extended due to a traffic violation, irregularity, and/or further investigation needs to be conducted, the driver will be directed to pull his/her vehicle to the side where a more extensive investigation can be conducted by the contact officer and corrective action taken. Under no circumstances will a driver suspected of DUI be allowed to drive his vehicle into the processing area. Violators suspected of DUI shall be directed to step out of their vehicle and taken to the staging area where an officer will conduct Standardized Field Sobriety Tests (SFST’s).

If the violator is arrested for DUI, then he/she will be taken to the BAT Mobile for DUI processing. At the conclusion of the initial contact, the vehicles in the chute will be permitted to depart and exit the staging area. When the last vehicle has cleared the chute, or it is clear that the last vehicle is clearing the chute, the “Traffic Control Officer”, or his designee, will stop all traffic and repeat the process in the same manner.

If at any time the traffic flow becomes so hindered as to become a hazard or major inconvenience for motorists, traffic flow will be permitted to flow unhindered until the congestion has eased and it is safe once again to resume checkpoint operations. Motorists who elect to avoid the checkpoint are permitted to do so unless an officer has reasonable suspicion to believe a crime has been or is being committed.

On Day Wednesday Date February 19, 2014

Location: NE 79 St & NE 3 CT (Eastbound on NE 79 ST) to be directed into the chute, and stopped, will be dependent on the variables listed above.

Lt. Alejandro Oliva / 5366
Checkpoint Commander

Sgt. Luis Taborda / 6914
Checkpoint Supervisor

Copies of this form is given to every officer / PSA working the checkpoint
Keys to Selecting A Good Location

1. Visibility
2. Lighting
3. Space
Visibility

• First, you need to select an area that is free of geometrical obstructions such as curves or hills.

• Motorists approaching the checkpoint need to have a clear view of everything going on in front of them. This minimizes driver confusion.

• You don’t want a “hidden” back-up to create an abrupt situation for a motorist (ie: Around a curve or crest of a hill).
The 2\textsuperscript{nd} point to consider for visibility is the \textbf{roadway type}. What on-street obstructions are going to create problems for you?

- Is there on-street parking or intervening streets?
- Is it a divided highway or un-divided?
- Is there curb & gutter?
- How many lanes are there in each direction?
• The 3rd point to consider for visibility is: What are the traffic speeds and volumes?

• Traffic speeds will impact driver behavior and expectation as the approach your checkpoint. It also increases your checkpoint zone because the length of zone is directly proportional to travel speed.

• High volumes can create serious congestion and back-up for your checkpoint. It can also increase the risk of rear-end crashes.

• Too Low Volumes and you’re bored!
Lighting

• What kind of lighting do you for your checkpoint? (Street Lighting vs. Portable Lighting)

• First, you need to consider the ambient lighting around your site. This can be from the moon, Street Sodium Vapor Lighting or the parking lot lighting.

• Be sure to check your ambient lighting at night before you design your checkpoint plan (ie: Reconnoiter the area before you decide on the location).
• 2nd What permanent lighting do you have available to you?

• Are there streetlights or other light sources permanently placed to aid you.

• It is important that the motorist sees you in addition to everything else in the zone.

• There should be enough lighting to be as safe as if you were working in the daylight.
Finally, what *supplemental* lighting do you need to bring in?

You can rent or borrow *lighting towers* from a variety of locations.

You need to make sure in *planning stages* that you have enough supplemental lighting.

While determining locations for supplemental lighting, remember that they are run off of a generator and can be very noisy.
Adequate Space

• You must select a site that has enough space to meet your needs.

• You need to consider your *advance warning area*, *transition area*, *activity area* and the *termination area* (end zone).

• In addition, you need to consider your out of the roadway space. Where will you perform the actual checks? Park agency vehicles? Towing Area, Investigation area, CP Area, Media Area, etc…. 
Operational Plan

IPTM - DUI Checkpoint Class
EVERY VEHICLE METHOD

VS.

CHUTE METHOD

VS.

EVERY VEHICLE METHOD

Which ever method you chose, it must be pre-determined and spelled out in the operational plan.
Every Vehicle Method

Traffic Control Officer at **end** of the contact line

Traffic Control Officer at **beginning** of the checkpoint
Chute Method

Traffic Control Officer at end of the contact line

Traffic Control Officer at beginning of the contact line

Traffic Control Officer at beginning of the checkpoint
Posted Speed Limit

- The **posted speed limit** will be used to determine your traffic control features such as taper lengths.

- Diagram: NTS (Not to Scale).
The site diagram should include the location of traffic control / checkpoint devices.

This includes: Traffic cones or barricades, traffic signs, variable message signs, advance law enforcement vehicles, pursuit vehicles, etc.;

All of the checkpoint zones;
Escape Route

- If appropriate, your diagram or checkpoint plan should show the “escape route” that motorists can utilize to lawfully avoid the checkpoint.
Traffic Control Plan
Design Standard References

- Florida Department of Transportation – Design Standards

- Federal Highway Administration’s Manual On Uniform Traffic Control Devices (MUTCD)
Starting the Plan

- In a **work zone** (ie: Checkpoint Operation Area), it is important to remember that motorists are encountering an unusual condition.

- An effective zone enhances safety both to the motorists and to the people working (ie: LEO’s) the checkpoint.

- Your traffic control plan **must** adhere to accepted standards.
Safety

• As stated earlier, Traffic Safety should be your highest priority.

• A detailed traffic control plan should be developed and documented.

• Traffic movement should be inhibited as little as possible.

• Motorists should be guided through the zone in a clear manner.
Checkpoint Areas

- Advance Warning Area
- Transition Area
- Activity Area
- Termination Area
Advance Warning Area

- This is the area where drivers are warned of what to expect ahead.

- The *length of the advance warning area* is dependent upon *vehicle speed*. The higher the speed, the longer the reaction time.
Advance Warning Area - Diagram

- ROAD WORK AHEAD
- SPEEDING FINES DOUBLED WHEN WORKERS PRESENT
- RIGHT LANE CLOSED AHEAD
- Diagram showing road work area with warning signs and lane closures.
## Stopping Distance

### Table 6C-2. Stopping Sight Distance as a Function of Speed

<table>
<thead>
<tr>
<th>Speed* (km/h)</th>
<th>Distance (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>35</td>
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<tr>
<td>40</td>
<td>50</td>
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<tr>
<td>50</td>
<td>65</td>
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<td>130</td>
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<tr>
<td>110</td>
<td>220</td>
</tr>
<tr>
<td>120</td>
<td>250</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Speed* (mph)</th>
<th>Distance (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>115</td>
</tr>
<tr>
<td>25</td>
<td>155</td>
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<tr>
<td>30</td>
<td>200</td>
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<tr>
<td>35</td>
<td>250</td>
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<td>305</td>
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<td>360</td>
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<td>60</td>
<td>570</td>
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<tr>
<td>65</td>
<td>645</td>
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<tr>
<td>70</td>
<td>730</td>
</tr>
<tr>
<td>75</td>
<td>820</td>
</tr>
</tbody>
</table>
Transition Area

- This is the area where the driver’s path is redirected. The driver must either merge into an adjacent lane or encounter merging traffic.

- It is important that **tapers** in this area be properly set-up and designed for the speed.
Transition Area - Diagram

- Median
- White Reflectorizer
- Taper Length = L
- Buffer Space
- Device Spacing - Taper
- See Table II
- See Table II
- See Table II
- See Table I
- See Table
Activity Area

- This is the area where the actual work occurs

- **Work Space** – This is the portion of the work zone set aside for the actual checkpoint activity.

- **Traffic Space** – This is the area that the traffic travels through the activity area.

- **Buffer Space** – This is the optional area that provides additional protection between workers and motor vehicles. There are 2 Types: Longitudinal and Lateral.
Activity Area - Diagram

Median

White ReflectORIZED Pavement Mark

Work Area

Length = L

Buffer Space

See Table II

Spacing-Taper

Device Spacing-Tangent

See Table I
• **Longitudinal Buffer Space** – This is the space in advance of the work zone. It is additional space placed between the *Transition Area* and the *Work Area*.

• **Lateral Buffer Space** – This is the space between the actual *Work Space* and the *Traffic Space*.

• **Incident Management Vehicle Storage Space** – This is the space where vehicles are stored. This would include law enforcement vehicles, Mobile Command Posts and impound areas.
Termination Area

• This is the area where traffic is allowed to return to normal traffic flow.

• The end “Work Zone” sign should be used to let motorists know that they have left the zone. This sign is optional.
Termination Area - Diagram
Tapers

- Tapers occur in the **Transition Area** and sometimes in the Termination Area.

- Tapers either merge traffic or shift lanes.
Taper Tables

Table II
Buffer Space and Taper Length

<table>
<thead>
<tr>
<th>Speed (mph)</th>
<th>Buffer Space</th>
<th>Taper Length (12' Lateral Transition)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>155</td>
<td>125</td>
<td></td>
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<tr>
<td>30</td>
<td>200</td>
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<td>780</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>730</td>
<td>840</td>
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</tr>
</tbody>
</table>

When Buffer Space cannot be attained due to geometric constraints, the greatest attainable length shall be used, but not less than 200 ft.

For lateral transitions other than 12', use formula for L shown in the notes column. Where:

\[ L = \frac{WS^2}{60} \]

\[ L = WS \]

DISTANCE BETWEEN SIGNS

<table>
<thead>
<tr>
<th>Speed</th>
<th>Spacing (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>速率</td>
<td>A</td>
</tr>
<tr>
<td>40 mph or less</td>
<td>200</td>
</tr>
<tr>
<td>45 mph</td>
<td>350</td>
</tr>
<tr>
<td>50 mph</td>
<td>500</td>
</tr>
<tr>
<td>*55 mph or greater</td>
<td>2640</td>
</tr>
</tbody>
</table>
## Table I
### Device Spacing

<table>
<thead>
<tr>
<th>Speed (mph)</th>
<th>Max. Distance Between Devices (ft)</th>
<th>Cones or Tubular Markers</th>
<th>Type I or Type II Barricades or Vertical Panels or Drums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Taper</td>
<td>Tangent</td>
</tr>
<tr>
<td>25</td>
<td></td>
<td>25</td>
<td>50</td>
</tr>
<tr>
<td>30 to 45</td>
<td></td>
<td>25</td>
<td>50</td>
</tr>
<tr>
<td>50 to 70</td>
<td></td>
<td>25</td>
<td>50</td>
</tr>
</tbody>
</table>

Diagram: 10' 30' 6" Yellow Edge Line

Generally, Top Of Post Should Be 4'
GENERAL NOTES

1. Work operations shall be confined to one traffic lane, leaving the adjacent lane open to traffic.

2. All vehicles, equipment, workers, and their activities are restricted to one side of the roadway.

3. On undivided highways the median signs at intersections are to be included.

4. When work is performed in the median lane on divided highways the channelizing device plan is reversed and left line closed and lane ends sign shall be included for the right lane closed and lane end signs.

5. The scene shall be limited to the following conditions:
   a. A maximum of 45 mph.
   b. The scene shall be marked on both sides of the lane.
   c. The device shall be marked on both sides of the lane.
   d. The device shall be marked on both sides of the lane.

6. The lane channelizing devices directly in front of the work area may be marked channelizing devices in the work area lines high-intensity flashing, flashing, or static lights.

7. When opened shoulders having a width of 2 ft. or more are desired, channelizing devices shall be used to close the shoulder in accordance with the channelizing devices to remain within the travel way. See index No. 650 for shoulder taper formula.

DURATION NOTES

1. Temporary white marking may be used for work operations less than 3 days.

2. Signs, arrow panel, and buffer space may be omitted if all of the following conditions are met:
   a. Work operations are 30 minutes or less.
   b. Speed limit is 45 mph or less.
   c. No other obstructions to minimum approach the work area for a distance equal to the buffer space and the taper length combined.
   d. Vehicles in the work area have high-intensity, flashing, flashing, or static lights operating.
   e. Visibility and accessibility of the roadway is not compromised.

CONDITIONS

WHERE ANY VEHICLE, EQUIPMENT, WORKERS ON THEIR ACTIVITIES ENCROACH ON THE LANE ADJACENT TO EITHER SHOULDERS AND THE AREA 2' OUTSIDE THE EDGE OF TRAVEL WAY.

MULTILANE, WORK WITHIN THE TRAVEL WAY MEDIAN OR OUTSIDE LANE

2009 ODOT Design Standards

513
HOLLYWOOD POLICE DEPT
BOBS BARRICADES

WILL BE SET UP TO
FDOT STANDARD
INDEX 613 2006

VARIBLE MESSAGE BOARD
MESSAGE: DUI CHECK POINT AHEAD

POLICE UNIT

POLICE UNIT

2 CHASE POLICE
MOTOR CYCLES

350

350

350

350

350

350

ROAD WORK

350

350

350

350

350

TAPER 540°

TANGENT 600°

SPACING 15°

POLICE OFFICER

B.A.T.MOBILE
VIDEO AREA

1800 SR 7 (US 441)

POLICE VEHICLE
PARKING

ENTRY

EXIT

TOW AWAY
ZONE

VIOLATERS

VIOLATERS

ATSSA
AMERICAN TRAFFIC SAFETY
SERVICES ASSOCIATION

This is to affirm that
Shawn Musgrave
Has satisfactorily completed the
Florida Advanced Training
Date Completed: 12/20/02 Instructor: Ms. Catherine Witz
Location: West Palm Beach, FL Status: Passed Final
Date Refresher Course Required: 11/16/2010
S.W. 23rd Terrace – 3600 Block
Maintenance of Traffic Plan
Law Enforcement Safety Checkpoint

<= North

S.W. 23rd Terrace

= Police Vehicle with Flashing Lights

NOTES:
1. Vehicles without proper paperwork or needing additional investigation/enforcement will be diverted off of S.W. 23rd Terrace into the CountrySide Parking lot for additional processing.
2. Speed Limit on S.W. 23rd Terrace is 40 MPH.
3. All traffic control equipment used for this maintenance of traffic plan conforms to FDOT and MUTCD Standards.
Equipment
MOT Equipment
36” Double Reflective Cones
MOT Equipment – Cont.

Not Good!!!
Officer (Worker) Safety

- Work areas present temporary and changing conditions that are unexpected to drivers. They also create situations that are more confusing to drivers. This creates higher degrees of vulnerability for workers near the roadway.

- Clothing – Workers are exposed to traffic should be attired in bright reflective clothing such as traffic vests. The 2009 MUTCD adopts the standards for reflective clothing.
Personal Protective Gear
2009 MUTCD Section 6D.03:
B. Standard:

All workers, including emergency responders, within the right-of-way who are exposed either to traffic (vehicles using the highway for purposes of travel) or to work vehicles and construction equipment within the TTC zone shall wear high-visibility safety apparel that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107–2004 publication entitled “American National Standard for High-Visibility Safety Apparel and Headwear” (see Section 1A.11), or equivalent revisions, and labeled as meeting the ANSI 107-2004 standard performance for Class 2 or 3 risk exposure, except as provided in Paragraph 5. A person designated by the employer to be responsible for worker safety shall make the selection of the appropriate class of garment.
Personal Protective Gear

Option

Emergency and incident responders and law enforcement personnel within the TTC zone may wear high visibility safety apparel that meets the performance requirements of the ANSI/ISEA 207-2006 publication entitled “American National Standard for High-Visibility Public Safety Vests” (see Section 1A.11), or equivalent revisions, and labeled as ANSI 207-2006, in lieu of ANSI/ISEA 107-2004 apparel.
When **uniformed law enforcement** personnel are used to direct traffic, to investigate crashes, or to handle lane closures, obstructed roadways, and disasters, high-visibility safety apparel as described in this Section **shall** be worn by the law enforcement personnel.
High Visibility Safety Apparel

Types of High Visibility Safety Apparel that Workers Can Wear

The shortcoming of wearing NO vest!

Typical U.S. crash scene

Examples of Proper Visibility and Improper Visibility

Typical European crash scene

If you have any MUTCD questions contact Hari Kalla
MUTCD Team Leader
(202) 366-5915
hari.kalla@dot.gov
www.mutcd.fhwa.dot.gov
High Visibility Safety Apparel

The shortcoming of wearing NO vest!

Typical U.S. crash scene

Typical European crash scene

no safety apparel
Portable Changeable Message Signs

- Also known as variable message signs (VMS)

- They are important to providing a variety of messages to motorists.

- They should be used 500 to 800 feet in advance of work zones and 1.5 to 2 miles in advance of zones which are complex and require unexpected maneuvers.
Changeable Message Signs

ROAD
WORK
AHEAD
Changeable Message Electronic Sign

aka

Variable Message Sign (VMS)
Arrow Boards

- **Arrow Boards** are used to provide directional information to motorists.

- **Arrow Boards** are used in conjunction with appropriate signs, barricades and other traffic control devices.
Plan Summary

• As of January 1, 2002, traffic control plans must be certified by an FDOT Certified MOT Engineer.

• Utilize local supporting agencies to have your plan developed and approved:
  • Local FDOT Office;
  • Local Traffic Engineering Office; or
  • Local Public Works Department.

• Develop a checklist of all necessary equipment and have necessary maintenance performed.
EQUIPMENT CHECKLIST

☐ Vehicles that enter the checkpoint must be counted.

☐ Warning signs
  ☐ Sobriety Checkpoint Ahead
  ☐ Reduce Speed Ahead
  ☐ Prepare to Stop
  ☐ Stop Signs
  ☐ One or Two Lane Road Ahead (Merge)
  ☐ Variable Message Sign (VMS)

☐ Flares, fuses, or similar devices

☐ D.O.T. approved 36 inch with double reflective ring Traffic Cones

☐ Tables and Chairs

☐ Flex Cuffs

☐ Forms/Paperwork & Materials
  ☐ Arrest Affidavits
  ☐ Arrest Affidavits (continuation)
  ☐ Arrest Affidavits (SFST Page)
  ☐ Field Interview (F.I. Cards)
  ☐ Property Receipts / Inventory Sheets (Tow Sheets)
  ☐ DUI Form (Page 1 of 2)
  ☐ DUI Form (Page 2 of 2)
  ☐ DHSMV Refusal Forms
  ☐ Evidence / Personal Property Plastic Bags
  ☐ Evidence Tape
  ☐ Plastic Bags for Collecting Prisoner Personal Effects & Evidence

☐ Intoxilyzer 8000R Breath Testing Device: Amount: _______

☐ Portable lighting: Amount: _______

☐ Marked Police car(s) on roadway: Amount: _______

☐ Police Vehicle with Public Address System: Amount: _______

☐ Logistics:
  ☐ Cooler with Ice
  ☐ Water Bottles / Soda’s / Etc…

☐ The following support vehicles are to be utilized:
  ☐ Breath Alcohol Testing (B.A.T.) Mobile
  ☐ Traffic Unit Equipment Trailer with Cones, Tables, and Traffic Signs
  ☐ Traffic Unit Pickup
  ☐ Traffic Unit Equipment Van
  ☐ THI Van
  ☐ Prisoner Transport Van
  ☐ L.P.R. (License Plate Reader) Vehicle
  ☐ K-9 Unit
  ☐ Police Motorcycles
  ☐ Others: ________________________________
Check-Point Set-up

- Have your plan and be prepared to review.
- Gather all of the equipment on the checklist.
- Ensure that all equipment is in proper working order. This includes routine checks during the checkpoint.
- Mark locations for equipment on the roadway in advance of setting up.
Installation

• Layout the equipment on the shoulder prior to installation.

• Remember all of your safety rules (due care).

• Inspect the installation.

• Document that you followed the plan. Video is extremely useful.

• Start at the beginning of the zone for proper setup.
Maintenance & Cleanup

- Keep to your plan (Remember Discovery).

- Routinely have someone inspect the zone to make sure that all signs & devices are still in place and all electromechanical devices are functioning properly.

- Clean Up: Take your zone done by starting in the termination area and working backwards.
PAPERWORK
Authorization Form

Miami Police Department
Traffic Unit
DUI Sobriety Checkpoint

March 19, 2015
Rodolfo Llanes
Chief of Police

AUTHORIZATION

Officers in the Traffic Unit are hereby authorized to conduct D.U.I Checkpoints during nighttime hours on

___ Thursday, March 19, 2014 ___ at ___ NE 1 AVENUE & 10 STREET ___ in the City of Miami. All personnel participating in the checkpoints will be responsible for following the procedures outlined in the “Sobriety Checkpoint’s S.O.P.” and in the “Supplemental Guidelines” on the specific method of selecting motorist.

Contingency Plan Location will be Traffic Enforcement Saturation Patrol.

This authorization authorizes A/Lt. L. Taborda & Sgt. M. Dell Amico to coordinate and conduct a D.U.I. / Traffic Checkpoint.

Special Operations Section Commander

Commander and Operations Supervisor of the Checkpoint

Staff Officer – Major or above Signature
Use of “Fair DUI” flyer at DUI/sobriety checkpoints

MEMORANDUM

TO: Florida Law Enforcement Officers, Legal Advisors, and Prosecutors

FROM: Garrett M. Berman, Florida TSRP Prosecutor

DATE: February 18, 2015

RE: Use of “Fair DUI” flyer at DUI/sobriety checkpoints

This is in response to several inquiries regarding the use of the “Fair DUI” flyer by drivers at DUI/sobriety checkpoints. Attached is a copy of the front and back of the flyer that is available on the website www.FairDUI.org. Although not necessarily in order as they appear on the flyers, this memo addresses the front of the flyer that is made visible to officers at a checkpoint and the instructions to the users that appear on the back of the flyer.

As always, the opinions and analyses expressed herein may not necessarily be the same as those in all law enforcement agencies and State Attorney Offices in Florida. Please consult your local law enforcement agency’s legal counsel or the State Attorney’s Office in your jurisdiction regarding any issues of applicability or application in your jurisdiction.

“Please put any ticket under windshield wiper.”

Pursuant Fla. Stat. 318.14(2), for all infractions, other than those that require a mandatory hearing under Fla. Stat 318.19, 316.1001 or any other criminal traffic violation listed in Chapter 316, “the officer must certify by electronic, electronic facsimile, or written signature that the citation was delivered to the person cited.” “This certification is prima facie evidence that the person cited was served with the citation.” The flyer seems to suggest to the user that the user has the ability to tell the officer how that officer shall certify that the citation was delivered upon the individual cited. There is no legal basis for this. It is the officer, not the driver, that determines how the officer will certify that the citation has been delivered to the driver. If a citation is issued, it would be the decision of the citing officer whether placing the citation under the windshield wiper would constitute delivery to the person cited, such that it would meet the certification of delivery requirement under the statute.

Florida Public Safety Institute, Tallahassee Community College - 75 College Drive, Suite 135 - Havana, FL 32333
850.201.7740(office) - 850.201.7013(fax)

Funded by FDOT
Use of “Fair DUI” flyer at DUI/sobriety checkpoints

I REMAIN SILENT
NO SEARCHES
I WANT MY LAWYER

Please put any tickets under windshield wiper.
I am not required to sign - §318.14(2).
I am not required to hand you my license - §322.15.
Thus I am not opening my window.
I will comply with clearly stated lawful orders.
Use of “Fair DUI” flyer at DUI/sobriety checkpoints

“I am not required to hand you my license - §322.15.”
The back of the flyer also informs the user to “Show them your license, registration and insurance through the window,” and that “You are required to ‘display’ them, but you don’t have to hand them over. So don’t open your window.” This seems to be the most questionable part of the flyer, and the issue that will most certainly only be resolved through litigation. *Pursuant to Fla. Stat. 322.15(1)*, every driver “shall have his or her driver license, which must be fully legible with no portion of such license faded, altered, mutilated, or defaced, in his or her immediate possession at all times when operating a motor vehicle and shall present or submit the same upon demand of a law enforcement officer or an authorized representative of the department.” The statute, effective July 1, 2014, amended the word “display” to “present or submit,” in addition to allowing a licensee to submit a digital proofer of driver license in lieu of a physical license.
Use of “Fair DUI” flyer at DUI/sobriety checkpoints

“I am not required to hand you my license - §322.15.” (Cont.)

Nevertheless, the statute, as amended on July 1, 2014, requires the driver “present or submit” their license to the officer. This would seem to indicate that the driver must give his or her license to the officer, not just display it through the window.

A driver who fails to obey the lawful orders of an officer at a DUI/sobriety checkpoint may be in violation of Fla. Stat. 316.072 – Obedience to and effect of traffic laws. Fla. Stat. 316.072(3) states that it is unlawful and a misdemeanor of the second degree for any person willfully to fail or refuse to comply with any lawful order or direction of any law enforcement officer. This would include any officer at a DUI/sobriety checkpoint. Be aware that, although it has been argued in the past, Fla. Stat. 316.072(3) is not limited to orders given in emergency situations.
Use of “Fair DUI” flyer at DUI/sobriety checkpoints

“I am not required to hand you my license - §322.15.” (Cont.)

The driver may also be in violation of Fla. Stat. 843.02 – Resisting officer without violence to his or her person, if the driver resists, obstructs, or opposes any officer in the execution of legal process or one who is in the lawful execution of a legal duty, without offering or doing violence to the person of the officer.
Use of “Fair DUI” flyer at DUI/sobriety checkpoints

“Please put any ticket under windshield wiper.”

Pursuant Fla. Stat. 318.14(2), for all infractions, other than those that require a mandatory hearing under Fla. Stat. 318.19, 316.1001 or any other criminal traffic violation listed in Chapter 316, “the officer must certify by electronic, electronic facsimile, or written signature that the citation was delivered to the person cited.” “This certification is prima facie evidence that the person cited was served with the citation.” The flyer seems to suggest to the user that the user has the ability to tell the officer how that officer shall certify that the citation was delivered upon the individual cited. There is no legal basis for this. It is the officer, not the driver, that determines how the officer will certify that the citation has been delivered to the driver. If a citation is issued, it would be the decision of the citing officer whether placing the citation under the windshield wiper would constitute delivery to the person cited, such that it would meet the certification of delivery requirement under the statute.
OPERATIONAL PLAN

SITUATION

The sobriety checkpoint is a law enforcement controlled roadblock, which is designed to heighten public awareness to the dangers of driving under the influence of alcohol and or drugs.

The primarily focus of this operation will be on driver's who choose to drive under the influence of alcohol and / or other harmful substances and to promote awareness of safe driving. The goal of this operation is to adopt a zero tolerance policy for the possession of any quantity of alcohol, chemical, or control substance found in the possession of any such person as prohibited by law; to identify, apprehend and incarcerate any person who is operating a vehicle impaired and to deter those who might otherwise attempt to drive while under the influence.

Secondly, this operation will also focus on the detection of improper or unsafe vehicle violations, seat belt and child restraint violations, driving while license suspended or revoked, and any other violation under Florida State Law accordance with Florida State Statue Chapters 316, 320, and 322.

Lastly, the enforcement of any other criminal violations committed in violation of Florida Statute.

On Thursday, March 19, 2015, the City of Miami Police Department Traffic Unit will be conducting a Multi-Agency D.U.I. Sobriety Checkpoint at NE 1 AVE & 10 ST. In conjunction with the checkpoint we will also be conducting a DUI Saturation Patrol. This Checkpoint & Saturation Patrol will be consisting of and with the partnership with other law enforcement agencies throughout Miami-Dade County, Florida; it will be multi-jurisdictional and working under the auspice of the mutual aid agreement that all jurisdictions are part thereof. We will be providing high visibility in an effort to reduce serious automobile crashes.

MISSION

It is the mission of the Traffic Unit to uphold the finest traditions of the City of Miami Police Department in providing a continuing effort to reduce alcohol and drug related traffic offenses by removing impaired drivers from our roadways. At the same time, we will be increasing the perception of the risk of apprehension for those who might decide to drive while impaired by alcohol and /or drugs. This is also part of the City of Miami Police Department’s enforcement Red Light / Green Light initiative to reduce traffic fatalities and injuries by strict enforcement of Florida’s Traffic Laws. This operation is in conjunction with the “Buckle Up Florida – Click It or Ticket, “Let’s Eliminate Aggressive Driving (LEAD), and “Drive Sober or Get Pulled Over” programs. Officers will be on alert to apprehend motorists who are driving impaired and ticket
All members participating in the roadside safety check are required to attend a pre-operation and post-operation briefing. The following verification shall be implemented to document each of the briefings:

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<thead>
<tr>
<th>Rank</th>
<th>NAME First</th>
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<tr>
<td>1.</td>
<td>SGT. LUIS TABORDA</td>
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<td>SGT. LUIS MOLINA</td>
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</table>

( ) Pre-operation briefing attendance. I have received and read a copy of the checkpoint operational guidelines and understood all portions contained there in.

( ) Post-operation briefing attendance. (NOTE: Same roster may be used for post-operation briefing. Please note any deviations in the post-operation attendance on this form or in the post-operation after action report.)

DATE: MARCH 20, 2015     TIME:         PREPARED BY: SGT. M. DELL AMICO
DUI SOBRIETY CHECKPOINT

BRIEFING SIGN IN SHEET

DATE: ____________

PREPARED BY: 

NOTE: Same roster may be used for post-operation attendance on this form or in the post-operation after action report.

POST-OPERATION BRIEFING ATTENDANCE

DATE: ____________

TIME: ____________

PREPARED BY: 

DATE: 

TIME: 

CONDUCTED BY: 

1MIAMI POLICE DEPT. / DRE Detail SOBRIETY CHECKPOINT BRIEFING

DATE: 

TIME: 

CONDUCTED BY: 

DATE: 

TIME: 

CONDUCTED BY:
**MIAMI POLICE DEPARTMENT**

**DUI CHECKPOINT & SATURATION ACTIVITY SUMMARY**

**DATE:** ______________  **DAY:** ______  **LOCATION (NET AREA):** __________________

**OFFICER’S NAME:** JOHN DOE  
(PRINT NAME: First and Last)  
**ID.#:** 01-8954  
**UNIT#:** 4233

**OUTSIDE POLICE AGENCY’S NAME:**

**ASSIGNMENT(S):**  
- Line Officer  
- Saturation Officer;  
- Prisoner Transport;  
- BAT Mobile/BTO;  
- C.P. Security/39;  
- Towing Detail;  
- C.P. Scribe Ofc.  
Others: ___________

**LOCATION(S) OF STRIP ENFORCEMENT:**

**NO. OF MOTORIST DETAINED FOR FIELD SOBRIETY TESTING (SFST’S CONDUCTED):** 7

### Category Totals

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<td>DWLS ARRESTS</td>
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<td>NVDL ARRESTS</td>
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<tr>
<td>RECKLESS DRIVING ARRESTS</td>
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<td>MISDEMEANOR ARRESTS (Non-Traffic) B/W</td>
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<td>FELONY ARRESTS</td>
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### Category Totals

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<td><strong>TOTAL TRAFFIC SUMMONS</strong></td>
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**CONTINGENCY:**  
- SATURATION PATROL MODE

**INSTRUCTION:** ALL PARTICIPATING PERSONNEL AT THE CONCLUSION OF THE OPERATION MUST COMPLETE IN ITS ENTIRETY THIS TALLY SHEET AND TURN-IN TO THE DETAIL SUPERVISOR.

**THANK YOU FOR YOUR PARTICIPATION!**

**FAX TO (305) 603-6600**
The Operational Plan will have the job description for each position in the checkpoint. This may have to be modified on the day of the checkpoint because you might have people call in sick or a commander from the zone might pull bodies at the last minute. Officers from other agencies may be substituted.
Date: March 19, 2015

Subject: MIAMI POLICE DUI CHECKPOINT

The Miami Police Department will be conducting a Multi-Agency DUI checkpoint today, Thursday, March 19, 2015 at NE 1 Avenue and NE 10 Street. In conjunction with this checkpoint we will also be conducting a DUI saturation patrol. This checkpoint will take place in the City of Miami’s Downtown NET Service area. The checkpoint will be conducted during the hours of 8:00 PM – 12:00 AM.

The goal of this checkpoint is to identify and apprehend impaired drivers before they can kill or injure others. The Miami Police Departments will show zero tolerance for motorists who violate Florida’s traffic laws. Miami Police officers will be on alert to apprehend motorists who are driving impaired and ticket those who are unbuckled.

This effort is in conjunction with the “Drive Sober or Get Pulled Over”, “Lets Eliminate Aggressive Driving” and the “Buckle Up Florida: Click It or Ticket” campaigns.

Members of the local media are invited and encouraged to support our effort by passing this information during their local news coverage. For additional information, please call (305) 603-6525 or visit http://www.nhtsa.gov/Impaired.

Prepared by: Sergeant L. Taborda Reviewed by: A/Lt. R. Devane

Case: N/A Transmittal Date & Time: March 19, 2015

Rodolfo Llanes, Chief of Police
### CITY OF MIAMI POLICE DEPARTMENT

**DUI CHECKPOINT**

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#### DEPENDANTS NAME

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#### OFFICER NAME

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#### AGENCY

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<th>ARREST CHARGES</th>
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#### PRISONERS DISPOSITION (TRANSF./PTA)

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Prisoner Transport Log

**MIAMI POLICE DEPARTMENT**
**PRISONER TRANSPORT LOG (DUI CHECKPOINT)**

WAGON: __________________ 03/19/15

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<th>ARRESTING OFC.</th>
<th>ARRESTING OFC. UNIT</th>
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**Good way to double check with the Arrest Log and who got transport vs. PTA**

Transport Officers will be responsible for filling out this log and ensuring the Arrest Affidavit accompanies the Criminal UTC’s
<table>
<thead>
<tr>
<th>Time</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800 hours</td>
<td><strong>S.O.S. Station</strong>: Sgt. Taborda conducts briefing with support setup personnel (BAT Mobile, Motors, PSA's, DRE's &amp; the NET Area Officers) that are responsible for setting up the checkpoint.</td>
</tr>
<tr>
<td>1822 hours</td>
<td>Support Set-Up personnel depart from S.O.S. along with the BAT Mobile &amp; Traffic Van and proceed to the to the checkpoint site to begin setting up the checkpoint. (NE 1 AVE &amp; 10 ST).</td>
</tr>
<tr>
<td>1852 hours</td>
<td>Arrival at the checkpoint site: (NE 1 AVE &amp; 10 ST). Setup officers begin to set up the checkpoint. An electronic <strong>VMS</strong> was placed at NE 1 AVE just south of NE 9 Street in a parking space on the eastside of NE 1 AVE to advise the motorists of the checkpoint.</td>
</tr>
<tr>
<td>2000 hours</td>
<td><strong>Main Roll Call Briefing</strong> is conducted and the operational guidelines are passed out for everyone to read. Main Roll Call is for the rest of the Miami Police officers and officers from the outside agencies. The main roll call was conducted by <strong>Sgt. M. Dell Amico</strong>. <strong>After the roll call briefing, all officers were informed to stand and to seek cover since it began to rain.</strong></td>
</tr>
<tr>
<td>2030 hours</td>
<td>The Contact Line Officers are directed to get on the contact line and vehicles are directed into the checkpoint chute.</td>
</tr>
<tr>
<td>2215 hours</td>
<td>All Officers are directed OFF the contact line for a signal “12”.</td>
</tr>
<tr>
<td>2240 hours</td>
<td>Break is over. All Contact Line Officers are directed on to the contact line and the checkpoint is resumed.</td>
</tr>
<tr>
<td>2400 hours</td>
<td>Checkpoint is ended – All contact line officers are directed off the contact line.</td>
</tr>
<tr>
<td>0010 hours</td>
<td><strong>Post Briefing</strong> is conducted by <strong>Sgt. Dell Amico</strong>. All tally sheets are collected. After the Post Briefing all Officers are directed to assist in picking up cones and policing the area.</td>
</tr>
<tr>
<td>0100 hours</td>
<td>Set Up Detail is directed to drive all equipment back to SOS.</td>
</tr>
<tr>
<td>0130 hours</td>
<td>Ended tour of duty</td>
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</tbody>
</table>
## City of Miami Police Department
### Wrecker Log

<table>
<thead>
<tr>
<th>Officer / PSA Name</th>
<th>IBM</th>
<th>Make</th>
<th>Model</th>
<th>Color</th>
<th>Tag</th>
<th>State</th>
<th>Location Towed From</th>
<th>Wrecker Company</th>
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Prepared By:

Revised: 12-07-04  
Page# 1 of 1

### ROTATION WRECKER
Educational Material Passed Out to Motorists

The ABCs of BAC

A Guide to Understanding Blood Alcohol Concentration and Alcohol Impairment

Q: What can I do to stay safe when I plan on drinking?
A: If you plan on drinking, plan not to drive. You should always:
- Choose a non-drinking friend as a designated driver, or
- Ask ahead of time if you can stay over at your host's house, or
- Take a taxi (your community may have a Safe Rides program for a free ride home), and
- Always wear your safety belt – it's your best defense against impaired drivers.
The following is the After Action Report for a multi-agency DUI Checkpoint that was conducted on Wednesday, February 26, 2014. The purpose of this operation was for the apprehension of impaired drivers and for public education and awareness of the dangers of driving under the influence. This operation was conducted on NE 3rd St. & 79 Stree.

### Activity Summary

<table>
<thead>
<tr>
<th>Category</th>
<th>Totals</th>
<th>Category</th>
<th>Totals</th>
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<tbody>
<tr>
<td>DCS ARRESTS</td>
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<td>OTHER WMDR ARC W/ WLD TRAFFIC</td>
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<tr>
<td>EVILS ARRESTS</td>
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<td>DMV ARRESTS</td>
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<td>MVN ARRESTS</td>
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<td>SPEED LIMIT VIOLATION</td>
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<td>HOMICIDE MURDER</td>
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<td>JUVENILE APP</td>
<td>0</td>
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<td>1LD ARRESTS</td>
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<td>DMV INTENTION VIOLATIONS</td>
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<td>TAIL INSURANCE CHECK</td>
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<td>CASH RECOVERED</td>
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<td>FIELD ARRESTS</td>
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<td>HERE IN PARKED</td>
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<td>SPORTING GOODS HOOOLED</td>
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<td>STOLEN VEHICLE HOOLED</td>
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</tr>
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<td>WEEL VEHICLES</td>
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<td>GPS DEVICES</td>
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<td>WEEL VEHICLES</td>
<td>8</td>
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<tr>
<td>REGISTRATION</td>
<td>0</td>
<td>GPS DEVICES</td>
<td>11</td>
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<tr>
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<td>REGISTRATION</td>
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</tr>
<tr>
<td>MISC TRAFFIC VIOLATIONS</td>
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<tr>
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<td>0</td>
<td>RESULTING IN ARREST</td>
<td>14</td>
</tr>
<tr>
<td>TOTAL TRAFFIC VIOLATIONS</td>
<td>172</td>
<td>TOTAL NUMBER OF VEHICLES ENFORCED</td>
<td>172</td>
</tr>
</tbody>
</table>
USE OF K-9 IN A DUI CHECKPOINT
PRE-BRIEFING & POST BRIEFING
Make sure no arrest in the checkpoint operation show before or after.
Example

Full Scale Checkpoint
4 Lane Example

What signs & devices do you need for a checkpoint on this road?
4 Lane Example

What signs & devices do you need for a checkpoint on this road?

- ROAD WORK AHEAD
- RIGHT LANE CLOSED 1/2 MILE
- Median
- STOP
4 Lane Example

40 MPH
4 Lane Example

40 MPH

305 ft

Table II
Buffer Space and Taper Length

<table>
<thead>
<tr>
<th>Speed (mph)</th>
<th>Buffer Space</th>
<th>Taper Length (12' Lateral Transition)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Dist. (ft)</td>
<td>L (ft)</td>
</tr>
<tr>
<td>25</td>
<td>155</td>
<td>125</td>
</tr>
<tr>
<td>30</td>
<td>200</td>
<td>180</td>
</tr>
<tr>
<td>35</td>
<td>250</td>
<td>245</td>
</tr>
<tr>
<td>40</td>
<td>305</td>
<td>320</td>
</tr>
</tbody>
</table>

$L = \frac{WS^2}{60}$
4 Lane Example

40 MPH

Table II
Buffer Space and Taper Length

<table>
<thead>
<tr>
<th>Speed (mph)</th>
<th>Buffer Space</th>
<th>Taper Length (12 ft Lateral Transition)</th>
<th>Notes (Merge)</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>155</td>
<td>125</td>
<td></td>
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<tr>
<td>30</td>
<td>200</td>
<td>180</td>
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<tr>
<td>35</td>
<td>250</td>
<td>245</td>
<td>L = \frac{WS^2}{60}</td>
</tr>
<tr>
<td>40</td>
<td>305</td>
<td>320</td>
<td></td>
</tr>
</tbody>
</table>
4 Lane Example

40 MPH

Median

320'

305'
4 Lane Example

Distance Between Signs

<table>
<thead>
<tr>
<th>Speed</th>
<th>Spacing (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A</td>
</tr>
<tr>
<td>40 mph or less</td>
<td>200</td>
</tr>
<tr>
<td>45 mph</td>
<td>350</td>
</tr>
<tr>
<td>50 mph</td>
<td>500</td>
</tr>
<tr>
<td>*55 mph or greater</td>
<td>2640</td>
</tr>
</tbody>
</table>
4 Lane Example

40 MPH

DISTANCE BETWEEN SIGNS

<table>
<thead>
<tr>
<th>Speed</th>
<th>Spacing (ft) A</th>
<th>Spacing (ft) B</th>
<th>Spacing (ft) C</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 mph or less</td>
<td>200</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>45 mph</td>
<td>350</td>
<td>350</td>
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<tr>
<td>50 mph</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>*55 mph or greater</td>
<td>2640</td>
<td>1640</td>
<td>1000</td>
</tr>
</tbody>
</table>
4 Lane Example

40 MPH
4 Lane Example

40 MPH

 Median

200’ 200’ 200’ 320’ 305’
4 Lane Example

For set-up, start at the beginning or “CHECK POINT AHEAD” sign and work your way to the contact point.

For take-down, start at the contact point and work backwards.
4 Lane Example

40 MPH
Example

Low Staffing Checkpoint
2 Lane Example

40 MPH

Can be used for a low volume road or for a low staffing level check Point. Can stop one or both directions.
2 Lane Example

40 MPH

Can be used for a low volume road or for a low staffing level check point. Can stop one or both directions.
Can be used for a low volume road or for a low staffing level check Point. Can stop one or both directions.
2 Lane Example

Can be used for a low volume road or for a low staffing level check Point. Can stop one or both directions.

40 MPH

200°
2 Lane Example

Can be used for a low volume road or for a low staffing level check Point. Can stop one or both directions.
2 Lane Example

40 MPH

Can be used for a low volume road or for a low staffing level check Point. Can stop one or both directions.
Can be used for a low volume road or for a low staffing level check Point. Can stop one or both directions. Recommend stopping both directions for officer safety unless you are directing the desired travel direction out of the roadway to alternate work area such as a Parking lot.
2 Lane Example

40 MPH

ROAD WORK AHEAD
BE PREPARED TO STOP
STOP
BE PREPARED TO STOP
ROAD WORK AHEAD

200'
200'
200'
200'
200'
200'
Charlotte County Checkpoint
CHECKPOINT
PRE-BRIEFING
(PowerPoint)
DUI SOBRIETY CHECKPOINT

BUCKLE

DRIVE SOBER OR GET PULLED OVER

CLICK IT OR TICKET FLORIDA

IT’S THE LAW MOVE OVER FOR STOPPED EMERGENCY VEHICLES
DUI SOBRIETY CHECKPOINT

LOCATION:
Gemini Blvd. & University Blvd.

Employing the “CHUTE” Method
Checking vehicles EASTBOUND on University Blvd.
DUI SOBRIETY CHECKPOINT

Event Commander:

Checkpoint Operations Supervisor:

Command Post Supervisors:

Contact Line Supervisors:

Saturation Patrol Supervisor:
The Miami Police Department will be conducting a Multi-Agency DUI checkpoint on Wednesday, February 19, 2014 at NE 3 CT & NE 79 Street. In conjunction with this checkpoint we will also be conducting a DUI saturation patrol. This checkpoint will take place in the City of Miami’s Little Haiti NET Service area. The checkpoint will be conducted during the hours of 7:00 PM – 12:00 AM.

The goal of this checkpoint is to identify and apprehend impaired drivers before they can kill or injure others. The Miami Police Departments will show zero tolerance for motorists who violate Florida’s traffic laws. Miami Police officers will be on alert to apprehend motorists who are driving impaired and ticket those who are unbuckled.

This effort is in conjunction with the “Drive Sober or Get Pulled Over”, “Lets Eliminate Aggressive Driving” and the “Buckle Up Florida: Click It or Ticket” campaigns.

Members of the local media are invited and encouraged to support our effort by passing this information during their local news coverage. For additional information, please call (305) 603-6525 or visit http://www.nhtsa.gov/Impaired.
DUI SOBRIETY CHECKPOINT

COMMUNICATIONS:
TRAFFIC CHANNEL
&
MUTUAL AID CHANNEL
DUI SOBRIETY CHECKPOINT
# DUI SOBRIETY CHECKPOINT

## Sign In Sheet

**Miami Police Dept. / DRE Detail**

**Soberiey Checkpoint Briefing**

<table>
<thead>
<tr>
<th>Rank</th>
<th>Name</th>
<th>(Please print)</th>
<th>ID #</th>
<th>Agency Name</th>
<th>Signature</th>
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<tbody>
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<tr>
<td>18.</td>
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</tbody>
</table>

Post-operation briefing attendance.

**Preparation Note:**
- Same roster may be used for post-operation briefing.
- Please note any deviations in the post-operation attendance on this form or in the post-operation after action report.

**Date:**

**Time:**

**Prepared by:**
The selection of vehicles to be stopped at this DUI / Traffic Checkpoint will adhere to the following guidelines:

The "CHUTE METHOD" will be utilized to channel vehicles from the roadway into a contact area. Note: We will be checking vehicles traveling eastbound on the NE 79 Street.

All traffic will be directed into one traffic lane. A second lane, separated by flares or reflective traffic safety cones, will be designated as the contact area for the officers on the "contact line."

The "Traffic Control Officer," or his designee, will stop all traffic at the start of the chute when operation begins. Traffic Control Officer will be responsible for directing traffic into the checkpoint while maintaining a safe and orderly flow. He will direct the predetermined number of vehicles into the chute without exception until the chute is filled and then allow the rest traffic to flow freely. The Traffic Control Officer will also maintain an accurate count of the number of vehicles diverted into the Sobriety Checkpoint. The number of vehicles directed into the checkpoint will be pre-determined prior to the commencement of the checkpoint.

For this checkpoint ten vehicles at a time will be brought into the chute.

Once in the chute, the lead motorist vehicle will be directed to the beginning of the contact line and where a stop sign is located. The vehicle will then be directed to stop. The contact line officers will then make contact with the drivers of the vehicles in the chute to determine if they have a driver’s license and to observe if any indications of impairment are visible. The contact with the driver should approximately average 30-45 seconds. See Assignment Section of this report for the duties of the Contact Line Officer. All personnel will take enforcement action on any Florida criminal or traffic law violation, which are personally observed. All personnel will be responsible for all summons and arrest procedures if violations are identified. If the contact between the officer and driver needs to be extended due to a traffic violation, irregularity, and/or further investigation needs to be conducted, the driver will be directed to pull his/her vehicle to the side where a more extensive investigation can be conducted by the contact officer and corrective action taken. Under no circumstances will a driver suspected of DUI be allowed to drive his vehicle into the processing area. Violators suspected of DUI shall be directed to step out of their vehicle and taken to the staging area where an officer will conduct Standardized Field Sobriety Tests (SFST’s).

If the violator is arrested for DUI, then he/she will be taken to the BAT Mobile for DUI processing. At the conclusion of the initial contact, the vehicles in the chute will be permitted to depart and exit the staging area. When the last vehicle has cleared the chute, or it is clear that the last vehicle is clearing the chute, the "Traffic Control Officer", or his designee, will stop all traffic and repeat the process in the same manner.

If at any time the traffic flow becomes so hindered as to become a hazard or major inconvenience for motorists, traffic flow will be permitted to flow unhindered until the congestion has eased and it is safe once again to resume checkpoint operations. Motorists who elect to avoid the checkpoint are permitted to do so unless an officer has reasonable suspicion to believe a crime has been or is being committed.

On Day: Wednesday Date: February 19, 2014
Location: NE 79 St & NE 3 CT (Eastbound on NE 79 ST) to be directed into the chute, and stopped, will be dependent on the variables listed above.

Lt. Alejandro Oliva / 5366 Sgt. Luis Taborda / 6914
Checkpoint Commander IBM # Checkpoint Supervisor IBM#
DRE Detail, DUI Checkpoint Form #1 / Revised: 12/07
**MIAMI POLICE DEPARTMENT**

**DUI CHECKPOINT & SATURATION PATROL ACTIVITY SUMMARY**

**DATE:** February 19, 2014    **DAY:** WEDNESDAY    **LOCATION:** NE 79 ST & 3 CT

**OFFICER’S NAME:** ____________________________________________  **I.D. #** ___________  **UNIT#** ________

**OUTSIDE POLICE AGENCY’S NAME:** ______________________________________________________

**ASSIGNMENT(S):**
- Supervisor;  
- Line Contact Officer;  
- Saturation Officer;  
- Prisoner Transport;  
- BAT Mobile/BTO;  
- C.P. Security/39;  
- Towing Detail;  
- Command Post Scribe  
- Others: __________________________

**LOCATION(S) OF ENFORCEMENT (NET AREA):** ___________________________________________________________________________

**NO. OF MOTORIST DETAINED FOR FIELD SOBRIETY TESTING (TEST’S CONDUCTED):**

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>TOTALS</th>
<th>CATEGORY</th>
<th>TOTALS</th>
</tr>
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<tbody>
<tr>
<td>DUI ARRESTS (Non-Crash)</td>
<td></td>
<td>WARRANTS (B/W &amp; A/C)</td>
<td></td>
</tr>
<tr>
<td>DUI ARRESTS (Crash 16A)</td>
<td></td>
<td>COMPUTER HITS</td>
<td></td>
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<tr>
<td>DWLS ARRESTS</td>
<td></td>
<td>JUVENILES RECOVERED</td>
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<td>NVDL ARRESTS</td>
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<td>FIELD INTERVIEW CARDS</td>
<td></td>
</tr>
<tr>
<td>RECKLESS ARRESTS</td>
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<td>LSA ARRESTS</td>
<td></td>
</tr>
<tr>
<td>OTHER MISDEMEANOR TRAFFIC ARRESTS</td>
<td>VEHICLES TOWED</td>
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<td>SPEEDING UTC’s (SATURATION PATROL)</td>
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<td>DU (Non-Crash) UTC’s</td>
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<td>BREATH TEST CONDUCTED</td>
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<td>DU (16A) UTC’s</td>
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<td>DRE EXAMS CONDUCTED</td>
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<td>UNDER 21 - (0.02) VIOLATION</td>
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<td>TEXTING UTC’s</td>
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<td>“MOVE OVER LAW” UTC’s</td>
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<td>OTHER TRAFFIC SUMMONS (MOVING &amp; NON-MOVING) UTC’s</td>
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<tr>
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<td>TOTAL NUMBER OF TRAFFIC STOPS FOR THE OPERATION</td>
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</table>

**INSTRUCTION:** All participating personnel at the conclusion of the operation must complete in its entirety this tally sheet and turn-in to the detail supervisor.
## MIAMI POLICE DEPARTMENT
### DUI CHECKPOINT & SATURATION ACTIVITY SUMMARY

**DATE:** January 25, 2013  **DAY:** FRIDAY  **LOCATION:** NW 18 AVE & NW 36 ST  
**OFFICER’S NAME:** ___________________________  **I.D. #** _______________  **UNIT#** _____________  
**OUTSIDE POLICE AGENCY’S NAME:** __________________________________________________________  
**ASSIGNMENT(S):** □ Line Officer  □ Saturation Officer  □ Prisoner Transport  □ BAT Mobile/BTO  □ C.P. Security/39  □ Towing Details  □ C.P. Scribe Ofc.  □ Others: ____________________________________  
**LOCATION(S) OF TOWING DETAILS:** ________________________________________________________  
**LOCATION(S) OF TOWING DETAILS:** ________________________________________________________  
**LOCATION(S) OF STRIP ENFORCEMENT:** ________________________________________________________  
**NO. OF MOTORIST DETAINED FOR FIELD SOBRIETY TESTING:** _______  
**SFST’S CONDUCTED:** _______  

<table>
<thead>
<tr>
<th>CATEGORY</th>
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<tr>
<td>DUI ARRESTS</td>
<td>WARRANTS (B/W &amp; A/C)</td>
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<td>COMPUTER HITS</td>
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<td>DUI EDUCATIONAL PAMPHLETS DISTRIBUTED</td>
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<td></td>
<td></td>
<td>“MOVE OVER LAW” FLYERS</td>
</tr>
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**NOTE:** If you have an arrest in which you are the lead officer, please include the case/report number in the below listed area: **REMARKS / COMMENTS / CONCERNS / SUGGESTIONS / CASE NUMBER / MISC.**

**INSTRUCTION:** ALL PARTICIPATING PERSONNEL AT THE CONCLUSION OF THE OPERATION MUST COMPLETE IN ITS ENTIRETY THIS TALLY SHEET AND TURN-IN TO THE DETAIL SUPERVISOR.

**Contingency:** ____________________________________________________________  
**SATURATION PATROL MODE**

**THANK YOU FOR YOUR PARTICIPATION!**

**FAX TO (305) 603-6600**

DRE Detail Doc./Traffic Unit, Rev. 10/06
Note:
Representatives from the Miami-Dade State Attorneys Office will be present to observe the operation.
Representatives from the Media will be present to provide live televised coverage on the operation.
DUI SOBRIETY CHECKPOINT

- **Scribe** will record the events: (PSA W. Moreno)

- **Assistant to the scribe** (PSA)-will be responsible for copies and being a runner.
DUI SOBRIETY CHECKPOINT

Who will be the person that will be subpoenaed in court for MPD to defend this checkpoint?

Note: Need to write name the Checkpoint Commander on the back of all arrest affidavits that occur within the checkpoint.

LT. L. TABORDA #01-06914
CHECKPOINT COMMANDER
DUI SOBRIETY CHECKPOINT

- **Explain what the officers are signing and duties:** Means you have been given and read the Guidelines to the operation.

  - Line (Contact) officer
  - Saturation officer
  - Traffic Control officer
  - Traffic Safety Officer
  - Scribe
  - Assistant to the Scribe
  - Towing Record Keeper
  - Security / Prisoner Transport
  - LPR Operator
DUI SOBRIETY CHECKPOINT

Everyone on the contact line must wear a **reflective traffic vest.**
DUI SOBRIETY CHECKPOINT

Do NOT deviate from the operational guidelines!!

(Example: Standing on the side of the roadway outside the chute and pulling over vehicles that have not been diverted into the chute).

You do NOT have discretion on the Contact Line (Explain)
DUI SOBRIETY CHECKPOINT

Vehicles are not to be detained more than 30-45 seconds during initial contact.
If need to investigate further or issue a summon, pull them over to the side.

DO NOT HOLD UP THE LINE!!
Inform the Contact Line Supervisor, If you encounter a driver who refuses to lower his/her window and present you his/her DL, Insurance, and vehicle registration.

**316.072** – Obedience to and effect of traffic laws. Failure to obey a lawful order.

**843.02** – Resisting officer without violence
DUI SOBRIETY CHECKPOINT

- No DUI is allowed to drive his/her vehicle into the processing area.

- Avenue of vehicular escape and role of saturation officers monitoring the side street.
DUI SOBRIETY CHECKPOINT

Civilians are allowed to do this as long as they don’t directly interfere with the checkpoint.
Write **all** defective vehicle equipment violations {ie; cracked windshield, headlight / taillight not working, tag light not working, bald tires, window tints (use tint meter), etc…}.
DUI SOBRIETY CHECKPOINT

- **Summons** – In the comments section of the ticket ensure that you write, “MPD DUI checkpoint / Mutual Aid.”

  “MPD DUI checkpoint / Mutual Aid.”
Vehicles disobeying the traffic control officer

F.S.S. 316.072 (3)

Obedience to Police officials
DUI SOBRIETY CHECKPOINT

Traffic control officer will call the first vehicle and keep a count of vehicles enter checkpoint using a counter.

Do not congregate on the line in one area. Make sure that you leave space so that we can check every vehicle.
Officer Safety – let everyone know immediately if you see any danger.
DUI SOBRIETY CHECKPOINT

chase vehicles & chase policy

Adhere to departmental policy:
DUI SOBRIETY CHECKPOINT

- **Inventory of Vehicle**: PSA’s will inventory the vehicles & fill out the tow sheets. *(Note: Any contraband, drugs, or weapons found inside a vehicle must be collected by a L.E.O.)*

- **Miami Police Case Numbers**: *(arrests & towing)*

- **All Towing within the checkpoint will be done with MPD Rotation Wreaker Company*
If the driver of the vehicle is NOT the owner of the vehicle and is he/she is being arrested and the owner NOT present, then TOW the vehicle.

Only the Owner of the vehicle is allowed to take the vehicle away. (Note: Make sure that we check the DL to ensure the DL is valid before allowing person to drive vehicle away)
DUI SOBRIETY CHECKPOINT

Zero Tolerance

Drivers under 21 that have a BAC of
0.02 or higher but NOT DUI

PBT Device

Special Notice

Use Special Notice Citation NOT a UTC

INSTRUCTIONS FOR NOTICE OF SUSPENSION
(EFFECTIVE JANUARY 1, 1997)

PRIOR TO FILLING OUT THIS DOCUMENT
REMOVE ALL AFFIDAVITS (TOP TWO SHEETS).

Pursuant to s. 322.2616 F. S., these notices are to be issued only to persons operating or in actual physical control of a motor vehicle who are under the age of 21 and have a breath alcohol level of .02 or higher, or refuse to submit to a breath test authorized in s. 322.2616 F. S. This suspension notice should always be used for a violation of s. 322.2616 F. S.

The following documents must be forwarded to one of the 16 hearing offices of the Department of Highway Safety and Motor Vehicles, listed on reverse side of officer-agency copy of notice. These documents must be submitted within FIVE CALENDAR DAYS after the date of the issuance of the notice of suspension.

1. Hearing officer’s copy of suspension notice (HSMV 78103). (DO NOT list on transmittal form).
2. Affidavit stating grounds for belief that the person was under the age of 21 and was driving or in actual physical control of a motor vehicle with any breath alcohol level.
3. Affidavit stating the Results of any breath test or
4. Affidavit stating that a breath test was requested by a law enforcement officer and that the person refused to submit to such test, and was read the implied consent warnings.
5. Driver’s License, if surrendered.

IMPLIED CONSENT WARNINGS
1. I am now requesting that you submit to a test of your breath for the purpose of determining the alcoholic content of your breath.
2. If you refuse to take the test, your privilege of operating a motor vehicle will be suspended for a period of one year, or 18 months if your license has been previously suspended for refusing to submit to a required test.

BE CERTAIN THE DRIVER UNDERSTANDS THE STATEMENTS.

Distribution
White — DHSMV Hearing Officer’s Copy
Yellow — Driver’s Copy
Pink — Officer-Agency Copy
DUI SOBRIETY CHECKPOINT

- **Prisoner transport** (Need A-forms to accompany the body). Prisoners will be taken to the CP once the paper completed and turned over to the prisoner transport officers.

- **Processing Area** will be secured and roped off with yellow tape. Security personnel shall monitor citizen activity and ask citizens passing through to go around. **Citizens that wish to observe should be directed to the observation area.**

POLICE LINE DO NOT CROSS
DUI SOBRIETY CHECKPOINT

If you make an arrest, do **not** allow the subject to make a **phone call** until **after** all the paperwork has been completed. They will get their phone call at the jail.

*We don’t need to deal with the subject’s family or friends to come to the checkpoint to create problems.*
DUI SOBRIETY CHECKPOINT

- PLEASE ENSURE THAT ALL PRISONERS ARE SEATED AT THE DESIGNATED TABLE AWAY FROM THE PSA’S/OFFICERS ADMINISTRATIVE TABLES.
PRISONERS ARE TO BE SUPERVISED AT ALL TIMES BY THE ARRESTING OFFICER WHILE BEING PROCESSED UNLESS CUSTODY OF THE PRISONER IS TURNED OVER TO THE PRISONER TRANSPORT /SECURITY OFFICER.
DUI SOBRIETY CHECKPOINT

- Officers for outside agencies that do **not** have mutual aid agreement with the City of Miami Police must have all Uniform Traffic Citations (UTC’s) and A-forms co-signed by a Miami Police or FHP or MDPD Officer.

- **Need 2 copies of all a-forms**: (one copy goes to scribe for the file and one copy goes is for transmittal).
DUI SOBRIETY CHECKPOINT

- All arrests involving a **city case number** must be accompanied with a Miami Police **Field Interview (F.I.) Card**. (The PSA’s can assist officers from outside agencies in filling the MPD F.I. Cards).

- Designate one PSA will be in charge of the **wrecker log** and will keep track of **all** tow slips. All officers and PSA’s will give this PSA the **tow slip** once the tow slip has been filled out and vehicle towed.

- **All motorists will be given an educational pamphlets**. One PSA will be designed to give **all** motorist that drive into the checkpoint a pamphlet / flyers (DUI, Move Over Law, etc…).
DUI SOBRIETY CHECKPOINT

- No one is to be allowed inside the bat Mobile unless involved in a breath test. All officers and PSA’s can utilize the tables to fill out paperwork outside the BAT.
DUI SOBRIETY CHECKPOINT

To All BTO’s:

If you use our BAT Mobile Intoxilyzer 8000, please do **NOT** take the original DUI paperwork.

We need to turn in the **originals** to the records unit. Please make copies of the package.
DUI SOBRIETY CHECKPOINT

- **Tally sheets** are to be turned in at the end of the operation to **Officer Pedro Beltran** from MPD.

- Please do **not** leave w/o turning in your Tally Sheet Stats.
IN CASE OF BAD WEATHER, THE EVENT COMMANDER or HIS DESIGNEE WILL MAKE THE DECISION TO EITHER TEMPORARILY STOP THE CHECKPOINT OR GO INTO A DUI SATURATION PATROL UNTIL THE WEATHER CLEARS UP OR WILL END THE OPERATION FOR THE SAFETY OF THE OFFICERS
DUI SOBRIETY CHECKPOINT

- ALL A-FORM’s must be reviewed by a sergeant before the prisoner is transported. Everyone goes to jail unless approved by the checkpoint supervisor to PTA a driver.
DUI SOBRIETY CHECKPOINT

ANY QUESTIONS?
OR
CONCERNS
Special Thanks to:

Philip R. Mann
Supervising Engineer Traffic Operations
City of Gainesville
Work: (352) 334-5074
E-mail: Mannpr@CityofGainsville.org

Provided the majority of the slides regarding traffic engineering.
Luis Taborda
Retired Lieutenant
City of Miami Police
(786) 367-1766
E-mail: Taborda6914@gmail.com