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I. Purpose

The purpose of the following policy is to establish guidelines for conducting constitutionally valid traffic stops. This policy prohibits the practice of using an individual's race or ethnicity as the justification to initiate a traffic stop. However, this policy should not be construed to alter the authority of a law enforcement officer to make an arrest, conduct a search or seizure, or otherwise fulfill the officer's law enforcement obligations.

II. Policy

- A. It is the policy of the Maryland-National Capital Park Police that all traffic stops will be based upon reasonable, articulable and constitutionally valid suspicions, and not based solely or even primarily on a person's race, ethnicity, age, gender, or other constitutionally impermissible reason.
- B. It is the policy of the Maryland-National Capital Park Police that a records system will be established to track all traffic stops within the meaning of Section 25-113 of the Maryland Transportation Article.
- C. It is further the policy of the Maryland-National Capital Park Police that all sworn members will receive periodic training to reinforce previous training and/or to develop new skills to enhance police-citizen contacts.

III. Definitions

- A. Traffic stops - In accordance with the Maryland Transportation Article, "traffic stop" under this policy means any instance when a law enforcement officer stops the driver of a motor vehicle and detains the driver for any period of time for a violation of the Maryland Vehicle Laws of the Transportation Article. Traffic stop does not include:
 - 1. A checkpoint or roadblock stop;
 - 2. A stop of multiple vehicles due to a traffic accident or emergency situation requiring the stopping of vehicles for public safety purposes;
 - 3. A stop based on the use of RADAR, laser, or VASCAR technology;
 - 4. A stop initiated as a result of an observed violation of any criminal laws under the Annotated Code of Maryland.
 - 5. A stop based on reasonable articulable suspicion or knowledge of criminal activity under the Annotated Code of Maryland. (Such information may originate with another officer or by independent investigation.)
 - 6. *Civil Enforcement Action (Park Rule Violations)*

- B. “Reasonable articulable suspicion” - Actions taken by the officer must be reasonable under the existing circumstances and must be based on the officer’s knowledge at the time. Officers must be able to point to and describe the specific factors that raised suspicions and led the officer to initiate the traffic stop.

IV. Guiding Principles

- A. Law enforcement officers have a duty and authority to investigate suspicious activities that may be associated with the violation of criminal and motor vehicle laws. This duty does not include pursuing hunches or stereotyping, but is limited to reasonable articulable factors which would likely lead any knowledgeable, reasonable officer to the same conclusion (i.e. that a violation is occurring or has occurred).
- B. Any consideration, to any degree, of a person’s race, ethnicity, age or gender in law enforcement actions, including traffic stops, is absolutely prohibited. The only exception to this standard would occur if one or more characteristics were part of a specific lookout for a specific suspect, as part of an on-going, detailed investigation. This lookout exception applies to passengers as well as drivers.
- C. The recording and evaluation of statistical data is a management tool to be used, where appropriate, as a basis for counseling and training, and if deemed necessary, further administrative inquiry.

V. Officers’ Responsibilities

Each time a sworn member makes a traffic stop, that officer shall *ensure that the required race based traffic stop information is completed. If the traffic stop was completed through the Maryland State Police Delta Plus/E-Tix system, no further action is required, as the information is captured by Delta Plus. For all other traffic stops that are not completed through Delta Plus, the officer must enter the information into Delta Plus via the “Paper Traffic Stop” button.*

VI. Management’s Responsibility

- A. *The Montgomery County Division’s Internal Affairs Section shall review and evaluate traffic stop data described in Section V above on a regular or periodic basis for patterns of prohibited activity.*
- B. *The Internal Affairs Section shall further provide periodic training to enhance officers’ ability to articulate and document their actions concerning traffic stops. Such training shall be conducted in the form of in-service or roll call programs.*

**Approved Park Police Document
Signed Original on File**

End of Directive