

Getting Pulled Over

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



HOWto**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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- | | | |
|-------------------|------------------------|-----------------------|
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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 use 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?

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| <p style="text-align: center;">What was it like? How did you feel?</p> <p style="text-align: center;">Or if you were a passenger, how did the driver seem to feel?</p> <p style="text-align: center;"><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 |
| | But drivers need to know that: <ul style="list-style-type: none"> • Being pulled over is not always going to be a bad experience • Panicking generally only makes things worse |



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| <p>How about the Law Enforcement Officer? What might be going through their mind?</p> <p>What is <i>their</i> perspective?</p> | 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 |
| | 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 |

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

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| <p>Why might you get pulled over for a reason <i>other</i> than having committed a traffic offense?</p> | <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: | |
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| What's the 1 st 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 2 nd 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? | |
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| 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 |



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| 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

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| 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 |
| What would be some unsafe locations? | You might need to pull onto a side street or into a parking lot |
| | In the middle of the traffic lane |
| | 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? | |



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| Now that you're pulled over in a safe place, what should you do next? | Put vehicle in Park |
| | 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 | |
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| Information about ___ (<i>your state</i>) ___ laws regarding pulling over during a traffic stop <ul style="list-style-type: none"> • Laws • Rules <p><i>[to be filled in by Instructor before class]</i></p> | |
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| Revisiting Key Points: | |
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| 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

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| As the LEO approaches your vehicle, what should you do? | Best Answer: Make your hands visible! |
| | When harm comes to an LEO, most of the time it's related to something a driver does with their hands <ul style="list-style-type: none"> • Holding a weapon • Throwing something |
| | Thus, LEOs are trained to watch a driver's hands as they approach |
| | So make sure your hands are: <ul style="list-style-type: none"> • Empty! • Visible! |
| | One Option: <ul style="list-style-type: none"> • Place your hands on the steering wheel • At the "10 & 2" position |
| | Another Option: <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] |
| | Do this as soon as you see the officer exit their vehicle |
| What result might this have, in terms of the LEO's safety concerns? | This will go a long way to showing that you: <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

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| What should you do if you have passengers with you? | Front Seat Passengers: <ul style="list-style-type: none"> • Put hands on the dash • And keep them there |
| | Back Seat Passengers: <ul style="list-style-type: none"> • Put hands on head restraints/back of front seats • And keep them there |
| | The LEO has to be concerned about the actions of <i>everyone</i> in the vehicle |



| State-Specific Content: Officer Approaching Your Vehicle | |
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| Information about <u> </u> (<i>your state</i>) <u> </u> laws regarding the officer approaching the vehicle during a traffic stop <ul style="list-style-type: none"> • Laws • Rules <i>[to be filled in by Instructor before class]</i> | |
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| Revisiting Key Points: | |
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| What are the keys to success in Step 2? | Your actions! <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 |
| | Your appreciation of the LEO's concerns! <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

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| What's the first thing <i>you</i> 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 |
| How should you refer to the LEO? | 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 |
| | <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? | Be honest! |
| | OK to say something like: "Probably because I was making an idiot of myself by speeding" (or whatever the offense was) <ul style="list-style-type: none"> • The LEO might find this response refreshing and positive |
| | Be open to the possibility that you were pulled over for a legitimate offense |



- 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 | |
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| 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 you 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? |



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| What will the LEO likely ask you to show them? | Driver's license |
| | Proof of insurance/financial responsibility |
| | Vehicle registration |

- A good practice is to have these documents every time you drive
- Many drivers put these documents in the glove box or center console

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| 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 • <i>[could cover relevant state laws]</i> |
| 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 |

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| 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 |



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| How should you reach for these documents? | First, tell the LEO that you would be happy to provide the documents |
| | Second, tell the LEO the location of each document, one at a time <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 I reach for it?” |
| | If possible, reach for the documents with one hand <ul style="list-style-type: none"> • Best if you can leave one hand on the steering wheel, completely visible to the LEO |
| | And reach for the documents slowly <ul style="list-style-type: none"> • No sudden moves- no need to rush |

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| How Could Your Passengers Mess Things Up? | Could say something offending |
| | Could interrupt the LEO’s discussion with you |
| | So tell your passengers to keep quiet! |
| | And if one of your passengers says anything unhelpful, such as: <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?” |
| | You need some new friends! |

OPTIONAL CONTENT

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| What if you have a weapon in the vehicle? | Tell the LEO about it early in the conversation <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 |
| | Example: <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?” |
| | Also: It better be legal for you (or passenger) to have it in the vehicle! |



- 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

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



Optional Exercises/Classroom Activities

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| 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 |

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| 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

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| Keys to a safe and civil traffic stop | Attitude |
| | • How you respond |
| | Actions |
| | • What you do and don't do |
| | Appreciation |
| | • Your appreciation for the LEO's safety, perspective, and responsibilities |
| | [Hey look- the abbreviation of those is "AAA"! |
| | • 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

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| 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_ANll |
| Ride Along with Us: What to Expect on a Traffic Stop | Fairfax County Police | www.youtube.com/watch?v=rcnrzsOQlcQ |
| 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-js |

- *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.*

