

Butte County DA's Office Bureau of Investigation

Traffic Enforcement Activity

516.1 TRAFFIC ENFORCEMENT - GENERAL POLICY

Scope and Purpose:

This section outlines the policy of the Butte County District Attorney's Bureau of Investigation regarding the enforcement of traffic related laws by investigators.

516.11 TRAFFIC ENFORCEMENT STOPS

As peace officers, District Attorney Investigators are authorized to enforce traffic related laws. However, the enforcement of traffic related laws is not a primary function of the Butte County District Attorney's Bureau of Investigation. Although investigators are not prohibited from enforcing traffic related laws, they are encouraged to carefully consider the increased risks of engaging in such enforcement activity. The increased risks include:

- 1) Investigators generally operate vehicles that are not clearly marked with police identifiers, which may cause traffic offenders to be reluctant to stop thereby increasing the potential for a vehicle pursuit;
- 2) Investigators are not generally attired in a clearly identifiable law enforcement uniform, which may cause traffic offenders to question the authority of the investigator as a peace officer.
- 3) Investigators do not generally carry, upon their person, the safety related equipment routinely carried by patrol officers in municipal law enforcement agencies. As a result, investigators may be at a disadvantage should the need for self-defense arise.

In addition to the increased risks associated with taking such enforcement action, investigators should consider the severity of the traffic offense before initiating a traffic stop. Offenses which pose a significant risk of harm to the public or the investigator are more likely to require immediate intervention by the investigator. Offenses which are minor in nature may be better left to municipal law enforcement agencies whose primary mission is the enforcement of traffic related laws.

516.12 INVESTIGATIVE VEHICLE STOPS

Nothing in this policy is intended to limit an investigator's ability to conduct a vehicle stop when the stop is done in furtherance of an investigation being conducted by the investigator or where the investigator is participating in a directed enforcement operation. Investigative vehicle stops must be based upon reasonable suspicion that the occupants of the vehicle are involved in criminal activity or the investigator has observed a vehicle code violation which would provide a legal basis for the stop and detention.