



# Training Bulletin

Los Angeles Port Police

Thomas E. Gazsi, Chief of Police

## Procedural Requirements for Police Stops-Documentation

### PURPOSE:

The purpose of this Training Bulletin is to remind officers of the new restrictions on peace officers making a traffic stop or pedestrian stop, effective January 1, 2024. These requirements have also been instituted by CA DOJ in the Stop Data Collection for Racial Identity and Profiling Act 2015. The department will continue to submit all records for our annual reporting to the Attorney General through CAL DOJ for publication. AB 2773 legislative requirements amends 12525.5 of the Government Code, 1656.3 and 2806.5 of the California Vehicle Code.

### PROTOCOL:

Whenever a peace officer conducts a traffic enforcement stop or a pedestrian stop, before engaging in any questioning related to a criminal investigation or traffic violation, the officer must state their reason for the stop. The officer shall also document their reason for the stop on any citation or police report resulting from the stop.

These requirements do not apply where the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, such as in cases of terrorism or kidnapping.

The requirement to complete the Stop Data Report - RIPA is in addition to the above requirement. In the event the officer provides a verbal warning to the person who was lawfully detained, the officer shall document their reason for the stop and the result of the stop in the notes section of the CAD call.

Please review California Legislative Information for AB 2773.

[https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill\\_id=202120220AB2773&showamends=false](https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=202120220AB2773&showamends=false)

**Section 2806.5 is added to the Vehicle Code, to read:**

### **2806.5.**

(a) A peace officer making a traffic or pedestrian stop, before engaging in questioning related to a criminal investigation or traffic violation, shall state the reason for the stop. The officer shall document the reason for the stop on any citation or police report resulting from the stop.

(b) Subdivision (a) does not apply when the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, including, but not limited to, cases of terrorism or kidnapping.

(c) This section shall become operative on January 1, 2024.

**Section 1656.3 is added to the Vehicle Code, to read:**

**1656.3.**

(a) The department shall include within the California Driver's Handbook, as specified in Section 1656, information regarding each of the following:

(1) Rail transit safety.

(2) Abandonment or dumping of any animal on a highway.

(3) The importance of respecting the right-of-way of others, particularly pedestrians, bicycle riders, and motorcycle riders.

(4) A person's civil rights during a traffic stop. The information shall address the extent and limitations of a peace officer's authority during a traffic stop and the legal rights of drivers and passengers, including, but not limited to, the right to file complaints against a peace officer. The information to be included in the handbook shall be developed by the civil rights section of the Department of Justice in consultation with the Department of Motor Vehicles, the Department of the California Highway Patrol, the Commission on Peace Officer Standards and Training, and civil rights organizations, including community-based organizations.

(5) The requirement that a peace officer discloses the reason for a traffic or pedestrian stop before engaging in questioning related to a criminal investigation or traffic violation, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, and the requirement for the officer to document the reason for the stop on any citation or police report resulting from the stop.

(b) In order to minimize costs, the information referred to in paragraphs (4) and (5) of subdivision (a) shall be initially included at the earliest opportunity when the handbook is otherwise revised or reprinted.

(c) This section shall become operative on January 1, 2024.

GM:MO:skb