

JACKSONVILLE POLICE DEPARTMENT

Policy: 10-11
Effective: 01-01-09
Revised: 05-02-19

SEARCH: MOTOR VEHICLES

PURPOSE: To establish policy regarding searching motor vehicles.

POLICY: The policy of this Department is to protect and serve the constitutional rights of all citizens when conducting vehicle searches while balancing the needs of law enforcement in solving crime for the protection of the community.

DEFINITIONS:

- I. MOTOR VEHICLE: Any motorized vehicle that is capable of movement to include motor homes.
- II. PROBABLE CAUSE/REASONABLE CAUSE: (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.
- III. PROBABLE CAUSE: (arrest): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that a crime has been or is being committed and the person to be arrested is the one who is or has committed the crime.
- IV. REASONABLE SUSPICION (temporarily detain): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that criminal activity is afoot.
- V. REASONABLE SUSPICION (frisk): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that a person who is lawfully stopped is in possession of a weapon.
- VI. FRISK (weapon): A limited type of search, the limit being to those areas capable of holding a weapon and located within the subject's immediate area of control.
- VII. MOTOR VEHICLE STOP: Motor vehicle stop means any stop of a motor vehicle, except for a stop of a motor truck, truck-tractor, semi-trailer, trailer, or towed vehicle at a state weighing station.

PROCEDURES:

- I. VEHICLE STOPS
Vehicles may be lawfully stopped under the following circumstances:
 - A. Reasonable Suspicion Based Stop: where an officer has articulated facts that support a belief that criminal activity is occurring and that a vehicle is involved, the officer may stop the vehicle to investigate further. The stop may continue as long as the officer diligently investigates to confirm or dispel his or her suspicion that criminal activity is occurring and the occupant(s) of the vehicle are involved.