



City of Racine Police Department  
**Policy and Procedure**

**Number: 1101**

Subject: <b>Stop and Frisk</b>		
Date Issued: <b>09-07-1979</b>	Date Revised: <b>1/13/2020</b>	Revision Number: <b>4</b>

## POLICY

The Racine Police Department believes that appropriate documentation of “Terry” stops will provide valuable intelligence to the investigative process within the Department. Through proper documentation, members of the Department as well as the Department itself will be better prepared for any civil litigation resulting from a “Terry” stop.

## DEFINITIONS

**Terry Stop** – a stop of a person by law enforcement officers based upon “reasonable suspicion” that a person may have been engaged in criminal activity.

**Stop** - to temporarily detain an individual in a public place for questioning.

**Temporarily** - during a limited time.

**Detain** - to hold or keep.

**Frisk** - to pat-down an individual's outer clothing for weapons.

**Search** - to go inside the clothing of a detained person in order to determine if an object felt during a frisk is a weapon or contraband.

## PROCEDURE

### MEMBER

When a member reasonably suspects that an individual is committing, has committed, or is about to commit a crime, the following steps shall be taken:

1. Utilizing proper officer safety techniques and appropriate cover officer(s), stop the individual, initiating a call for service.
  - a. Use MVRE and Body Cam per Policy and Procedure #1207 and Policy #1946.
  - b. If not in uniform, identify yourself as a police officer.
  - c. Request identification.
  - d. Request an explanation of his or her conduct.
2. Utilizing proper techniques per department DAAT training, conduct a frisk if you reasonably suspect there is a danger of physical injury to yourself or others.
3. Conduct a search if the frisk reveals an object that reasonably feels like a weapon or contraband, ensuring that only the portion of the individual where the object was felt is searched.
  - a. If a weapon or contraband is found as a result of the search, place the detained person under arrest and apply the appropriate restraints.
    - 1) Advise the person that they are under arrest.
    - 2) Continue to process the person as required under the Arrest and Incarceration Procedure (Procedure 901).

- b. If no weapon or contraband is found that would place the detained person in violation of law:
  - 1) Obtain the necessary information from the person being detained, to appropriately complete the FI Phoenix Entry or Gang Profile Sheet.
  - 2) Release the detained person, providing him or her with an appropriate explanation for the stop.
4. Obtain the complaint number to place on the FI Phoenix Entry..
5. Prepare additional reports as required.
6. Forward the completed reports to your Supervisor for review.

## **NOTE**

When there is no probable cause to arrest the detained person, they cannot be arrested solely for refusing to provide their name.

## **SUPERVISOR**

Review the reports for accuracy and completeness, sign and forward them as per Policy & Procedure # 200.

## **SHIFT/UNIT COMMANDER**

Review the reports for accuracy and completeness, sign and forward them as per Policy & Procedure # 200.

## **CRIME ANALYSIS**

1. Receive and review the Phoenix FI entries.
  - a. If there are indicators of gang involvement noted on the form, forward a copy of the form to the Special Investigations - Gang Unit.
  - b. If there are indicators of drug involvement noted on the form, forward a copy of the form to the Special Investigations – Drug Unit.
  - c. If there are indicators of criminal involvement, forward a copy of the form to the appropriate Investigative Section.
2. Enter the data from the RPD Contact Form(s) into PHOENIX using the F1 tab in the NAMES section as required under the Call for Service code "FI".
3. File the Phoenix FI entries using Crime Analysis established procedures.
4. If applicable, prepare a Crime Information Bulletin per Policy & Procedure # 1122.

## **RELATED STATUTES**

- §968.24 – Temporary Questioning Without Arrest
- §968.25 – Search During Temporary Questioning

## **RELATED PROCEDURES**

- [Table of Contents](#)
- [200 – Review, Endorsement, and Routing of Paperwork](#)
- [901 – Arrest and Incarceration](#)
- [1122 – Issuance/Cancellation of a Crime Information Bulletin](#)