



# IN THE LINE

## By Mike Conti *Of Fire*

## Holders of Concealed Carry Permits Need to Know How to Respond When Faced with a Traffic Stop.

**I**n my first column, I invited readers to contact me with any feedback. One reader, Kenneth Carter, from my home state of Massachusetts, posed a few interesting questions regarding road stops by police officers:

*"...I have my own painting business and sometimes work very late into the evening or even until the wee hours of the morning in unoccupied new homes sometimes far from where I live. For this reason I obtained a license to carry and sometimes I take my Star PD with me if I am going to be late, or if I am in an area that might not be too safe. I have an extensive background in shooting and*

*carried a sidearm for 10 years while working for a firearms wholesaler. If I should be stopped on the highway for any reason, and I am carrying my sidearm, should I immediately inform the officer that I have a gun (with my hands in plain sight on the steering wheel, of course) or is it best to just not mention it unless asked?"*

My opinion on this issue is based upon my own experiences with vehicle stops. I also teach patrol procedures to officers, instructing them in methods to stop, approach and safely conduct these types of contacts. What has always struck me as unfortunate, however, is that citizens are

rarely taught how to conduct themselves when they are pulled over. This lack of instruction is greatly compounded when you introduce a firearm into the scenario. So to answer Mr. Carter's question, let me first state that for a police officer, there is no such thing as a "routine" stop.

That is why most officers will stand to the rear of the driver's side window and not approach from the front of the vehicle if they can avoid it. Should you be pulled over, you should acknowledge that you understand by waving (using *all* of your fingers) and then activate your right turn signal. You should then carefully change lanes if necessary, and pull over to the right side of the road as far as possible.

Should the stop occur in darkness, turn on the vehicle's interior lights, especially if you have any kind of tinting on your windows that would limit the officer's ability to see into the vehicle. You should then roll down your driver's side window and place your hands on the steering wheel or otherwise follow any instructions the officer may issue over his loudspeaker. Try to relax and be prepared to greet the officer with a smile and a "Hello, officer," as opposed to a hostile expletive.

Here's where it becomes tricky if you live in a state that permits the legal carrying of a handgun. Depending upon where

you live, you may be required to carry the handgun on your person or in the vehicle so that it is visible from outside the vehicle. (Regulations pertaining to exactly how this must be accomplished vary not only from state to state, but may also from area to area within those states. Be advised that some state courts have held that the slightest concealment of a handgun while in the vehicle's passenger compartment constitutes carrying a concealed weapon. To avoid any problems, you must know exactly what regulations pertain to your locale.) If this is the case where you live, then the police officer you encounter will be accustomed to this and will deal with you in a manner consistent with state laws and local ordinances. In these circumstances, the law-abiding gun owner is best off calmly advising the officer of the presence of the firearm. Whatever you do, do not attempt to retrieve or adjust the firearm unless advised to by the officer. Then follow all instructions and maintain a calm, reasonable manner.

Should you reside in a part of the country where the law allows you to carry the weapon concealed on your person or hidden from view within the passenger compartment, then I would *personally* suggest the following. First, always ensure that the weapon is indeed concealed. I

have encountered folks who like to let people see that they are carrying a firearm when it is neither required nor prudent. This habit can result in the loss of the right to carry or much, much worse.

If your weapon is lawfully concealed and there is no other evidence of a firearm visible in your vehicle, (holsters, ammunition, gun cases, etc.), the following is suggested: After safely pulling over, keep your hands on the steering wheel and greet the officer politely. After the officer tells you why you have been stopped, he may take one of several actions:

- He may simply speak with you for a moment and then let you go. Under these circumstances, unless the law requires it or the officer makes a direct inquiry regarding weapons, it's probably best to not mention the firearm.

- He may ask you to produce your driver's license, registration or proof of insurance. If your handgun is kept anywhere other than secured safely in the trunk of the vehicle in a gun case, my advice would be to immediately advise the officer that you are licensed to carry a firearm and that you have one in your possession. You should also tell the officer what type of firearm you have and exactly where it is located. Remain calm, keep your hands on the wheel and make no

attempt to retrieve or adjust the firearm or anything else unless advised to by the officer.

- The officer may request that you step out of the vehicle. Should this occur, you should immediately advise him that you are lawfully licensed to carry a firearm and that you have one in your possession, describing both the type of firearm and where it is located. Do not make any quick movements or motion toward the firearm or anything else.

- Should the officer remove your weapon or instruct you to remove it, remain calm, move slowly and distinctly and follow all instructions. You may not be aware of any investigation he may be part of. I have stopped vehicles that fit the description of cars reported to have been used in felonies only to discover they're the wrong ones. It is unfortunate that innocent people may be stopped, but that is how criminals are apprehended.

While I hope these suggestions are helpful, I again strongly suggest you contact your local law enforcement agency to familiarize yourself with all laws in regard to carrying weapons.

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