What To Do During a Roadblock

Being pulled over by a traffic officer can be stressful and can cause one to panic, even when you know you have done nothing wrong. Sometimes, knowing what to do can help make a traffic stop a better and safer experience for all parties involved.

Here are some useful tips to remember the next time you are stopped:

Cooperate – pull over when stopped, do not drive away! Failure to stop at an authorized roadblock or checkpoint is a criminal offence. Stay calm and respectful – remember, the officers are only doing their job.

Do not solicit a bribe – soliciting a bribe to an officer is a criminal offence. Do not try to engage in bribery, as you could get arrested and prosecuted for it.

Do not refuse to adhere to legitimate instructions – this includes inspecting your driver's license and searching and inspecting your vehicle. An officer is allowed to stop and search your vehicle if they have reasonable grounds to believe that it is necessary. Most authorized roadblocks or checkpoints include authorization to search and seize illegal substances or property, like unlicensed firearms. You are allowed to ask for the written authorization for the roadblock or checkpoint, but be humble and respectful when asking for it.

Be respectful when requesting identification and or a certificate of appointment – you are permitted to see an officer's identification or certificate of appointment. Failure of the officer to provide this is a contravention of section 334(2)(a) of the Criminal Procedure Act, Act 51 of 1997. Should an officer fail to show you his/ her identification, do not be persistent, stay calm and alert, take note of their vehicle details and report it later.

Do not resist any arrest – avoid resisting an arrest. However, should the worst happen, and you ultimately get arrested, the following will be applicable:

1. You should be informed of your constitutional rights immediately.
2. You should be taken to the nearest police station.
3. You should be charged within 48 hours of your arrest and ultimately appear before a Court.

4. Contact your attorney to assist with bail. Once you have been charged, you can apply for police bail, or, alternatively, a formal bail at court if your charge is of a serious nature.

Be cautious of what you say – avoid statements such as ‘’I know my rights” or telling the officers that they are not doing their job. Also, be mindful of your tone when speaking. This can lead to aggressive behaviour on the part of the officer.

Roadblocks and checkpoints are unavoidable! Ensure you know your rights, but always remain calm and respectful.

Palesa Malebo, Van Velden – Duffey Inc.