

CITY OF LYONS POLICE DEPARTMENT

POLICE OPERATIONS MANUAL

CHAPTER: 12 - Vehicle Operations

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I. PURPOSE

- A. To establish and prescribe guidelines and procedures for all government owned vehicles operated by members of the Department in the performance of their duties. To include:

Vehicle maintenance;
Pursuit driving;
Use of roadblocks; Inter-jurisdictional pursuit policy;
Vehicle Accident Review Board.
- B. To establish a standard operating procedure for departmental vehicle maintenance.
- C. To establish a standard operating procedure for use in pursuit situations.
- D. To establish a standard operating procedure governing the type and use of roadblocks.
- E. To establish a standard operating procedure governing inter-jurisdictional pursuits.
- F. To establish a standard operating procedure for a vehicle accident review board.

II. DEFINITIONS

ASSISTING AGENCY - The police agency with a vehicle actively involved in another agency's pursuit.

BOXING-IN - A technique where vehicles responding to assist in a vehicle pursuit concentrate on covering streets parallel to the one the pursuit is on, thus creating a "boxing in" effect.

BLOCKING - A technique designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop without making actual contact with the violator's vehicle.

CHANNELIZATION - A technique similar to a roadblock where objects are placed in the anticipated path of a pursued vehicle to alter its direction.

CREATING SLOW MOVING TRAFFIC - The slowing of the normal flow of traffic. Patrol vehicles not involved in the pursuit enter the roadway at least two miles ahead of the violator. By slowing the flow of normal traffic, the violator and pursuit vehicle are forced to reduce their speed.

DUE REGARD - When a reasonably careful person, performing similar duties under similar circumstances, would act in the same manner.

EMERGENCY - A situation in which there is a high probability of death or serious injury to an individual, or significant property loss.

EMERGENCY LAW ENFORCEMENT VEHICLE - A law enforcement vehicle equipped with a siren and one or more blue lights which can be operated as an emergency vehicle.

FORCIBLE STOP - An attempt to prevent the continued movement of a fleeing vehicle through the use of roadblocks, boxing-in, ramming, channelization, or creating slow moving traffic.

INITIATING AGENCY - The law enforcement agency which originally attempted to stop the driver of an actively fleeing vehicle.

INTER-JURISDICTIONAL PURSUIT AGREEMENT - A document signed by the Chief Executive Officer of each participating police agency which coordinates procedures to be followed when a pursuit involves two or more agencies.

MOTOR VEHICLE PURSUIT - An active attempt by an officer in an authorized emergency vehicle to apprehend the occupant(s) of a moving vehicle, providing the driver of such vehicle is aware of the attempt and increases his/her speed, takes other evasive actions to avoid apprehension, or refuses to stop while maintaining a legal speed.

PACING - The positioning of a law enforcement vehicle at a stable, fixed distance behind a speeding vehicle at a constant speed to measure its speed.

PRIMARY PURSUING VEHICLE - The law enforcement vehicle that initiates the pursuit or any other vehicle that assumes control of the pursuit.

RAMMING - The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

ROADBLOCK - Any method, restriction, or obstruction utilized or intended to prevent free passage of motor vehicles on a roadway in order to apprehend the driver/passengers in a particular motor vehicle.

SECONDARY PURSUIT VEHICLE - The police vehicle which trails the primary pursuit vehicle at a safe distance and which is immediately available to assume the primary role or assist when the fleeing vehicle stops.

SERIOUS FELONY - A felony that involves an actual or threatened attack which the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury (e.g., aggravated assault, armed robbery, murder, rape).

SUPERVISOR - The superior officer responsible for the immediate supervision of the patrol vehicles.

III. RULES AND REGULATIONS

A. Vehicle Responsibility

An officer shall be familiar with his/her assigned vehicle, its capabilities, limitations, and daily operational status.

B. Routine Patrol

During routine patrol, an officer's responsibility to exercise due care is no different from that of every other citizen. Good driving habits and courtesy toward other drivers or pedestrians should always be practiced.

C. Safety Rules

1. When operating an emergency vehicle, an officer must have the vehicle under control and be prepared to yield the right of way.
2. When an officer receives information indicating that an emergency exists, his/her primary duty is to arrive at the site of the emergency as safely as conditions permit.
3. Seat belts shall be fastened when operating a law enforcement vehicle as defined under O.C.G.A. 40-8-76.1.
4. An officer should not drive up immediately behind another vehicle and sound the siren. The motorist may suddenly stop.
5. An officer should not pass to the right of a vehicle in traffic, unless absolutely necessary.
6. An officer may fluctuate the sound of the siren so that the emergency vehicle can be heard.
7. An officer shall always maintain adequate radio volume and remain aware that the communication's officer may wish to relay additional information while the vehicle is being operated in an emergency status.
8. When an officer approaches an intersection extreme caution shall be used:
 - a. The vehicle should be slowed to a normal speed when approaching an intersection, and it should be crossed with the light.
 - b. When it is necessary to enter an intersection against the light, all emergency vehicles should come to a complete stop to insure all traffic has seen the vehicle before crossing the intersection.
 - c. The above sections, a and b, also apply to STOP signs.

9. Vehicles will not be left unattended with the engine running or the ignition unlocked.

D. Pacing

1. Pacing is not an emergency operation.
2. Officers, while pacing a traffic violator, may exceed the speed limit to establish a pace, but must do so with due regard to the safety of others.
3. Officers may not violate any other traffic laws other than exceeding the speed limit when establishing the pace of a traffic violator.
4. When pacing a traffic violator, an officer may operate without emergency equipment engaged.

E. Emergency Operations of Law Enforcement Vehicles

OCGA 40-6-6-d

"(1) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.

(2) When a law enforcement officer in a law enforcement vehicle is pursuing a fleeing suspect in another vehicle and the fleeing suspect damages any property or injures or kills any person during the pursuit, the law enforcement officer's pursuit shall not be the proximate cause or a contributing proximate cause of the damage, injury, or death caused by the fleeing suspect unless the law enforcement officer acted with reckless disregard for proper law enforcement procedures in the officer's decision to initiate or continue the pursuit. Where such reckless disregard exists, the pursuit may be found to constitute a proximate cause of the damage, injury, or death caused by the fleeing suspect, but the existence of such reckless disregard shall not in and of itself establish causation.

(3) The provisions of this subsection shall apply only to issues of causation and duty and shall not affect the existence or absence of immunity which shall be determined as otherwise provided by law."

1. Only marked vehicles with fixed roof-mounted emergency light systems should engage in a pursuit.
2. Marked vehicles without fixed roof-mounted emergency light systems will discontinue the pursuit when a marked vehicle with fixed roof-mounted lights assumes the pursuit.

3. Unmarked vehicles will not become involved in any pursuit unless it involves a serious felony and the unmarked vehicle is the initiating vehicle. No unmarked vehicle, without both blue lights and siren, will become involved in pursuits.
4. Special vehicles such as paddy wagons, crime scene units, etc. will not engage in pursuits.
5. Vehicles that are transporting prisoners, witnesses, suspects, complainants, or passengers other than on-duty police officers will not engage in pursuits.
6. Considerations (Emergency Use).

Before engaging in the emergency use of a vehicle, several factors in addition to vehicle control, due regard and true emergency considerations must be weighed. Typical examples include but are not limited to:

- a. The type and condition of the vehicle being operated;
 - b. The type and condition of the roadway to be traveled and the officer's familiarity with it;
 - c. Obstacles, both present and potential that must be avoided (e.g. foreign objects on the roadway, construction, gravel, standing water, etc.);
 - d. Experience and the training of the officer in a high speed vehicle operation;
 - e. The nature of the offense and the circumstances known concerning the manner in which the call was relayed to the dispatch center;
 - f. The time of day, amount and type of traffic encountered (the potential danger to the officer and other drivers operating at a high speed);
 - g. Visibility and illumination available to the officer in the area being traveled;
 - h. Existing weather conditions and roadway surfaces.
8. Emergency Use of Vehicles

The driver of any law enforcement vehicle responding to an emergency call shall use the blue light and siren. If the siren would warn of the officer's approach and aid in a violator's escape or endanger the life of other persons, the siren may be disengaged upon approaching within audible range. At that time, the officer shall cease emergency vehicle operating status by slowing speed to normal and disengaging emergency equipment. Unmarked vehicles shall place the blue strobe light on the roof, **NOT ON THE DASH**, for emergency operations.

9. Non Emergency Use of Vehicles

The driver of any law enforcement vehicle not operating in an emergency mode (lights and siren activated) MUST OBEY ALL TRAFFIC LAWS INCLUDING THE SPEED LIMIT.

10. Emergency Escort Prohibited

Members of this Department **will not** attempt to escort other emergency vehicles or private vehicles on an emergency run. Assistance may be given by blocking dangerous intersections to aid in the movement of such vehicles.

11. Guidelines for Emergency Response (non-pursuit)

Examples of incidents requiring an emergency response include in-progress felonies and crimes of violence, fires, accidents with injuries, shooting in progress, and in general, any incident in which delay may increase the level of danger or allow a dangerous suspect to escape.

Shift Supervisors are responsible for continually monitoring adherence to emergency response procedures.

F. Intra-Inter-jurisdictional Pursuits (See S.O.P. 12-4)

G. Emergency Vehicle Speed/Safety During Pursuits

During pursuits, excessive speed and carelessness shall not be permitted nor will they warrant the risk involved.

H. Law Enforcement Involved Pursuit Investigation

In addition to normal reporting procedures, an internal investigation will be made of all law enforcement officers who are involved in vehicle pursuits. There will be a quarterly review of pursuit report incidents by the appointed review board panel and results will be forwarded to the Office of Professional Standards to ascertain training and policy needs.

I. Training

Training shall cover three areas:

1. Patrol or Defensive Driving: ordinary driving for going from one point to another. The emphasis is on driving safely to prevent any type of accidents.

2. Emergency Driving: driving which requires the use of emergency warning devices (audible and visible) in order to be exempted from rules of the road, while exercising due caution and regard for the safety of other vehicles.
3. Pursuit Driving: in contrast to emergency driving, the officer makes independent decisions on speed, direction and routes, with little choice except to remain close to the car that is being pursued.

J. Accident Investigations Involving Departmental Vehicles
(See S.O.P. 12-5)

K. Vehicle Accident Review Board
(See S.O.P. 12-5)

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STANDARD OPERATING PROCEDURE

EFFECTIVE February 1, 2012

S.O.P. 12-1 VEHICLE MAINTENANCE

I INTRODUCTION

One of the basic rules of safe police vehicle operation is that the officer be familiar with both the vehicle and its capabilities. The day to day condition of the vehicle is of paramount importance for safe operation, with the final responsibility for care resting on the officer who operates the vehicle.

II INSPECTION

Each officer of the Department who will operate a vehicle during his/her tour of duty must check the following on the assigned vehicle.

A. Prior to use, the following items shall be checked daily by the officer:

1. Proper inflation and condition of tires;
2. Brakes, lights, windshield wipers and washers, horn, emergency equipment, and other electrical equipment;
3. Damage to exterior and interior of the vehicle;
4. Mechanical defects. Certain conditions such as a defective exhaust, steering mechanism irregularities, alignment, or other mechanical defects can only be discovered after the vehicle is operational;
5. The interior shall be thoroughly inspected before and after any transport for any property that may have been left by an operator, passenger or prisoner previously inside the vehicle, i.e., unauthorized weapons, items of contraband, or any other items that might facilitate a prisoner's escape.
6. These conditions, or any of the above not readily corrected shall be immediately reported to the shift supervisor on duty and a report filed. An employee shall not operate an unsafe vehicle.

B. Prior to use, the following items shall be checked as needed by the officer:

1. The vehicle will be clean, inside and out. Particular attention will be given to any loose items inside the vehicle that have the potential to be used as a weapon against the operator or would hinder the safe operation of the vehicle;

2. All gauges, to keep the vehicle within the proper operating ranges;
3. Condition of spare tire and other necessary equipment;
4. Oil and water (each time the vehicle is refueled);
5. Battery water level and transmission fluid (at least weekly);
6. Routine maintenance (oil, filter, lube).

C. After an Accident Involving a Police Vehicle

1. The vehicle is to be taken to the Lyons City Fleet Services and the following items inspected:
 - a.. Oil Pan
 - b. Suspension System and Steering Linkages.
 - c. Tires and Braking System.
2. If the damage is to the front of the vehicle the following additional items shall be accomplished before placing the vehicle back into service.
 - a. The front end shall be realigned.
 - b. The air bag system shall be checked.
 - c. For collisions that occurred in excess of 10 mph the seat belts in use at the time of the crash shall be replaced.

STANDARD OPERATING PROCEDURE

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S.O.P. 12-2 VEHICLE PURSUIT ACTIONS

I. INTRODUCTION

The responsibility for the decision to pursue a suspected violator and the methods to be employed rest solely with the individual officer. In arriving at this decision, an officer must carefully consider all factors involved, all possible consequences, and the safety of citizens whose protection is the major objective.

Pursuit is justified only when the officer has reasonable grounds to believe the violator presents a clear and immediate threat to the public or the officer; has committed or is attempting to commit a serious felony; or when the need to apprehend the violator outweighs the level of danger created by the pursuit.

NOTE: This policy reflects an effort to adhere to the 1989 Supreme Court mandate in Canton v. Harris which ruled that a local government can be subject to Section 1983 liability if it's failure to train is deemed to reflect a "deliberate indifference" to constitutional rights.

The police vehicle and its ability to be used to terminate a chase or seize an alleged offender can be considered the use of deadly force and therefore subject to the "reasonableness requirement" under the Fourth Amendment.

II. POTENTIAL PURSUIT SITUATIONS

When attempting to stop a violator who has not yet begun to flee, the pursuing officer should keep in mind his and the public's personal safety and try everything within his/her authority to apprehend the violator without resorting to a high speed chase.

III. ENGAGING IN PURSUIT

The law permits an officer who is engaged in pursuit to exceed the speed limit and to violate other traffic regulations as necessary in apprehending the violator, but only if:

- A. The emergency lights and siren are employed, **OCGA** 40-8-92, Designation of emergency vehicles.
- B. Officers proceed with due regard to other vehicles. It is understood that the officer's ability to supervise or control other motorists is limited by the nature of existing circumstances, and it is his/her duty to avoid contributing to the danger already created by the violating motorist.

VI. PROCEDURES FOR PURSUIT

The following procedures do not relieve the responsibility of officers involved in a pursuit situation but are designed to clarify command level decisions.

A. GENERAL PROCEDURES

1. An officer will not engage in high speed pursuit when his/her vehicle is occupied by non-law enforcement personnel or authorized passengers.
2. An officer should not endanger the public or himself as a result of his/her driving techniques.
3. During a vehicle pursuit, no more than two (2) departmental vehicles should become actively involved unless specifically directed by the shift supervisor or designee.
4. Upon the initiation of the pursuit, all emergency equipment (siren, revolving or flashing blue lights, emergency flashers and headlights) shall be engaged.
5. An officer driving under emergency conditions will roll up the vehicle windows to ensure that the communications officer understands all transmissions.
6. All other vehicles (excluding primary, secondary, and supervisors) will cease radio traffic except that of an emergency nature.
7. Vehicle(s) not directly involved in the chase or apprehension efforts, will not act as emergency vehicles and will not directly pursue the fleeing vehicle, unless otherwise directed by the supervisor.
8. To avoid being arrested, some violators will take unnecessary risks. The pursuing officer shall **not** duplicate these hazards regardless of the extenuating circumstances.
9. The type of stop to be employed shall be a felony stop as opposed to an ordinary traffic stop. Pursuing units shall not "**swarm**" around the pursued vehicle.
10. Once the fleeing vehicle is stopped and the violator apprehended other officers will respond to or remain at the scene only as directed by a supervisor.

B. PROHIBITED PRACTICES

1. Discharging a firearm from or at a moving vehicle is prohibited, unless the occupants of the vehicle are using deadly force against the officer or another person and there is no alternative means of protecting life.
2. An officer will not pursue violators the wrong way on a freeway or entrance/exit ramps.
3. An officer will avoid intersecting the path of an on-coming high-speed vehicle.

4. An officer will avoid attempting to force the pursued vehicle from the roadway by driving along side or in front of the pursued vehicle.
5. An officer will avoid bumping or ramming a pursued vehicle.
6. Except for the primary and secondary vehicles directly involved in the pursuit, no other vehicles shall join the pursuit.
7. There will be no attempt to pass the primary pursuit unit unless the passing officer receives specific permission from the primary pursuit officer or the supervisor.

C.PRIMARY/SECONDARY UNIT RESPONSIBILITIES

1. Engagement in Pursuit
 - a. When the violator of a pursued vehicle increases speed or drives in such a manner as to endanger the safety of others, the pursuing officer shall immediately activate the siren and blue lights, and shall continuously use both throughout the pursuit.
 - b. Other vehicles involved in a pursuit shall maintain a distance that will allow for proper braking and reaction time should the lead vehicle turn, slow down, or come to a stop.
 - c. Vehicles responding to assist should concentrate on covering streets parallel to the one the pursuit is on, thus creating a "boxing in" effect.
 - d. During pursuit, a safe distance shall be maintained between both vehicles, enabling the pursuing officer to duplicate any sudden turns and lessen the possibility of a collision should there be a sudden stop.
 - e. Because of the potential dangers involved, the pursuing officer shall avoid pulling alongside a fleeing violator in an attempt to force the violator's vehicle into a ditch, curb, parked car, or other obstacle.
 - f. If the primary vehicle becomes disabled, the secondary vehicle will become primary and the Dispatch Center will advise the field supervisor and other vehicles that a new back-up is needed.
 - g. The primary vehicle may abandon the pursuit at any time and the field supervisor may order the termination of the pursuit at any time.

2. Communications

- a. When safe to do so, the pursuing officer shall update the situation with the dispatcher. By relaying information on the identity of his/her vehicle, location, direction of travel, and other details, he will enable other officers, to assist him. Information initially supplied on the vehicle should be verified regularly.
- b. The officer will update the dispatcher as often as possible or whenever the pursued vehicle changes direction.
- c. The assisting vehicle, upon joining the pursuit shall immediately notify the Dispatch Center of its identity. The assisting vehicle may assume radio communication responsibilities, allowing the primary vehicle to devote full attention to driving.

3. Termination of Pursuit

A pursuit situation will be terminated when:

- a. Upon weighing pertinent factors, the gravity of the offense and the prospect of losing the violator will not balance with the hazards to the officer and to the public;
- b. The environmental conditions, for example time of day, road conditions, traffic (pedestrians or vehicular), location and neighborhoods, and weather conditions indicate the futility of continuing;
- c. Distance between the pursuer and pursued continues to lengthen;
- d. The type of motorized equipment being pursued (e.g. motorcycle) and the terrain (e.g. off road) makes the pursuit impractical;
- e. Additional information is obtained that would allow for the later apprehension of the violator;
- f. At the direction of a supervisor.

D.DISPATCH CENTER RESPONSIBILITIES

1. Once the dispatcher is notified, he/she will broadcast all pertinent information e.g. information on direction, license numbers, offense, descriptions, etc., to all units.
2. Assistance from other agencies and officers will be coordinated by the Dispatch Center under a field supervisor's direction. The field supervisor and the primary unit will be advised of identity and location of back-up vehicle(s).

3. The Dispatch Center shall receive and record all incoming information on the pursuit, keep the supervisor informed, clear and control the communications channel, advise pursuit vehicles of any known or potential hazards in the path of the pursuit (accidents, street closures, repairs, etc.), coordinate assistance under the direction of the field supervisor and monitor the pursuit until terminated.
4. The Dispatch Center shall advise other jurisdictions which may be affected by the pursuit.
5. The Dispatch Center will relay pertinent information to and from participating agencies.

E.FIELD SUPERVISOR'S RESPONSIBILITIES

1. The field supervisor is responsible for the coordination of a pursuit. Only he may authorize more than two units to be in active pursuit.
2. Deliberate physical contact between vehicles at any time will not be justified, except as necessitated at roadblocks and under the field supervisor's order.
3. Upon notification of the pursuit, the field supervisor shall:
 - a. Ascertain the location and direction of travel;
 - b. Ascertain the reason for the pursuit;
 - c. Monitor the pursuit and proceed in the direction of its progress in a non-emergency mode;
 - d. Ensure that no more than the required or necessary number of vehicles are involved in the pursuit;
 - e. Ensure that proper radio frequency/communications is being utilized;
 - f. Ensure that other affected emergency agencies are being notified if the pursuit appears to be entering another jurisdiction;
 - g. Ensure the pursuit is terminated if adequate information is not provided by the pursuing vehicles or the risk factor is too great to the officer or the general public to continue the pursuit.
4. The field supervisor will continue to direct the pursuit, and approve or order alternative tactics as required to maintain control.
5. As with any tactical field problem, the field supervisor need not be physically present to assert control.
6. The field supervisor shall review and approve all reports filed by the pursuing officer.

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S.O.P. 12-3 USE OF ROADBLOCKS

I. INTRODUCTION

Members of the Department should bear in mind that barricading a roadway must be considered as a force likely to result in death or serious injury. The use of a roadblock must be directly related to the seriousness of the crime for which the suspect is wanted. Every roadblock must offer an alternative path of travel around the barricade unless the use of deadly force would be authorized. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. No roadblock will be erected unless the road and weather conditions allow visibility in both directions for a minimum of 500 feet.

NOTE: In *Brower v. Inyo*, the Supreme Court held that civil rights violations against officers could be generated by applying the test of reasonableness to seizure made by roadblock or ramming. In this instance, where a roadblock was set up in a high speed chase, the Court held, "governmental termination of freedom of movement through means intentionally applied" such as ramming, roadblocks, and the use of deadly force against cars or drivers can be considered a "seizure" subject to the "reasonableness" requirement of the Fourth Amendment.

II. ROADBLOCK/RESTRICTION

Roadblocks shall not be employed to apprehend wanted persons when it is apparent that innocent persons are endangered.

III. ROADBLOCKS/AUTHORIZATION

Roadblocks will be utilized by members of the Department only by order of a field supervisor, and then only as a last resort when the person pursued has proven by his/her method of flight to have a total disregard for the lives and safety of the public.

IV. NOTIFICATION OF ROADBLOCK LOCATION

Once a decision has been made to establish a roadblock, the Dispatch Center will announce on all radio frequencies the location of the roadblock and the situation requiring the roadblock. The dispatcher will also ensure that the principle pursuit patrol vehicle(s) acknowledge the location of the roadblock.

V. VEHICLES PROHIBITED

Vehicles other than law enforcement vehicles shall not be used as stationary roadblocks, or positioned in such a manner as to prohibit the violator from seeing the barricade in time to stop. Once a roadblock has been ordered and a departmental vehicle is stationed as part of a roadblock, no one shall remain in the vehicle.

VI. ROLLING ROADBLOCKS

Under certain circumstances the use of rolling roadblocks is effective and the chance of injury and vehicle damage to departmental and private vehicles is greatly reduced.

Rolling roadblocks should be considered before resorting to a stationary roadblock.

There are two methods for creating a rolling roadblock:

- A. **Creating slow moving traffic:** Reducing the movement of the wanted vehicle may be accomplished by slowing the normal flow of traffic. This is accomplished by patrol vehicles not involved in the pursuit entering the roadway at least two miles ahead of the violator. By slowing the flow of normal traffic, the violator and the pursuit vehicle are forced to reduce their speed.
- B. **Blocking:** In a pursuit of moderate speed, blocking may be accomplished by positioning a patrol vehicle in front of the violator and another patrol vehicle beside the violator. Speed should be reduced gradually until the violator is stopped. Every effort should be made to maximize officer safety and avoid actual contact with the violator vehicle.

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S.O.P. 12-4 INTER-JURISDICTIONAL PURSUIT POLICY

I. INTRODUCTION

Since law enforcement agencies often have different pursuit policies, inter-jurisdictional pursuits are extremely dangerous. The best pursuit policies are useless unless there are restraints on pursuits from neighboring jurisdictions. Prior formal arrangements should be made and in place concerning inter-jurisdictional pursuits.

II. GENERAL PROCEDURES

- A. The Dispatch Center, with a field supervisor's approval, will notify other agencies if this department is in pursuit within their jurisdiction. This message will specify either a request for assistance or, if it is merely a courtesy notification, that no participation/assistance is desired.
- B. The Dispatch Center will notify the other jurisdiction of the following information:
 - 1. The pursuit is about to enter their jurisdiction.
 - 2. Reason for the pursuit and nature of violation.
 - 3. Location and direction of pursuit.
 - 4. Complete description of occupants and vehicle.
 - 5. Number of units involved in pursuit.
 - 6. Whether assistance is needed.
 - 7. When applicable, notify agency when pursuit is leaving their jurisdictional boundaries, or the location of termination.
- C. The initiating agency will have control and responsibility of the pursuit.
- D. A total of no more than three vehicles from the combined jurisdictions will be involved in any pursuit; two vehicles from the initiating agency and one from the assisting agency.

- E. Where pursuits enter third and subsequent jurisdictions, the assisting vehicle, due to boundary familiarity and greater ability to maintain radio communications, will notify the next jurisdiction of a request for assistance. The assisting vehicle will then remain with the pursuit until replaced by the next assisting agency. If the suspect is apprehended, all concerned agencies will be notified of the location and supplied pertinent information for appropriate charges.
- G. During a pursuit involving more than one agency, roadblocks (fixed and moving), ramming, forcing pursued vehicle off roadway, and shooting at pursued vehicle (except to protect against the use of unlawful deadly force) are prohibited.
- H. The initiating agency will be responsible for the arraignment of the arrested person(s), disposition of any passenger, disposition of the arrested person(s) vehicle, and coordination of all reports, citations, and criminal charges with the exception of accident reports.
- I. Supervisors from both the initiating and terminating agencies shall respond to the termination location to supervise and assist officers on the scene.
- J. Officers shall not become involved in another agency's pursuit unless specifically authorized to do so by a supervisor, or unless it is clearly demonstrated that a unit from an outside agency is unable to request assistance, or the emergency nature of the situation dictates the need for assistance. In these instances all departmental pursuit policies are applicable.

PURSUIT DECISION MAKING MATRIX

RISK FACTORS:	LOW ↓	MODERATE ↓	HIGH ↓
Degree: Violent Felony-Imminent Threat	May pursue: Continue to assess risks	May pursue: Continue to assess risks	May pursue; discontinue if risks exceed known threat to public safety if delayed
Felony-Violent	May pursue: Continue to assess risks	May pursue: Continue to assess risks	May pursue; discontinue if risks exceed seriousness of offense
Felony-Property	May pursue: Continue to assess risks	May pursue: Continue to assess risks	Do not pursue; discontinue if in pursuit
Misdemeanors	May pursue: Continue to assess risks	Do not pursue; discontinue if in pursuit	Do not pursue; discontinue if in pursuit
Traffic Infractions	May pursue: Continue to assess risks; especially in view of low degree of seriousness	Do not pursue	Do not pursue

STANDARD OPERATING PROCEDURE

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S.O.P. 12-5 VEHICLE ACCIDENT/REPORT AND REVIEW PROCESS

I. INTRODUCTION

The Department has an obligation to review all accidents involving departmental personnel. To accomplish this, the Department has established a Vehicle Accident Review Board. This Board will review every accident involving departmental personnel and equipment even if there is no negligence on the part of departmental personnel.

II RULES AND REGULATIONS

A. REPORTING ACCIDENTS

All vehicle accidents involving Police Department vehicles shall be immediately reported to the field supervisor or the appropriate law enforcement jurisdiction if outside the city department's geographical limits. Personnel involved in such accidents shall follow the procedures outlined below.

B. ACCIDENT JURISDICTION

1. In addition to normal reporting/handling procedures, an internal investigation will be made of all departmental vehicle accidents resulting in damage to city/county property or injury to departmental personnel. In instances where departmental personnel are found to be at fault, disciplinary measures may be taken.
2. All accidents involving departmental vehicles will be conducted by the Georgia State Patrol. The only exceptions to this rule is when GSP will not be available within one (1) hour and then the Commanding Officer of the Division the officer is attached to will conduct the investigation.
3. If an accident occurs outside the city, the on-duty shift supervisor will contact the Georgia State Patrol to investigate the accident.

C. REPORTS

1. The involved employee shall complete a miscellaneous incident report on the accident and attach the Accident Report.
2. The involved employee's supervisor shall complete a Supervisor's Report.

3. Copies of all documents shall be sent through the chain of command to the respective Division Captain within three days for review.
4. The Division Captain shall promptly forward all pertinent reports to the Chief for investigation by the Accident Review Board.

D. VEHICLE ACCIDENT REVIEW BOARD

The Vehicle Accident Review Board will investigate all vehicle accidents which involve vehicles assigned to the department. The Board will be composed of officers who will be assigned from various Divisions on a rotating basis semi-annually. The Board will meet monthly, review all information available concerning the vehicle accidents referred to the Board, and present written findings to the Chief in each case reviewed.

1. FINDINGS

The Board shall determine in each case the following:

- a. The driver at fault in the accident.
- b. The proximate cause of the accident.
- c. If the accident was avoidable.
- d. If negligence was involved.
- e. If disciplinary action is recommended.
- f. If the policies and procedures of the department are adequate or require change.
- g. If the policies and procedures of the department were followed.

2. PERSONNEL

The Vehicle Accident Review Board will be composed of six officers, appointed by the Chief in January as follows:

- a. A command level officer shall be appointed by the Chief to serve as the Senior Member. This position will rotate through the Divisions of the Police Department.
- b. Other members will be appointed as follows:
 - 1). Uniform Patrol Division - Two officers.
 - 2). Criminal Investigations Division - Two investigators or agents.
 - 3). Administrative Services Division - One employee.

c. Replacement or Substitutions

The Chief may replace or substitute an appointed member of the Board at any time. A board member will be replaced or substituted if absent from the Department for any reason, or if he is personally involved in an accident. This may be a temporary or permanent change.

3. Rules

a. The Vehicle Accident Review Board will be composed of the five officers listed in paragraph 1 (a-c) above.

b. The Vehicle Accident Review Board will meet at the Police Department on the second Thursday of the month at 2:00 P.M. to review the previous month's accidents. The Board may be called into session at any time by the Chief.

1). The appropriate shift supervisor will forward copies of the following to the Senior Member of the Board within 48 hours:

a). A copy of the accident report from the agency which investigated the accident.

b). A copy of the "Damage to City Property" report made by the officer involved.

c). A copy of supplemental reports made by the shift supervisor, the investigator who made photographs, and any other personnel who were involved in or had knowledge of facts surrounding the accident.

c. The Board will obtain copies of any previous accidents incurred by the officer involved from his/her personnel file.

d. The Board will obtain the Vehicle Maintenance File. This file will include reports on any previous accidents involving the vehicle and will also contain detailed repair and maintenance information on the vehicle in question.

e. Photographs will be taken for all accidents involving departmental vehicles. This will enable the Vehicle Accident Review Board to have a pictorial, as well as written and diagramed report of the accident.

4. Board Procedures

The following agenda will be followed by the Vehicle Accident Review Board on each case presented to it:

- a. The Senior Member of the Board will present the facts.
- b. The involved officer will answer any allegations, or offer any other information.
- c. The Board will vote by secret ballot on one of the following:
 - 1). No negligence of the officer found.
 - 2). Negligence of the officer found.
- d. If the Board finds no negligence, the case will be referred to the Chief for his/her personal disposition.
- e. If the Board finds negligence, the Board will further determine if disciplinary action should result. This determination will be put in the form of a recommendation to the Chief who will have the final authority in the case, and in concert with the governing authority, will execute any disciplinary action deemed necessary.
- f. The Senior Member of the board will make a written report to the Chief at the end of each meeting which will summarize the activities of the Board during the meeting. A "Senior" Board will submit its own report on the specific incident it was called to review.
- g. The "Senior" Board Member of the Vehicle Accident Review Board shall have the power to summon persons employed by the Department before the Board as witnesses. All personnel will respond to such a summons.
- h. All accidents involving departmental vehicles will be recorded in the vehicle maintenance records as well as in individual officer's personnel files.

5. "Senior Board"

A "Senior Board" will be appointed from within the Department for any accident involving a supervisor. This Board will follow the procedures listed above and the members of the Board will be comprised of officers senior in grade to the supervisor involved. If insufficient members are available from within the department to comprise at least a five member Board, then the Chief of Police will contact other departments for persons of appropriate rank to comprise the board. If the accident involves the Chief, the "Senior Board" will be appointed by the Mayor from other departments and the report of the board's finding will be made directly to him.

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STANDARD OPERATING PROCEDURE

EFFECTIVE: February 1, 2012

S.O.P. 12-6 VEHICLE TAKE HOME POLICY

PURPOSE: The purpose of this SOP is to prescribe the policy and procedures for the agency's Take-Home Vehicle Program.

This SOP is applicable to all personnel who are authorized to participate in the Take-Home Vehicle Program.

B. DISCUSSION:

1. The citizens of the city of Lyons have an expectation that public property will not be abused and will be used to provide timely law enforcement services and to conduct "official city" business.
2. The assignment of a Lyons Police Department vehicle for the exclusive use of designated individuals is viewed as a convenience to the agency and not a fringe benefit or right of employment. This assignment is contingent upon the recognition that a take-home vehicle is not for personal use and, therefore, may be revoked at any time by the Chief if the provisions of this SOP are violated.

C. POLICY:

1. Only individuals designated by the Chief will be authorized to participate in the Take-Home Vehicle Program for the operational necessity to respond in a direct and timely manner to unexpected emergency situations within the city of Lyons while on and off-duty.

D. PROCEDURES:

1. Personnel will exercise good judgment in utilizing their take-home vehicle and shall not drive or use their vehicle so as to cause unfavorable comment or bring discredit upon the agency.
2. Under no circumstances will an employee of the agency consume alcohol or be under the influence of alcohol or medication which may impair their driving ability while operating a Police Department vehicle.

3. OPERATIONAL RESTRICTIONS:

a. While driving the vehicle to and from work, individuals may stop to conduct personal business within the city of Lyons/Vidalia of a limited and necessary nature. Such stops are for the purpose of conducting business that would otherwise cause an undo hardship on the individual if he/she had to first obtain their private automobile. Examples of personal stops that may be made with a take-home vehicle are:

- (1) Laundry;
- (2) Bank;
- (3) Grocery store;

- (4) Medical appointment; or
- (5) To transport a family member to/from a school, day-care center, or place of employment.

b. Employees who reside within a 15 mile radius of the city of Lyons may drive their assigned vehicle to their residence during non duty periods. Individuals residing outside that radius will have to park their take-home vehicle at a City of Lyons facility that is closest to their residence and travel outside the county in their private vehicle unless authorized by the Chief.

c. Family members or other non-agency personnel will not operate take-home vehicles.

d. Take-home vehicles may be used during non duty periods for transportation within and outside of the city of Lyons to attend activities that further an employees' professional qualifications. Examples of such activities are:

- (1) To attend a college or university course;
- (2) To participate in an officially sponsored law enforcement athletic or range firing event; or
- (3) To present a course of instruction, conduct training, or give a presentation on police related topic at a college/university, law enforcement agency, or to a civic organization.

e. Take-home vehicles will not be used to attend extra-duty or regular off-duty employment outside the city of Lyons without the prior approval of the Chief.

f. Unattended vehicles will be locked at all times.

g. Personnel are required to carry their agency badge, credentials, and duty weapon, to monitor the agency radio frequency, and to take appropriate response measures whenever operating the vehicle.

h. Alcoholic beverages may not be carried in take-home vehicles.

4. MAINTENANCE REQUIREMENTS:

a. Personnel will ensure that normal preventative maintenance measures are taken. Such maintenance includes:

- (1) Interior and exterior cleaning and
- (2) Maintaining water, fuel, oil, and tire pressure at prescribed levels.

b. All scheduled repairs, maintenance, and servicing shall be performed by the authorized agency service provider.

5. PERSONNEL AUTHORIZED TO PARTICIPATE IN THE TAKE-HOME VEHICLE PROGRAM:

- a. Chief
- b. Assistant Chief
- c. Commander, Field Operations
- d. Commander, Headquarter operations
- e. Division Commanders
- f. All lieutenants
- g. All detectives
- h. All Patrol Officers
- i. Others as designated by the Chief

6. **EXCEPTIONS:** Any exceptions to these procedures will be addressed on a case-by-case basis, and are subject to the prior approval of, the Chief.
7. Any violations of the above policy will be subject to disciplinary action.

STANDARD OPERATING PROCEDURE

EFFECTIVE: February 1, 2012

S.O.P. 12-7 MOBILE DATA TERMINAL POLICY

Purpose:

To establish procedural guidelines relating to the operation of in-car computer systems, to include system access, incident reporting system, field interview system, and the GCIC/NCIC network. This policy applies to all departmental sworn and non-sworn employees.

I. DEFINITIONS

- A. MDT: Mobile Data Terminals. Any in-car computer systems installed and operated in any Lyons Police Department police vehicle, to include marked and unmarked vehicles.
- B. G.C.I.C. : The Georgia Crime Information Center
- C. N.C.I.C.: The National Crime Information Center
- D. TAC: Terminal Agency Coordinator
- E. CHRI: Criminal History Record Information

II. EQUIPMENT

- A. After approval by the Chief of Police or his designee, each newly acquired Lyons Police Department vehicle may be equipped with an in-car computer system.
- B. The manufacture and specifications of equipment utilized shall be consistent with current computer hardware and software requirements as determined by the Chief of Police or his designee. Only hardware and software approved by the Chief of Police or his designee shall be utilized in Lyons Police Department vehicles and installed on in-car computers systems.
- C. Any unauthorized hardware or software additions or modifications to departmental in-car computer systems by a police employee shall result in disciplinary action.

III. PROCEDURES

A. Training:

1. All sworn and non-sworn personnel assigned a police department vehicle equipped with an in-car computer system shall be trained on the proper operation of such equipment, prior to the use of the system. Training shall occur during FTO period for all newly hired employees, prior to operation of in-car computer equipment, and shall include:
 - a. Proper operation of the incident reporting system, field interview system, and all additional components of the software package as provided by manufacture instructions.
 - b. Operator certification of GCIC/NCIC software to include privacy and security, use of the GCIC/NCIC Terminal, proper use of GCIC and NCIC procedure books and other related material.
 - c. Proper operation of the dispatch-to-car and car-to-car data transmission as provided by manufacture instructions.
 - d. All training, retraining, and re-certification shall be monitored and administered by the Support Services Commander (Terminal Agency Coordinator) in accordance with GCIC Rule 140-2-16.

B. Operation:

1. After completion of training requirements, personnel assigned in-car computer equipment shall be issued a network log-on password for access to the system and a user-name and password for the GCIC/NCIC network.
2. Operators shall log on to the computer and GCIC/NCIC network at the beginning of their tour of duty for access to the incident reporting system, field interview system, and GCIC/NCIC.
3. Access to the GCIC Network is limited to the following:
 - a. Driver's License query
 - b. Tag Registration query
 - c. Stolen Article query
 - d. Wanted/Missing Person query
 - e. Stolen Vehicle query
 - f. Stolen Boat query
 - g. Stolen Securities query

NOTE: All other access to include the entry and removal of computer input such as hit confirmations, stolen articles, wanted persons, transmission of teletypes, and other similar inputs require advanced certification and are not authorized by in-car computer operators.

4. If a query from an in-car computer results in a hit response the officer will immediately notify the on-duty communications operator to accomplish the appropriate response. In the event that a certified GCIC operator is not present the officer will notify his supervisor and immediately direct the hit confirmation response request to the Toombs County 911 Center for response.
5. Officers may be "data" dispatched low-priority calls for service from the communications operator via the Mobile Data Terminal. All high-priority calls as determined by the police department will be dispatched by use of the police radio. For safety reasons, operation of in-car computers shall not be authorized by the vehicle operator while the vehicle is in motion. At any time the vehicle is in motion, the computer screen should be latched in the down position.
6. Operators shall not allow the operation of in-car computers to distract them from their duties, to include the obligation of safety to others or from distracting the operator's attention with person(s) or vehicles during stops or on calls for service.
7. Operators shall utilize in-car computers for official use only and WILL NOT allow any non-authorized personnel or non-departmental personnel to utilize the computer.
8. Operators shall utilize in-car computer systems for Official Use Only. Any computer files entered, utilized, or stored on the mobile data terminals constitute an official police record and may be available under an open records request; therefore, such information entered and maintained must comply with departmental policy. The use of unnecessary "unofficial" information, to include profanity, racial slurs, sexual language, or other similar offensive information is prohibited.
9. Patrol officers shall complete all incident reports and field interview reports in the field utilizing the in-car computer system, following the guidelines outlined above. Officers are not permitted to complete the incident and field interview report at headquarters without the approval of an on-duty supervisor. Once the report is completed by the reporting officer, the officer shall save the report to the computer for later review and approval by supervisory personnel. Once the report is reviewed and approved by a supervisor, the report shall be saved to the mainframe computer by the approving supervisor.
10. Once the report is sent to the mainframe computer, the information shall be maintained indefinitely. Reports may be stored on the in-car computer systems until all revisions are accomplished by the reporting officer and supervisory personnel. All information is stored on the mainframe computer and may be viewed under a "read-only format by officers from workstations and in-car computer systems.

IV. SYSTEM SECURITY

1. All information transmitted and received on in-car computer systems is sent by 128 bit encryption to prevent unauthorized personnel from intercepting and viewing the data.
2. When operating the in-car computer system, operators shall make every effort to ensure information displayed on the view screen is not viewable by unauthorized personnel. If necessary, operators may be required to place the view screen in the down position (screen lying down over keyboard), when away from the vehicle or in crowded areas where there is a possibility of non-police personnel viewing the screen.
3. When in-car computer operators are not on duty or away from their assigned department vehicle, the vehicle shall be secured to prevent unauthorized access or theft of the computer or other police equipment.
4. After completion of tour of duty, in-car computer operators shall log-off the GCIC/NCIC and computer network and power-down the system.
5. Operators shall immediately report any unauthorized access or password compromise, hardware/software malfunction, or damage of in-car computer systems to their immediate supervisor and forward a memorandum of explanation to the Uniformed Patrol Commander.
6. Annually, during the audit of the CJIS computer system, an audit of all in-car computer systems for verification of all passwords, access codes, and access violations will be completed at the direction of the Administrative Services Commander or his designee.
7. Periodically, an audit of in-car computer system car-to-car "data" transmissions shall be completed and the findings shall be reported by the Administrative Services Commander to the Chief of Police.
8. GCIC/NCIC audits shall be conducted in accordance to GCIC regulations and all findings shall be reported to the Administrative Services Commander.

V. APPLICABILITY OF STATE AND FEDERAL LAWS AND REGULATIONS

All state and Federal statutes not referenced within this order shall be adhered to by the members and employees of this department and shall supersede this directive, if in the present or future, some conflict should exist between the law, GCIC rules and regulations and this directive. All applicable Federal and State laws and regulations are implied as being included in this directive.

VI. PUNITIVE ACTION

Any member or employee of this department determined to be violating the provisions of this directive shall be subject to disciplinary action, including suspension or termination of employment.

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STANDARD OPERATING PROCEDURE

EFFECTIVE: February 1, 2012

S.O.P. 12-8 CELLULAR PHONE POLICY

Purpose:

To establish procedural guidelines relating to the use of cellular telephones and other personal communications devices while on duty status. This policy applies to all departmental sworn and non-sworn employees but excludes departmental two-way radios.

I. Procedures

A. While driving a police vehicle, employees are prohibited from:

1. Holding or supporting with any part of the body, a wireless telecommunications device or stand-alone electronic device (for example, cell phone or iPad).
2. Writing, sending or reading any text-based communication, including a text message, instant message, e-mail, or internet data while holding your device.
3. Watching a video or movie other than watching data related to the navigation of your vehicle (i.e., your mapping app or GPS screen).

B. Exemptions to subsection A. above include using a cell phone with the aid of a blue tooth and/or hands-free device or during an extreme emergency where immediate communication is required (in such cases, if possible, pull over before making a phone call).

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