

JOPLIN POLICE DEPARTMENT	8-01 STANDARD OPERATING PROCEDURE
SUBJECT: Vehicle Operation	REVIEW DATE: Annually - August
EFFECTIVE DATE: September 30th, 2014	ACTION DATE:
AMENDS/SUPERSEDES: October 11th, 2010	AMEND DATE: October 11th, 2010
ACCREDITATION INDEX: 41.1.3 a, b, c, d, 41.2.1, 41.2.2 i, 41.3.3, 61.3.3 a, b	APPROVED:  Chief of Police

I. POLICY

All personnel operating department vehicles shall exercise due regard for the safety of all persons: protection of life is the paramount goal of the department. No task, call, or incident justifies disregard of public safety. Further, the public expects its law-enforcement officers to demonstrate exemplary driving skills. All department personnel who operate department vehicles will comply with safe driving procedures outlined herein with particular attention to responding to calls for service or engaging in pursuits. Emergency warning devices shall be used consistent with both legal requirements and the safety of the public and department personnel. (41.2.1)

II. PURPOSE

To establish procedures governing the operation of police vehicles, with special attention to emergencies.

III. DEFINITIONS

A. Authorized emergency vehicle

A vehicle owned by the City of Joplin that is equipped with a siren and at least one lighted lamp displaying a red light, or red and blue light, visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

B. Emergency driving

That driving in response to a life threatening or other serious incident (based on available information) that requires emergency equipment in operation. *Missouri Revised Statute* §§ 304.022 applies. (41.2.1)

C. Emergency equipment

At least one red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle and a siren. *Missouri Revised Statutes* §§ 304.022 and 300.100. In this order, an authorized emergency vehicle is one that is equipped with emergency equipment.

D. Normal or routine driving

That driving which dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly understood "rules of the road." (41.2.1)

IV. GENERAL PROCEDURES FOR ALL RESPONSES

A. General

1. All departmental vehicles shall be driven safely and properly in full compliance with all traffic laws and regulations. Department vehicles are conspicuous symbols of authority on

the streets and many people observe an officer's actions. Each officer must set an example of good driving behavior and habits.

2. Under certain emergencies as defined below, the *Missouri Revised Statutes* authorize officers to disregard traffic regulations. Both the operator and the department, however, are not released from civil liability for failure to use reasonable care in such operation.

B. Routine operation

1. Vehicles used in routine or general patrol service shall be conspicuously marked.
2. All persons, except where specifically exempted, shall use the safety belt restraining system while operating or riding as a passenger in a departmental vehicle while the vehicle is in motion. This policy shall not apply to persons occupying a seating position that is not equipped with a safety belt assembly, or to any officer possessing a written indication from a physician or the Chief of Police that for medical or physical reasons the officer is unable to use the safety belt system. Child safety restraints will be utilized when applicable. (41.3.3)
3. Officers will place a safety belt on their prisoner(s) before transporting.
4. No person shall operate a departmental vehicle in which the belt in the driver's seat is inoperable.
5. There are circumstances in which use of safety belt restraining systems may hamper efficient conduct of police functions. Bureau lieutenants may grant exemption of this for specific situations in which they deem efficiency of operation outweighs the safety benefits.

C. Accident/Pursuit Review Board

1. In case of accident or damage to any department vehicle, the driver shall immediately request the on-duty supervisor be notified. The supervisor shall have an investigation made.
2. The accident investigator shall report the accident using the State approved accident form (Provided an accident meets the criteria for a STARS report), A Blue Team accident report shall also be completed. In either case, the City of Joplin's accident follow-up procedures shall be followed. Drivers shall also write a memorandum detailing the circumstances
3. An Accident/Pursuit Review Board shall review all accidents/pursuits involving Police Department employees and vehicles. (41.2.2 I)
4. Drivers shall report any found damage or other non-accident damage on a supplemental report form.
5. The Accident/Pursuit Review Board is the body responsible for reviewing completed officer involved accident and pursuit reports.
 - a. The Accident/Pursuit Review Board shall review each report to ensure compliance with department policy and forward their findings to the Office of Internal Affairs. (41.2.2 I)
 - b. The Office of Internal Affairs, or his designee, will review the Accident/Pursuit Boards findings and initiate an investigation if appropriate.
6. The Accident/Pursuit Review Board is a panel of three officers consisting of the Traffic Sergeant and two designees.

D. Driving rules

1. The driver shall carefully observe the surrounding conditions before turning or backing any vehicle.
2. A department vehicle shall not be left unattended with the engine running. The only exception will be during periods of extreme weather (hot or cold) that may cause interference with the operation of the vehicle or equipment, and then only if the vehicle is locked. No vehicle will be left unlocked, engine running or not, when the officer has left it to handle other business. K-9 vehicles are exempt while the K-9 is on board.
3. The driver must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of the vehicle accordingly.
4. Officers responding to certain crimes-in-progress sometimes discontinue the use of the siren upon approaching the location of the occurrence. Officers shall understand that to do so means that, per this order, they are no longer operating in an emergency status and must therefore observe all posted speeds and traffic control devices.
5. Emergency driving to the scene of a motor vehicle accident is permissible **only** when an emergency exists, when specific information indicates that conditions at the scene require an emergency response, or when directed to do so by a supervisor.
6. Upon approaching a controlled intersection or other location where there is great possibility of collision because of traffic congestion, the emergency driver shall reduce the speed of the vehicle, stopping completely, if necessary, before entering and traversing the intersection. When faced with a red traffic signal or stop sign, the officer shall slow their vehicle to a speed that would allow them to bring the vehicle to a complete stop prior to entering the intersection, if necessary.
7. Regardless of the seriousness of the situation to which the officer is responding, and excepting circumstances that are clearly beyond the officer's control, he or she shall be held accountable for the manner in which he or she operates the vehicle.
8. At the scene of a crime, a motor vehicle crash, or other incident, a department vehicle shall be parked in such a manner so as not to create an obstacle or hazard to other traffic, unless necessary for the protection of an incident scene or injured persons. If a traffic hazard exists, the emergency lights shall be used to warn other drivers approaching the location.
9. Operators of department vehicles must bear in mind that traffic regulations requiring other vehicles to yield the right of way to any emergency vehicle do not relieve the emergency vehicle operator from the duty to drive with due regard for the safety of all persons using the highways (Mo Revised Statutes § 300.100), nor shall they protect the driver from the consequences of an arbitrary exercise of such right of way.

E. Emergency Escorts (61.3.3 B)

1. Police officers are prohibited from providing any emergency escorts.
2. Persons requesting emergency escorts should be informed the department will dispatch an ambulance to transport sick or injured persons. For the purpose of directing persons who are not familiar with Joplin, officers may allow citizens seeking directions to a hospital to follow

them to that facility providing there is compliance with all traffic laws and traffic control devices.

F. Special Escorts (61.3.3 A)

1. Officers assigned to escort vehicles exceeding the limitations on width, length, or weight will ensure that the individual responsible for the vehicle has obtained a special permit from the State and/or City to travel on the streets and highways.
2. Money escorts should be limited to large amounts of money or to suspicious situations. The officer giving the escort will follow or lead the escorted vehicle, as appropriate for the circumstance.
 - a. The individual with the money may be transported in the police vehicle with authorization from the supervisor.
 - b. Officers will not personally make the deposit, or personally handle the money.
3. Funeral escorts are a courtesy only, and will be made if time permits.
 - a. An officer providing an escort for a funeral procession shall, upon reaching the cemetery, park his vehicle in such a manner that it will block the road to oncoming traffic, dismount from the vehicle and remove his/her hat, holding it in front of him/her until the family cars have passed. The officer shall then replace his/her hat and stand at parade rest until the entire funeral procession has passed into the cemetery. The officer shall then remove his/her vehicle from the path of traffic and proceed on his/her daily routine duties.
 - b. An officer requested to block traffic for a funeral procession at a specific intersection shall stand at parade rest from the time the first unit approaches until the units carrying the family have passed. Once the funeral procession has cleared the intersection, the officer may return to service.

V. **PROCEDURES FOR EMERGENCY DRIVING**

A. General

1. Officers shall activate both the emergency lights and the siren when response requires vehicular operation irrespective of traffic regulations.
2. Officers of the Joplin Police Department may violate the rules of the road as long as four requirements are met as set forth in the Missouri Revised Statute 304.022. These requirements are:
 - a. The officer must be in an emergency vehicle; that is, one equipped with a red light and siren.
 - b. The officer must be on an emergency run; that is, a situation that if he/she does not get there posthaste, serious physical injury is likely to occur.
 - c. The officer, when violating the rules of the road, should exercise reasonable care under the circumstances of the emergency situation to prevent injury to him/herself and others.
 - d. The officer must post adequate warnings; that is, continuous operation of emergency lights and siren.

3. The officers shall keep his/her speed at a level which will enable them to avoid hazards which should be anticipated by alertness and driving with due care. Officers shall keep their vehicles under control at all times.
4. When driving in an emergency mode (red lights and siren), officers should keep as near to the center of the roadway as possible. Officers should never pass on the right except when no other course is open, and then with extreme caution.
5. Officers shall allow motorists and pedestrians an opportunity to yield the right-of-way.
6. Officers will recognize that protection of human life is paramount. The responding officer must remember that his or her objective is to get to the location of the occurrence as soon as possible--safely--without danger to themselves or to others.

B. Response codes (41.2.1)

1. Calls for service are classified as Code 1 thru 3 depending on circumstances. Code 3 calls are authorized by a field supervisor, or the patrol officer, subject to the considerations discussed below. The codes are defined as follows:
 - a. Code 1: Code 1 responses are authorized for other than emergency situations where the preservation of life is not a consideration. All calls for service and/or situations are presumed to be Code 1, unless otherwise designated by a supervisor or by department standards.
 - i. Units responding to Code 1 calls shall respond to the location without delay, complying with all traffic regulations and shall not use emergency warning devices.
 - b. Code 2: Code 2 indicates a non-emergency response for back up.
 - i. Units responding as a Code 2 back-up officer shall respond to the location without delay, complying with all traffic regulations and shall not use emergency warning devices.
 - c. Code 3: Code 3 responses are authorized for any emergency where the preservation of life is a consideration.
 - i. Officers shall use their discretion for Code 3 response dependent on the nature of the emergency and clear through their supervisor the use of Code 3 in questionable situations. Below are examples of calls that may require a Code 3 response; however officers are to use good sound judgment if the need for Code 3 response is needed.
 - ii.
 - A. An officer who needs urgent help.
 - B. A burglary in progress and good information a suspect is in the structure.
 - C. A robbery in progress.
 - D. A person with a deadly weapon.
 - E. An injury or fatality accident.

- F. A riot or large disturbance with fighting or injuries or damages occurring.
 - G. An apparent homicide.
 - H. A fight- or an assault-in-progress.
 - I. A sex offense in progress.
 - J. A car jacking in progress.
 - K. A shoplifting involving a violent suspect.
 - L. Domestic dispute with an assault in progress, or just occurred with a suspect still present.
 - M. An in-progress suicide attempt.
- ii. Only officers assigned to the emergency situation are authorized to respond Code 3.
 - iii. Primary and support units responding to Code 3 calls shall proceed rapidly to the location of the emergency by the most direct means using all emergency warning devices with a paramount consideration for the safety of the public and the assigned officers. (41.2.1)
 - iv. The Communications Center will dispatch emergency calls immediately.
- d. Code 4: Code 4 indicates that the situation is under control and no further response is required.
- 2. Field supervisors shall monitor the response codes for calls for assistance and shall have the authority to upgrade or downgrade assigned response codes. Field supervisors shall closely monitor all Code 3 calls and shall respond if necessary.

C. Officer's response to call

- 1. Upon arrival at the scene of a call, the responding officer shall rapidly evaluate the situation and determine whether additional units are still needed or whether other units responding Code 3 can be slowed or cancelled.
- 2. All units responding to robbery- and burglary-in-progress calls, before coming within hearing distance, shall discontinue the use of the emergency lights and siren and at that time fully comply with all traffic laws.
 - a. Officers are reminded that upon deactivation of flashing lights and/or a siren, their response ceases to be an emergency and they must comply with all posted speeds and traffic control devices.
- 3. In situations requiring a silent response, e.g., alarms and prowler calls, officers shall respond as rapidly as possible, obeying all traffic laws and signs.
- 4. Officer-initiated response.

When, in the opinion of the responding officer, an emergency is imminent or exists, or that activation of emergency warning devices is necessary to protect life or render the necessary enforcement, the department authorizes an emergency response.

Examples include:

- a. Any incident where the use of emergency lights constitutes a necessary warning for the safety of life (such as scenes of fires, accidents, or disasters).
- b. As a visual signal to attract the attention of motorists being stopped for traffic violations, or to warn motorists of imminent dangers.
- c. Responding to Code 1 calls, where the officer has previous or additional information which, had the dispatcher known it, would have resulted in the call being dispatched as Code 3. In the situation where the officer upgrades to an emergency response, he/she will notify dispatch that they are responding Code 3.
- d. For pursuit.

D. Use of emergency warning devices in non-emergencies

1. Officers shall activate emergency equipment to notify drivers that they must stop and to provide a safe environment for the driver, officer, and the public.
2. Officers may activate emergency equipment in non-emergencies when expediency is required to eliminate a potential hazard to the public or other officers, such as using emergency lights to protect disabled motorists or when department vehicles are used as protective barriers.

VI. SPECIAL – PURPOSE VEHICLES

A. S.W.A.T. Vehicles

1. S.W.A.T. vehicles shall be utilized for authorized training, call-outs, or any other uses deemed necessary by the S.W.A.T. Commander or his/her designee. (41.1.3 A)
2. All S.W.A.T. officers are authorized to operate S.W.A.T. vehicles. However, other police department personnel must obtain permission from the S.W.A.T. Commander or his/her designee prior to operating them. (41.1.3 A, B)
 - a. Operators must possess a valid drivers license to operate S.W.A.T. vehicles.
3. Direct responsibility for the care and maintenance of these vehicles and the equipment in them belongs to the officers who use them. An officer cannot be faulted if he/she immediately reports vehicle or equipment problems or damage. The ownership of vehicle damage and the misuse, abuse, and/or loss of equipment belongs to an officer who has failed to report and take responsibility for it, whether sustained by legitimate means in the normal course of carrying out his/her duties, or otherwise. (41.1.3 C)
 - b. Routine maintenance (oil change, etc.) of these vehicles shall be scheduled by the Public Works Department.
4. Equipment to be kept on S.W.A.T. vehicles is listed on the S.W.A.T. Monthly Inventory Report. (See SOG 8-02 Vehicle Equipment) (41.1.3 D)
5. It is the S.W.A.T. Commanders responsibility to ensure all equipment is maintained in a condition of operational readiness. (41.1.3 C)

B. Crime Scene Command Unit

1. The Crime Scene Command Unit may be utilized for authorized training, mobile command post, crime scene investigation, or any other uses deemed necessary by the Investigations Bureau Commander or his/her designee. (41.1.3 A)
2. All Investigations Bureau personnel are authorized to operate the Crime Scene Command Unit. However, other police department personnel must obtain permission from the Investigations Bureau Commander or his/her designee prior to operating it. (41.1.3 A, B)
 - a. Operators must possess a valid drivers license to operate the Crime Scene Command Unit.
3. Direct responsibility for the care and maintenance of these vehicles and the equipment in them belongs to the officers who use them. An officer cannot be faulted if he/she immediately reports vehicle or equipment problems or damage. The ownership of vehicle damage and the misuse, abuse, and/or loss of equipment belongs to an officer who has failed to report and take responsibility for it, whether sustained by legitimate means in the normal course of carrying out his/her duties, or otherwise. (41.1.3 C)
 - b. Routine maintenance (oil change, etc.) of this vehicle shall be scheduled by the Public Works Department.
4. Equipment to be kept on the Crime Scene Command Unit is listed on the Crime Scene Command Unit Inventory Report. (See SOG 8-02 Vehicle Equipment) (41.1.3 D)
5. It is the Investigation Bureau Commanders responsibility to ensure all equipment is maintained in a condition of operational readiness. (41.1.3 C)

C. All-Terrain Vehicle (ATV)

1. All-terrain Vehicles (ATV's) will be assigned to the Traffic Unit Supervisor and should mainly be used for off road details, special events, and details where mobility is needed in congested areas. (41.1.3 A, C)
2. High speed pursuits will not be conducted on an ATV. (41.1.3 A)
3. No officer shall operate an ATV without prior completion of an approved ATV training course. (41.1.3 B)
4. When assuming control of an ATV for duty, the operator will thoroughly inspect the vehicle for proper mechanical operation and cleanliness. The inspection shall include: (41.1.3 C)
 - a. Tires;
 - b. Levers / Brakes;
 - c. Oil; and
 - d. Equipment

Periodic maintenance of these vehicles will be scheduled by the Traffic Supervisor to be conducted by the Public Works Department.
5. ATV Equipment will include: (41.1.3 D)
 - a. Police ATV's shall be equipped with emergency lights and siren.

- b. An approved helmet will be worn when operating the ATV, keeping the chinstrap securely fastened at all times when riding or sitting on the motorcycle.
- c. Police ATV's will be equipped with a storage/utility box to be used to secure additional items as necessary.

VII. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies, shall comply with this policy.

VIII. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.