

# Sachse Police Department

<i>subject:</i> Emergency and Routine Operation of Police Vehicles		<i>number:</i> 648.00
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<i>references:</i> TPCA Best Practices Standard 7.13 Vehicle Pursuits TPCA Best Practices Standard 7.14 Pursuit Documentation TPCA Best Practices Standard 7.15 Non Emergency and Emergency Response TPCA Best Practices Standard 7.18 Roadblocks TPCA Best Practices Standard 7.20 Seatbelts		

## 648.00 Emergency and Routine Operation of Police Vehicle

### 648.01 POLICY

- A. Officers shall obey all traffic laws except when authorized Code 3. Each officer driving a police vehicle is required to use caution in all cases. The speed or other maneuvering of a police vehicle will not exceed that which is safe under prevailing conditions.

### 648.02 CODE CLASSIFICATION

- A. The following classification system will be utilized in assigning priorities to vehicle operation and calls answered by this department.
  1. Code 1 – Non Emergency Calls:
    - a. Code 1 shall mean a normal response, obeying all traffic laws and departmental driving regulations.
  2. Code 3 – Emergency Response:
    - a. Code 3 requires use of both emergency lights and sirens.

### 648.03 AUTHORIZED EMERGENCY CALLS

- A. The following calls are emergency calls:
  1. Assist Officer, shootings and cuttings; assault or other in progress violent crimes.
  2. Injury accident if neither fire department nor ambulance is on the scene; and
  3. Officers may respond Code 3 based on their immediate knowledge of a situation, or as directed by a field supervisor.
  4. Pursuit of an actual or suspected violator of law wherein the violator refuses to stop and the continuous use of both emergency lights and siren is necessary in the interest of warning others.

### 648.04 AUTHORIZED OPERATORS

- A. Only sworn officers of the Sachse Police Department may operate a police vehicle in Code 3 (Lights & Siren)

### 648.05 EMERGENCY DRIVING (GENERAL)

- A. The department's primary objective in all emergency-driving situations is the protection of lives and the safety of all persons. During emergency driving situations, officers will operate their vehicle with extreme caution and in accordance with Chapter 546 of the Transportation Code. Driving under emergency conditions does not relieve the officer from the duty to drive with due regard for the safety of all personnel nor will these provisions protect the officer from the consequences of their reckless disregard for the safety of others.
- B. Negligent or reckless actions committed by police officers while in pursuit or when responding to emergencies is prohibited by law and expressly forbidden by this policy. The duty to avoid injury to innocent third parties is superior to that of pursuit or emergency response.

#### 648.06 EMERGENCY DRIVING (NON-PURSUIT)

- A. Non-pursuit emergency driving is the operation of an authorized emergency police vehicle (with emergency lights and siren activated) by a police officer in response to an emergency situation, using due regard for the safety of all persons.
- B. Emergency response is limited to situations where there is a substantial risk of injury or danger to life.
- C. The decision by an officer or a supervisor to drive, or continue to drive, under emergency conditions will be in accordance with the provisions of this procedure and will be based on the following considerations:
  - 1. Officers will consider such factors as time of day, traffic conditions, location, weather and other factors that may be a potential hazard or liability to themselves or other persons.
  - 2. Officers must have sufficient information to justify the decision to drive under emergency conditions.
  - 3. When responding to an emergency situation, including "officer needs assistance" calls, officers will keep in mind that though a rapid response may be important, safe arrival is necessary in order for them to be of assistance.
- D. CODE 3 – Vehicle movement when using emergency lights and siren:
  - 1. Proceed directly and as quickly as reasonably possible, using all emergency warning equipment constantly. Speed may exceed the posted limit as long as it is reasonable for the existing conditions. Officers shall approach all intersections with caution and proceed only when it is safe to do so. Officers, upon deciding to make an emergency response to any situation, will immediately notify Communications, by radio, of that decision using the term "Code 3".
- E. Broadcast of other agency Code 3 conditions. When notified by another law enforcement or emergency services agency, including the Sachse Fire Department, that their unit is proceeding Code 3 within the city of Sachse, the dispatcher will immediately broadcast the following information:
  - 1. Involved agency,
  - 2. Code 3 condition,
  - 3. Any known circumstances and destination, on Channel 1.
- F. Any officer who observes a vehicle from another agency traveling Code 3 and who knows that this information has not been broadcast by the dispatcher will advise the dispatcher of this fact.

#### 648.07 EMERGENCY DRIVING (PURSUIT)

- A. A motor vehicle pursuit is an attempt by a law enforcement officer operating an authorized emergency vehicle, utilizing emergency equipment (lights and siren), to apprehend the occupants of another motor vehicle when the driver of the fleeing vehicle is aware, or should reasonably be aware of that attempt, and is resisting apprehension by maintaining or increasing the speed of his/her vehicle, disobeying traffic laws, or attempting to elude the officer.
- B. It is the goal of the department to protect the lives and property of all persons. Officers are obligated to enforce the law and apprehend or cite violators, however, there is no justification for the reckless disregard for the safety of any person.
- C. Initiation of pursuit:
  - 1. The decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public and the officer created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
  - 2. Unless a greater hazard would result, a pursuit shall not be undertaken if the subject(s) can be identified with enough certainty that they can be apprehended at a later time.
- D. A pursuit WILL NOT be initiated when:
  - 1. The offense is a misdemeanor and the driver of the vehicle is known.
  - 2. The driver of the vehicle is known or suspected to be a juvenile.
  - 3. The only offense known prior to attempting to stop the vehicle was a class "C" traffic offense.
- E. Once a pursuit has begun, the responsibility to continue a pursuit in the safest possible manner or to discontinue a pursuit when conditions no longer justify a pursuit rests with the pursuing officer(s) and supervisor.
- F. During the pursuit the officer(s) and the supervisor will **continually** evaluate the need to apprehend against the potential for injury to any person or damage to property if the pursuit is continued. Either the primary Officer or the Supervisor may terminate the pursuit.

- G. Police vehicles not equipped with emergency lights and sirens are specifically prohibited from engaging in a pursuit.
- H. Police motorcycles shall not be used for pursuits except in extremely exigent circumstances and when related conditions allow. Motorcycle units shall disengage when support from marked patrol units become available.
- I. No more than three (3) marked units will be involved in the pursuit, in accordance with the interlocal pursuit agreement.
1. The officer attempting to make the initial stop will be the primary unit; the other officer(s) will be the back-up unit(s).
  2. The primary unit will activate the vehicle's emergency equipment (lights & siren) and notify Communications of the pursuit and the following:  
The unit identifier:
    - a. Location and direction of travel;
    - b. All available identifying information of the suspect vehicle;
    - c. The nature of the offense for which the fleeing vehicle is being pursued;
    - d. Speed and traffic conditions on the roadway.
    - e. All available descriptions of the occupants of the fleeing vehicle;
  3. The backup unit, upon becoming actively involved in the pursuit, will;
    - a. Activate the emergency lights and siren;
    - b. Immediately notify Communications;
    - c. Take over radio traffic if applicable; and
    - d. Follow the primary unit and maintain sufficient distance between his/her unit and that of the primary unit to ensure safe operation of both vehicles.
- J. Once Communications receives notification that a pursuit is in progress, the dispatcher will:
1. Immediately ensure that a patrol supervisor is aware of the pursuit;
  2. Begin available intelligence checks using the information supplied by the primary unit and report the results of the checks as soon as safely possible.
  3. Record all incoming information concerning suspect and suspect vehicle descriptions, direction of travel of the pursuit, and all times when information is received.
  4. Request assistance from outside agencies as instructed from the controlling supervisor.
- K. The supervisor, upon notification that a pursuit is in progress, will assume command of the pursuit. The supervisor will:
1. Not become actively involved in the pursuit as the primary or back-up unit unless no other units are available.
  2. Be responsible for the safe conduct of the pursuit in accordance with these provisions;
  3. Continuously re-evaluate the need to continue the pursuit;
  4. Terminate the pursuit when, in his/her opinion, the dangers of continued pursuit outweigh the need to apprehend the suspect; and
  5. Give approval, if warranted, to leave the jurisdiction of the department in order to continue the pursuit if appropriate.
  6. Respond to the location of a completed pursuit and take command of the scene.
- L. The pursuit will be terminated if:
1. Environmental factors such as rain, ice, snow, fog, or dust substantially increases the dangers of the pursuit;
  2. The pursuit proceeds into an area of heavy traffic, excessive speeds and/or unsafe maneuvering for the conditions, or pedestrian congestion;
  3. The primary unit loses sight of the suspect vehicle for other than a very short period of time.
- M. An officer shall terminate a pursuit when he/she reasonably believes that potential harm to persons or property arising from such pursuit outweigh the potential harm threatened by the offender. The officer shall consider all relevant factors, including:
1. The nature of the offense committed by the offender;
  2. The extent to which the offender may be identified;
  3. Present ability of other officers to apprehend the offender;
  4. Knowledge of previous activities of the offender; and
  5. Potential for physical harm to persons or property resulting from the pursuit of the offender.
- N. Upon notification that a pursuit has been terminated, all involved units will:
1. Immediately cease emergency operation;
  2. Acknowledge by radio that the pursuit has been terminated;

3. Return to normal police operations; and
  4. At no time will any officer continue in pursuit of a suspect vehicle after notification that pursuit has been terminated.
- O. If the pursuit leaves the jurisdiction of the Sachse Police Department:
1. The primary officer will advise Communications;
  2. Communications will advise the jurisdiction that the pursuit is entering; and
  3. The supervisor will decide whether to terminate the pursuit or allow it to continue.
- P. Pursuit by outside agencies into the City of Sachse:
1. Unless specifically requested, no Sachse element will join in a pursuit, which was originated by another agency;
  2. Police units of the Sachse Police Department will serve only as support units and will not become actively involved in the pursuit unless approved by a supervisor;
  3. Sachse Police Department units will act as back-up units as necessary and as approved by a supervisor should the suspect vehicle stop within the city limits of Sachse;
  4. The initiating agency will have the control and be responsible for the pursuit;
  5. A total of no more than three (3) vehicles from the combined jurisdictions will be involved in any pursuit.
  6. Responsibility of initiating agency:
    - a. Arraignment of persons arrested;
    - b. Disposition of any passengers not arrested;
    - c. Disposition of involved vehicle(s); and
    - d. Coordination of all reports, citations and criminal charges.
- Q. During a pursuit, the following practices are prohibited:
1. Roadblocks;
  2. Ramming;
  3. Forcing the pursued vehicle from the roadway;
  4. Traveling the wrong direction on the roadway;
  5. Shooting from the vehicle.
- R. Vehicle Pursuit Review
1. After the conclusion of each pursuit, a written vehicle pursuit review will be completed by the on-duty supervisor utilizing the City of Sachse vehicle pursuit review Form. The information to be documented in the vehicle pursuit review will include:
    - a. The initial reason for the pursuit.
    - b. Actions by the fleeing vehicle during the pursuit.
    - c. Why the pursuit was allowed to continue.
    - d. The result of the pursuit.
    - e. Any injuries or damage
    - f. Any other significant events that occurred.
  2. The Shift Sergeant will:
    - a. Review the pursuit for adherence to departmental policy or specify what portion of policy may have been violated requiring an internal investigation. (to be notated in the Summary of Review section)
    - b. Ensure that appropriate in-car and body camera footage is flagged as part of the review.
    - c. Identify any recommendations that may enhance citizen or officer.
  3. The completed report will be forwarded thru the chain of command to the Chief of Police. Each level of command shall make recommendation regarding disposition of the review and any subsequent actions recommended to be taken.
  4. The Chief of Police shall make final disposition of all pursuit reviews.
  5. An annual report will be completed and submitted to the Chief of Police outlining all pursuits for the previous year as well as recommendations for policy changes, training or changes in equipment that may be necessary.

#### **648.08 SEAT BELT POLICY**

- A. Police personnel that operate or ride in any City vehicle shall properly use the safety belts. This includes rear seat passengers.
- B. Police personnel that operate any City vehicle will ensure that all occupants of the vehicle properly use the safety belts. This includes both police and non-police personnel, to include prisoners. Approved child safety systems shall be used as prescribed by TRC 545.412.

#### **648.09 PASSENGERS IN POLICE RESPONSE VEHICLES**

- A. DEFINITIONS:

1. Emergency Response Vehicle
  - a. Marked patrol units.
  - b. Unmarked police units equipped with emergency ~~red~~ lights and siren equipment.
2. Observer
  - a. Any individual riding in an emergency response vehicle that is not on duty as a Sachse police officer.

#### B. AUTHORIZED OBSERVERS

1. Sworn Officer
  - a. Sachse Police Officers are not authorized observers unless scheduled and compensated.
  - b. Other Agencies – Police officers from other agencies are considered authorized observers. However, shift supervisors must approve the observer.
2. Civilians
  - a. School Internship – As part of a school internship program, an adult student (18 yoa or older) may be assigned as an observer for a minimal amount of time during the course of the program. This assignment will be made and coordinated through the Operations Commander.
  - b. Civilian Employee – Civilian employees of the city of Sachse are authorized observers pursuant to the guidelines of their supervisor. Patrol supervisors will not permit civilian employees to ride without a request from the civilian employee's supervisor. Such observations shall be solely to increase the civilian employee's knowledge of city geography and department operations.
  - c. Special Request – The Chief or Assistant Chief of Police may approve special requests regarding observers other than those specifically addressed in this section.
  - d. Volunteers in Policing (VIP's) – VIP's are considered authorized observers upon completion of their initial training period.
  - e. Minor Children- Minor persons under the age of eighteen (18) are NOT permitted to act as an observer.

#### C. RIDER REQUEST FORM AND WAIVER OF LIABILITY

1. Any individual desiring to be a observer in a emergency response vehicle must complete the appropriate request form and waiver of liability and receive approval prior to commencement of the observation period.

#### D. TERMINATION OF RIDING PRIVILEGE

1. A sworn officer may terminate the privilege of riding in an emergency response vehicle any time his/her judgment indicates it is in the best interest of the department. In the event a observer is directed to leave the vehicle prior to the scheduled end of the tour, the officer shall inform a supervisor and summarize the reasons in a memorandum addressed to the Assistant Chief via the chain of command. Observers in emergency response vehicles may not:
  - a. Carry a firearm, taser, OC spray, impact weapon or any other similar device, other than a pocket knife, unless the observer is a sworn police officer.
  - b. Operate radios or emergency equipment unless directed by a police officer to do so, nor take any investigative or enforcement action unless specifically directed to do so by a police officer.

#### E. DRESS CODE

All authorized observers shall be dressed in business casual attire or uniform as appropriate.