

<p style="text-align: center;"><b>East Haven Police Department</b></p> 	<b>Type of Directive:</b> <b>Policies &amp; Procedures</b>		<b>No. 411.4</b>
	<b>Subject/Title:</b> <b>Operation of Police Vehicles</b>		<b>Issue Date:</b> December 17, 2019
	<b>Issuing Authority:</b> <b>Honorable Board of Police Commissioners</b>		<b>Effective Date:</b> January 15, 2020
<b>References/Attachments:</b> <b>Policies and Procedures #: 403</b> <b>Connecticut General Statutes § 14-283</b> <b>Town of East Haven Vehicle Accident/Incident Reporting Policy &amp; Procedures</b>		<b>Review Date:</b> <b>Annually</b>	<b>Rescinds:</b> <b>411.3</b>
			<b>Amends:</b> N/A

## I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding the safe and proper operation of police vehicles by members of the Department.

## II. POLICY

- A. It is the policy of the East Haven Police Department that its vehicles shall be operated in a manner that protects the public and in a careful, safe and prudent manner, obeying all laws and departmental orders pertaining to such operations.
- B. Officers shall exercise caution at all intersections and other high-risk locations even when operating in emergency mode with lights and siren activated.

## III. DEFINITIONS

- A. Fleet Coordinator: An employee/member designated by the Chief of Police who is responsible for coordinating the equipping, stocking, maintenance and replacement of the Department's vehicles.
- B. Police Vehicle: For purposes of this directive, the term "police vehicle" shall refer to any and all vehicles that are maintained by the Department, to include all specialty vehicles that are marked as a police vehicle; this would include patrol cruisers, all police motorcycles, any clearly marked vans, SUV, and other vehicles.

- C. Specialty Vehicle: A motor vehicle intended for a specific purpose, such as a mobile command post, tactical team van, bomb unit vehicle, four-wheel ATV.
- D. Unmarked Vehicle: A departmental vehicle without visible paint, markings, and equipment that would make it easily identifiable as a police vehicle.

#### **IV. GENERAL CONSIDERATIONS AND GUIDELINES**

- A. Police vehicles are purchased and maintained for the purpose of delivering police services to the Town of East Haven.
- B. The Department is committed to maintaining agency vehicles to be safe, dependable, and professional in appearance. The Department's vehicles should be maintained with equipment and stocked with supplies so that members of the Department may effectively carry out their job functions.
- C. Members of the Department shall ensure the Department's vehicles are cleaned, fueled, and stocked with supplies; defects and damage to any vehicle shall be reported in a timely manner to an on-duty supervisor.
- D. Members of the Department must drive with due regard for the safety of others. Officers may pass through traffic controls in an emergency situation only after stopping or slowing down to the extent necessary for the safe operation of the vehicle. Officers may exceed the speed limit so long as they do not endanger life or property.
- E. The wearing of seatbelts by members of the Department and passengers can significantly improve survivability and reduce the severity of injuries in a crash. Seatbelts help operators maintain control of their vehicles during emergency driving and after a crash and are a critical component in the vehicles' occupant safety system.

#### **V. PROCEDURES FOR THE OPERATION OF POLICE VEHICLES**

- A. Authorization to Operate Police Vehicles
  - 1. Officers must have and maintain a current and valid Connecticut driver's license in order to operate a Department vehicle.
    - a. The Internal Affairs Officer (IAO) shall be responsible for conducting an internal audit on all members' licenses to ensure the validity of all operators' licenses.
    - b. Conviction of any motor vehicle charge or the loss or suspension of any driving privileges shall be immediately reported to the Chief of Police in writing through the chain of command.
- B. Use of Seat Belts
  - 1. As a prudent safety measure, all members of the Department are required to properly wear factory-installed seatbelts while operating or riding in any police vehicle.
  - 2. Bypassing Safety Devices: Personnel shall not buckle the seatbelts behind the front seats of the vehicle in order to bypass or disengage the seatbelt warning signals. Such

action also disengages other collision safety features of the vehicle, particularly the deployment of airbags. Therefore, rendering inoperable any of the other safety devices within the vehicle is strictly prohibited.

3. Requirements for Non-Police Personnel: Whenever officers transport non-sworn personnel or members of the general public in a police vehicle, officers are required to make sure all passengers use seatbelts in the vehicle while the vehicle is being operated.
  - a. This requirement also pertains to any detainees who might be transported as a passenger in a marked or unmarked police vehicle. Rare exceptions may exist in which it is unsafe for officers to buckle arrestees without subjecting themselves to injury due to unruly/combatative arrestees. In those situations, the arrestee will not be buckled.
4. Children being transported in a police vehicle may be transported without a car seat only in an emergency situation, if car seats are not available. In any event, a child being transported in a police vehicle should not be left unattended by an adult, and should always have a seatbelt or car seat in use while the vehicle is in operation.

C. Police vehicles shall not be used for personal business or pleasure, unless designated by contract or approved by the Chief of Police or his/her designee.

D. Operation of Patrol Vehicles during Patrol

1. Under the normal circumstances of patrol, all traffic regulations shall be strictly adhered to and posted speed limits shall not be exceeded.
2. Operators shall avoid fast starts and the spinning of wheels, and at all times officers are expected to set a good example for the public to follow.
3. Operators shall take all necessary precautions in an effort to avoid accidents or injury to themselves or other users of the road.
4. Officers will not operate a police vehicle on any unpaved surfaces, except in the case of an emergency or if response is necessary to an unpaved location. This does not mean an established graveled or hard-surfaced driveway of some type made for the express purpose of motor vehicle use.

E. Emergency Operations of Police Vehicles

1. Police vehicles responding to calls or engaging in detective work shall be operated in either a routine, urgent or emergency mode. These modes are defined as
  - a. Routine: Non-life threatening or property damage producing incidents. i.e. shoplifting incidents, criminal investigation reports (not in progress), loud noise or disturbance calls, requests for service and other non-emergency calls. Routine responses involve no use of either emergency lights or siren. When an officer is operating in a routine mode, he or she shall obey all laws and ordinances pertaining to motor vehicle operations.

- b. Urgent: Immediate response, though there is no imminent threat to life or property. Emergency lights/siren may be used intermittently at the officer's discretion (i.e. property damage accident with roadway blocked). Urgent responses involve the use of emergency lights. Unless emergency lights and siren are activated, the officer shall obey all laws and ordinances pertaining to routine (non-emergency) motor vehicle operations.
  - c. Emergency: An emergency situation exists, and there is an immediate threat to a person or property. Officer should respond with emergency lights and siren. When operating in or responding to an emergency assignment, the guidelines set forth in Policies and Procedure #403 - Response to Calls for Service shall be adhered to.
- F. Transporting of Non-Police Personnel
- 1. Officers shall ensure that only authorized members of the Department drive or are transported in the Department's vehicles.
  - 2. All other persons shall be transported in a police vehicle only when necessary to accomplish a proper police purpose. Such transportation shall be in conformance with departmental policies and procedures or at the direction of a supervisor.
  - 3. Civilians may participate in ride-alongs in the Department's vehicles under the following conditions.
    - a. Permission of the Chief of Police or his/her designee.
    - b. Completion of a waiver of liability form signed by the person completing a ride-a-long.
    - c. Agreement of the officers providing the ride-a-long.
- G. Security of Police Vehicles
- 1. Whenever a member of the Department is assigned use of a police vehicle, it is that member's responsibility to ensure that the vehicle is properly secured at all times.
  - 2. Members of the Department shall be held responsible for the security of the vehicle and the equipment contained within it while the member has use of that vehicle.
- H. Vehicle Condition and Inspections: Operators' Responsibilities
- 1. Prior to operating a police vehicle, normally at the beginning of a tour of duty, personnel must inspect the vehicle for damage and to ensure the vehicle's equipment is operating properly; personnel must check for cleanliness, presence of unauthorized articles, and adequate supplies.
    - a. In the case of an emergency, a vehicle inspection may be postponed until the emergency has passed, at which time an inspection shall be conducted.
    - b. The previous operator shall be responsible for any trash left in the vehicle and found during a pre-tour of duty inspection.

- c. Prior to returning the vehicle, the operator should ensure that the vehicle is fueled and the interior of the vehicle is cleaned of any debris or other items not belonging in the vehicle.
2. Operators shall identify and report to the Fleet Coordinator any defective equipment, such as emergency lights and siren, head or taillights, directional signals, marker lights, auxiliary emergency lights, on-board computers, radios, radar, license plate readers, gun racks, scanners, etc. These shall be reported immediately after being discovered.
3. If any of the police vehicle's emergency equipment (i.e. lights, sirens, etc.) is discovered to be in need of repair or malfunctioning, the need for repair shall be documented in the Vehicle Maintenance Module of the Law Enforcement Administration System (LEAS) and taken out of service, absent exigent circumstances.
4. Body fenders, bumpers, glass, and tires shall be viewed for obvious signs of damage. Personnel shall notify their supervisor of any damage to vehicle or its operating equipment.
  - a. The supervisor shall initiate an investigation of any unexplained damage.
5. Vehicles used to transport detainees or arrestees shall be inspected for contraband and weapons prior to placing the detainee or arrestee in the vehicle and upon removal of said detainee or arrestee.
6. Operators should routinely make arrangements to have the vehicles they are operating washed and cleaned by designated car-wash vendors so as to maintain a professional appearance.
7. No body or paint modifications may be made without prior approval of the Chief of Police.

## **VI. PROCEDURES FOR EQUIPPING AND SUPPLYING POLICE VEHICLES**

- A. Supplies carried in the police vehicles shall be periodically checked, replaced, and/or replenished as necessary by the Fleet Coordinator.
  1. Supplies for the police vehicles are stocked and stored in the Department's maintenance garage.
    - a. If stored supply quantities are low and need to be replenished, the Fleet Coordinator shall notify the Head of the Administration and Training Division (ATD) of the need for additional supplies.
    - b. The ATD shall then make the appropriate arrangements for the supplies to be ordered.

- B. All marked and unmarked patrol vehicles shall be equipped with emergency lights and a siren, and the following supplies and equipment.
  - 1. Marked Vehicles: All marked police vehicles intended for normal patrol should be equipped with the following supplies and equipment.
    - a. Gloves
    - b. Emergency Police Tape
    - c. Civilian Complaint/Commendation Forms
    - d. E-Ticket Printing Paper
  - 2. Unmarked Vehicles
    - a. All unmarked police vehicles intended for use by detectives should be equipped with the following supplies and equipment.
      - 1) Civilian Complaint/Commendation Forms
      - 2) Gloves
    - b. All unmarked police vehicles intended for use by command staff should be equipped with the following supplies and equipment.
      - 1) Civilian Complaint/Commendation Forms
    - c. All unmarked police vehicles intended for use as undercover units shall be equipped according to the needs of a specific operation, as directed by the Head of the Division utilizing the vehicle.
  - 3. Vehicles intended for use in special operations shall be equipped according to the direction of the Head of the Division utilizing the vehicle.
- C. Vehicle Disposal
  - 1. When a police vehicle is to be disposed of through auction, trade-in, possession by an insurance company, or other means, the Fleet Coordinator shall:
    - a. Ensure that all loose supplies and equipment are removed from the vehicle.
    - b. Strip all retro-fitted equipment that is unique to public safety vehicles, such as two-way radios, emergency lights, prisoner cages, radio racks, MDT mounts, push bars, sirens, etc.

## **VII. PROCEDURES FOR THE MAINTENANCE OF POLICE VEHICLES**

- A. Each time a police vehicle is brought to a repair facility for preventive maintenance, repairs, etc., the vehicle will be fully inspected by the Fleet Coordinator to ensure the following.
  - 1. Its operational readiness (emergency/warning lights, siren, spot lights, other vehicle lighting, etc.)

2. All equipment assigned to the vehicle is present and ready for use.
  3. To record any damage to the vehicle that had not been previously recorded.
- B. Regular Maintenance: Regular scheduled maintenance, such as oil changes, state safety inspections, tire replacements, etc., shall be coordinated by the Fleet Coordinator.
- C. Routine mechanical and equipment problems
1. When a tire is discovered to be flat, low on air, or damaged, arrangements should be made to have the tire changed, either by making arrangements through the Fleet Coordinator or through one of the Town's approved towing vendors.
  2. The vehicle's operator shall report mechanical and equipment problems to his/her supervisor, who will determine if the vehicle should be taken out of service. The officer shall notify the Fleet Coordinator of the condition so the problem(s) may be resolved.
  3. If, in the discretion of a supervisor, a condition exists making the vehicle unsafe, the supervisor shall order the vehicle taken out of service by having the vehicle towed by one of the town's approved towing vendors to the designated garage.
  4. If the vehicle cannot be left at the garage, the vehicle may be left at the police station.
  5. The supervisor ordering a vehicle to be taken out of service will communicate the status of the vehicle to the Fleet Coordinator who will be responsible for taking the appropriate follow-up action.
- D. Towing of Department Vehicles
1. If the vehicle is in the local area, towing will be arranged through one of the Town's approved towing vendors.
  2. If the vehicle is outside the local area, the operator will notify the on-duty supervisor. The on-duty supervisor will determine if the Town's approved towing vendor's will be used or another towing vendor.

## **VIII. PROCEDURES FOR DAMAGE TO POLICE VEHICLES**

- A. An on-duty supervisor shall initially investigate all collisions involving police vehicles regardless of the extent of the damage to either vehicle.
1. It is the responsibility of the operator of a police vehicle to immediately report the accident/incident to his/her supervisor whenever there is a collision or damage to a police vehicle.
  2. Officers shall report immediately all damage and/or malfunctioning of the vehicle to their supervisors.
  3. The on-duty supervisor shall immediately go to the scene, begin an investigation, and report all particulars to the shift commander.

4. The operator of the police vehicle involved shall submit a report to the investigating supervisor.
5. In addition to completing, when required by law, the Connecticut Uniform Police Accident Report, the supervisor shall submit in writing the details of the events leading up to and during the collision in the Department Review (DR) reporting module of the Law Enforcement Administration System (LEAS).
  - a. The investigating supervisor along with the officer(s) involved in the accident/incident shall also comply with the Town of East Haven's Vehicle Accident/Incident Reporting Policy & Procedures.

B. Collisions within the Town of East Haven

1. When the collision involves a patrol officer, detective, or non-sworn members, the on-duty supervisor shall conduct the investigation.
2. If the operator of the police vehicle is a supervisor the incident will be investigated by another supervisor, preferably of a higher rank, and reviewed by that higher-ranking officer's superior.
3. The investigator shall conduct a thorough investigation of the crash and follow the steps laid forth in this directive.
  - a. The investigator shall complete the PR-1 form.
  - b. The investigator shall complete any additional forms required by the Town of East Haven.
  - c. The names, addresses, dates of birth, extent of injury, and other pertinent identifying information shall be obtained for the all occupants of the involved vehicles, injured pedestrians/bicyclists, and other involved persons.
  - d. The extent of the damage to property and injuries to persons shall be recorded.
  - e. Photographs of the scene and damages should be taken.
  - f. All investigations of collisions involving a police vehicle will be done and thoroughly reviewed in a timely fashion.
  - g. The operator's supervisor shall compile all reports.

C. In the event that a member of the Department is involved in a collision in East Haven that could result reasonably in criminal charges (i.e., vehicular homicide)

1. The shift commander shall notify the Heads of Patrol, the South Central Connecticut Traffic Unit (SCCTU), and the IAO.
2. The SCCTU shall direct the investigation.

3. The Shift Commander or the Head of SCCTU shall notify the Chief of Police.
4. The Chief of Police may also opt to have the Connecticut State Police Collision Analysis and Reconstruction Squad assist the Department's investigators.

D. Collision Outside the Town of East Haven

1. The operator shall follow all guidelines and procedures governing the reporting of damage to police vehicles.
2. The supervisor of an officer or non-sworn member whose police vehicle is involved in a collision outside of the agency's jurisdiction shall notify the shift commander immediately.
  - a. The shift commander shall be responsible for notifying the appropriate agency having jurisdiction where the collision occurred.
3. At the time of notification, the shift commander shall obtain information concerning the circumstances of the collision, to include whether there were any injuries and/or any extensive property damage.
4. The collision should be investigated by the agency having jurisdiction.
  - a. In the event that agency refuses to investigate the collision, the employee involved shall immediately notify the shift commander of that decision.
  - b. The shift commander shall speak with the commanding officer on duty in that agency and ask him/her to cooperate with the Department's policy of having all collisions fully investigated by the jurisdiction in which the incident has taken place.
  - c. If the collision is not investigated by the agency having jurisdiction and a supervisor of this Department is unable to respond to the scene, the on-duty supervisor or shift commander will require the employee involved in the collision to do the following.
    - 1) Complete an incident report.
    - 2) Photograph the scene and damage to vehicles and/or property.
    - 3) Record the scene, including any damage, via his/her Body Worn Camera (BWC).
  - d. If available, the IAO shall request a copy of the completed file from the investigating jurisdiction.
5. A supervisor should respond to the location of the incident, if feasible, or document why he/she cannot respond to the location of the incident.
  - a. The supervisor shall document the incident along with following the steps laid forth in this directive. All documentation will be completed in the DR reporting module.

## **IX. PROCEDURES FOR COLLISION REVIEW**

- A. At each step in the investigations-reporting-review process the superior officer who receives a file shall ensure that the information and exhibits are as complete and accurate as they should be at that stage.
- B. The Chief of Police shall decide if any charges should be referred to the State's Attorney for criminal prosecution.
- C. The IAO shall recommend to the Chief of Police any internal action to be taken by the Department. The three major criteria for whether further action is required are:
  - 1. The member operated the vehicle in a safe and in professional manner and in accordance with Department policy and/or rules, as well as state statutes, and municipal ordinances or traffic regulations.
  - 2. The members did not operate the vehicle in a safe and professional manner, and in accordance with the Department's policy and/or rules, as well as state statutes, and municipal ordinances or traffic regulations.
  - 3. The behavior is part of a pattern identified through the Department's Early Intervention System.
- D. Remedial and Disciplinary Action: These guidelines are intended for members of the Department who are involved in what would be considered preventable collisions.
  - 1. The desired result of any post-collision action is to modify personnel behavior to avoid future collisions. The IAO shall consider the totality of the circumstances of the incident resulting in the collision as well as any aggravating and mitigating factors when considering corrective action.
  - 2. Actions available to affect such behavior includes, but is not limited to:
    - a. Training.
    - b. Re-training.
    - c. A medical evaluation for a condition suspected of having a causal relationship to the collision.
    - d. Employee Assistance Program.
    - e. Disciplinary Action.
- E. Annual Review of Police Involved Collisions: At least annually, the IAO shall conduct review of all police involved collisions that took place during the preceding twelve months. The review will take the following factors into consideration:
  - 1. Any discernible patterns, which may suggest any modifications to the Department's training program, modification to existing policies and procedures, or changes in any existing practices.

2. A review of the driving history of the Department's members involved in collisions over the past three-year period to determine the frequency of collisions and/or any patterns stemming from prior collisions.
3. Any recommendations required with respect to the Department's internal review of such collisions.
4. The completed annual report will be forwarded to the Chief of Police and the Heads of the Patrol and Detective Divisions with any recommendations for further consideration and action.