

 <b>NORFOLK</b> Department of Police	<b>Operational General Order – 710 Operation of Police Vehicles</b>		
	Office of Preparation: Strategic Management Division (cdm)		
	<b>CALEA:</b>	41.2.1, 41.2.2, 41.2.3	
	<b>VLEPSC:</b>	OPR.01.10	
LEGAL REVIEW DATE:	June 14, 2016	PRESCRIBED DATE:	6/23/16
City Attorney:	Heather A. Muller	City Manager/Director of Public Safety:	[Signature]
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		[Signature]	

Purpose **(CALEA 41.2.1)**

The purpose of this order is to establish policies and procedures for the emergency operation of police vehicles.

Policy

Norfolk Department of Police sworn personnel will operate police vehicles in emergency situations in the safest possible manner, consistent with law enforcement responsibilities, and in accordance with the procedures contained in this order.

Supersedes:

1. G.O. OPR-710, dated September 29, 2014
2. Any previously issued directive conflicting with this order

Order Contents:

- I. Emergency Operation of Police Vehicles
- II. Police Officer Needs Help Calls
- III. Pursuits
- IV. Response Codes

I. Emergency Operation of Police Vehicles (CALEA 41.2.2.a) (VLEPSC OPR.01.10.a)

In undertaking any emergency vehicle operation, officers must balance the seriousness of the situation and the importance of the law enforcement objective involved against the hazards to the safety and welfare of citizens and police personnel involved.

A. Emergency vehicle operation is authorized during the following:

1. When the immediate presence of the police is required in order to protect a person from possible death or serious injury.
2. When the telecommunicator dispatches a message with a response Code 1 or 2.
3. When directly authorized by a supervisor.
4. When engaged in a vehicular pursuit.

B. Officers are expected to exercise good judgment as to the necessity and justification for operating their vehicles under emergency conditions. Factors and conditions to be assessed by officers prior to and during the emergency operation of the police vehicle include, but are not limited to, the following:

1. Nature and seriousness of offense or call
2. Weather conditions
3. Road surface conditions
4. Traffic conditions
5. Time of day
6. Knowledge of area
7. Ability to control vehicle
8. Type of vehicles involved
9. Availability of assisting units
10. Geographic location - school, residential, business, etc.

II. Police Officer Needs Help Calls

When the Emergency Operations Center receives a call or transmission that a police officer needs help, unless specified by an officer or supervisor on scene, the following procedure will be adhered to:

A. Telecommunicators will dispatch two police units and the appropriate street supervisor. Additionally, supervisors and units assigned to, or operating in, the same or adjoining patrol division shall respond to the call. All other units will remain in their respective districts.

- B. The first officer to arrive at the scene will assess the situation and advise the telecommunicator to dispatch additional units, specifying the number and kinds needed; or, that the situation is under control, and to clear all responding units.
- C. The supervisor of the officer calling for help will prepare a letter to his/her commanding officer listing initiating personnel, the reason for the call, the responding police units, and a summary of events.

### III. Pursuits (CALEA 41.2.2.b-k, 41.2.3, 41.3.1) (VLEPSC OPR.01.10.b-j)

A vehicle pursuit is an active attempt to stop a moving motor vehicle after an officer has activated emergency lights and/or siren and the driver fails to stop.

#### A. General Instructions

1. Initiation of a vehicle pursuit is prohibited unless there is an immediate need to apprehend a suspect/s which outweighs the inherent risk of the pursuit. Situations where the initiation of a vehicle pursuit may be necessary include, but are not limited to, when:
  - a. An officer has probable cause to believe an occupant of the suspect vehicle has committed or is attempting to commit a felonious crime involving violence.
  - b. An officer has probable cause to believe an occupant of the suspect vehicle has displayed or used a firearm in the commission of a crime.
  - c. An officer has probable cause to believe the operator of the suspect vehicle is under the influence of drugs and/or alcohol and that the continued operation of the impaired driver's vehicle presents an imminent danger to the involved persons and public's safety.
2. Only departmental police officers, recruits, and police supervisors will remain in police vehicles during pursuits. Units that have prisoners, witnesses, suspects, complainants, or other non-police passengers will not engage in pursuits.
3. Apprehending the violator should not be the deciding factor in a pursuit situation. The factors set out in Section I. B. will be carefully considered before undertaking, and while engaging in, a pursuit.
4. Officers will not engage in high speed pursuits when it appears that apprehension by other means is possible, i.e., the subject's license number is obtained and the subject can be positively identified, etc. This prohibition does not apply to reasonable efforts to immediately apprehend

violent felons or persons who are an imminent danger to the community; however, the provisions of Section I are still to be considered.

B. Initiating Pursuits

1. Officers initiating a pursuit will immediately notify the telecommunicator of the following:
  - a. Identifying features of the pursued vehicle:
    - (1) license number
    - (2) color, year, model, make, body type, and
    - (3) number of occupants.
  - b. Identifying features of the occupants in the pursued vehicle.
  - c. Reason for the pursuit, including the crime involved.
  - d. Location, direction of travel, route, and speed during the pursuit. The officer will notify the telecommunicator when the pursuit enters into another patrol division.
2. All officers participating in a pursuit will switch to the subfleet of the initiating officer. All officers on the subfleet of the initiating officer, not involved in the pursuit, will switch to another subfleet designated by the telecommunicator. Assisting officers and telecommunicators should keep their radio transmissions to a minimum.
3. A safe driving distance will be maintained at all times between the violator's vehicle and the police vehicle to allow proper police response to any abrupt movements by the violator's vehicle.
4. AFTER A PURSUIT IS UNDERTAKEN, OFFICERS MUST BE PREPARED TO DISCONTINUE IF CIRCUMSTANCES DICTATE IT IS UNREASONABLE TO CONTINUE.
  - a. Pursuits should never be continued where an unreasonable risk of injury or death exists, especially through areas of heavy traffic congestion and school zones during school hours.
  - b. High-speed pursuits should be terminated when apprehension is not likely to occur and occupants are not an immediate and present danger to others.
  - c. Pursuing units may terminate a pursuit at any time when reasonable.

5. The ranking supervisor, who is aware of the pursuit and is in a position to take charge of the pursuit, will have the responsibility for the pursuit. The ranking supervisor will identify him/herself and take charge of the pursuit on the subfleet in use for the pursuit. Officers must terminate a pursuit immediately when ordered to do so by a supervisor. Supervisors will monitor all pursuits by officers under their command and will exercise discretion and sound judgment when deciding whether to allow the pursuit to continue.

C. Use of Force to Stop Violators

1. Officers will not ram, bump, or collide with fleeing vehicles; nor will they pull alongside or in front of fleeing vehicles in an attempt to stop the violator by forcing them off the road or into an obstacle with the following exceptions: with due regard for public safety awareness and when advised to do so by a supervisor, or when an officer reasonably believes such maneuvers are necessary to defend or protect officers or other persons from imminent danger of death or serious physical injury.
2. Officers will not fire warning shots or shoot at or from a moving vehicle, except when it is necessary to defend or protect officers or other persons believed to be in imminent danger of death or serious physical injury. For firearms regulations, see G.O. OPR-110: Firearms.
3. The use of roadblocks is allowed when authorized by the supervisor in charge of the pursuit, and only under circumstances justifying the use of deadly force. Under such circumstances, when no other suitable equipment is available, unoccupied police vehicles may be used to barricade a roadway. Under no circumstances will vehicles belonging to, or occupied by, private citizens be used. Barricades are never to be used when there is reason to believe innocent persons would be endangered.
4. The officer initiating the roadblock or forcible stop will prepare an electronic report in accordance with G.O. OPR-145: Electronic Reporting System and forward it to their commanding officer via the chain of command for review, retention, and use by the Accident Review Board.
5. Training on the above policies regarding the use of force to stop violators will be conducted for new recruits during the academy session and as needed for sworn personnel.

D. Assisting Units

1. NO UNIT WILL ASSIST IN A PURSUIT UNLESS ON A MESSAGE.

THIS DIRECTIVE WILL BE STRICTLY ENFORCED.

2. Upon notification of a pursuit, the telecommunicator will dispatch at least one unit to assist in the pursuit and apprehension of the violator, and the telecommunicator will inform the unit's street supervisor.
3. The supervisor in charge of the pursuit will determine the number of assisting units appropriate for the circumstances of the pursuit.
4. Assisting officers should attempt to position themselves at strategic points along intersecting or parallel routes in anticipation of assisting when the suspect is stopped, or becoming actively engaged in the pursuit if the original pursuing unit loses the suspect vehicle or becomes disabled. Officers who position themselves for possible assistance shall not move into the path of a pursuit, either in a vehicle or on foot, and shall take no action which might increase the danger caused by an oncoming pursuit.
5. Motorcycle units - In the event a pursuit is initiated by a motorcycle unit, that unit will abandon the pursuit as soon as a four-wheel unit is in position to assume the pursuit.

Unmarked units - If an unmarked unit initiates or takes up a pursuit from a motorcycle, that unit will abandon the pursuit as soon as a marked unit is in position to assume the pursuit.

E. Pursuits Out-of-City Limits

1. The pursuing unit will instruct the telecommunicator to notify the appropriate city when it appears the pursuit will leave the City of Norfolk.
2. The street supervisor of the officer initiating the pursuit, and/or the supervisor in charge of the pursuit, will respond to that city when the officer leaves the City of Norfolk if in his/her judgment a supervisory presence is needed.
3. If the city into which the pursuit travels has mutual aid radio capabilities with Norfolk Police, the initiating officer may request the system be utilized if switching to that subfleet can be done in a safe manner.

- F. The officer initiating the pursuit will prepare an electronic report in accordance with G.O. OPR-145: Electronic Reporting System and forward it to their commanding officer via the chain of command for review, retention, and use by the Accident Review Board.

G. Reporting Procedures

1. The Officer in Charge of the Traffic Division will submit an annual documented analysis of pursuit reports to the Chairman of the Accident Review Board. The purpose of the analysis is to identify any existing patterns or trends which could indicate areas of needed improvement such as, but not limited to, increased training, equipment upgrades or necessary policy changes. The analysis will cover the period of January 1 through December 31<sup>st</sup> for the previous calendar year. The documented analysis will be provided to the Accident Review Board Chairman no later than January 31<sup>st</sup>.
2. The Accident Review Board will conduct a documented review of the information contained in the analysis to determine if any pursuit policies or reporting procedures need to be modified. The documented review, along with any recommendations, will be forwarded to the Chief of Police for his/her consideration.

IV. Response Codes

- A. Code 1- With due regard for safety, emergency lights and siren must be used at all times when operating a vehicle in excess of the speed limit, or contrary to other traffic regulations, regardless of the time of day or the location. Speed limits will not be exceeded by more than 15 mph, except during pursuits.
- B. Code 2- With due regard for safety, emergency lights must be used at all times and siren used as necessary. Police units will come to a full stop at each red light, then proceed through the intersection only if it is possible to do so without danger to pedestrians or vehicles. All other traffic controls will be approached with extreme caution. Speed limits will not be exceeded by more than 5 mph.
- C. Code 3- Emergency lights and/or siren will not be used. All posted signs and traffic laws will be observed. When no specified response code is assigned to the message, response Code 3 will be used.

Related Documents:

1. G.O. ADM-125: Jurisdiction – City of Norfolk
2. G.O. OPR-110: Firearms
3. G.O. OPR-120: Use of Force
4. G.O. OPR-510: Radio Communications
5. City of Norfolk Employee Policies and Procedures Manual