



FAIRBURN GEORGIA POLICE DEPARTMENT OPERATIONS MANUAL



CHAPTER 12 Vehicle Operations

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INDEX

I. PURPOSE

Establish guidelines concerning the safe and proper response to emergency situations and proper operation of a police vehicle.

Establish a standard operating procedure for Agency vehicle maintenance.

Establish a standard operating procedure for use in pursuit situations.

Establish a standard operating procedure governing the type and use of roadblocks.

Establish a standard operating procedure governing inter-jurisdictional pursuits.

Establish a standard operating procedure for a vehicle accident review board.

II. DEFINITIONS

- A ASSISTING AGENCY - Any Law Enforcement Agency with a vehicle actively involved in another Agency's pursuit.
- B BOXING-IN - surrounding a violator's vehicle with emergency vehicles that are then slowed to a stop, forcing the violator's vehicle to do likewise.
- C BLOCKING OR ROLLING ROADBLOCK - 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.
- D CHANNELIZATION - A technique similar to a roadblock where objects are placed in the anticipated path of a pursued vehicle to alter its direction.
- E CREATING SLOW MOVING TRAFFIC - The slowing of the normal flow of traffic. Patrol vehicles not involved in the pursuit enter the roadway at least one half mile ahead of the violator. By slowing the flow of normal traffic, the violator and pursuit vehicle are forced to reduce their speed.
- F DUE REGARD - When a reasonably careful person, performing similar duties under similar circumstances, would act in the same manner.

- G EMERGENCY - A situation in which there is a high probability of death or serious injury to an individual or significant property loss.
- H 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.
- I 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.
- J INITIATING AGENCY - The Law Enforcement Agency which originally attempted to stop the driver of an actively fleeing vehicle.
- K INTER-JURISDICTIONAL PURSUIT AGREEMENT - A document signed by the Chief of Police of each participating Law Enforcement Agency which coordinates procedures to be followed when a pursuit involves two or more agencies.
- L 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.
- M 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.
- N PIT (Precision Immobilization Technique) MANEUVER: deliberate contact with the rear of a fleeing vehicle by a marked police vehicle with the intention of forcing that vehicle off the roadway in a predetermined direction.
- O PRIMARY VEHICLE - The law enforcement vehicle that initiates the pursuit or any other vehicle that assumes control of the pursuit.
- P 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.
- Q ROADBLOCK - Any method, restriction, or obstruction utilized or intended to prevent free passage of motor vehicles on a roadway to apprehend the driver/passengers in a particular motor vehicle.
- R SECONDARY VEHICLE - The law enforcement vehicle that trails the primary pursuit vehicle at a safe distance and that is immediately available to assume the primary role or assist when the fleeing vehicle stops.
- S FORCIBLE FELONY - A felony that involves an actual or threatened action that 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).
- T SUPERVISOR - The superior officer responsible for the immediate supervision of the pursuit vehicles.
- U TRAPPING - surrounding a violator's vehicle that is not moving/stopped with emergency vehicles to prevent a vehicle from fleeing or attempting to do so.

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. Officers are also required to utilize Marked Police Vehicles while conducting routine patrols.

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.
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 Communications Center may wish to relay additional information while the vehicle is being operated in an emergency status.

D **Pacing**

1. Pacing is not an emergency operation. Therefore, when pacing a traffic violator, an officer may operate without emergency equipment engaged.
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.

E **Emergency Operations of Law Enforcement Vehicles**

1. **Routine Calls** – calls which carry with them no sense of urgency. As a rule, routine calls are dispatched as calls for service and/or assistance and include general requests for reports, general alarms, etc. Officers should respond to all routine calls without delay in the following manner:

- A. Proceed to the incident location using the safest, most efficient route
 - B. Use of emergency equipment prohibited; and
 - C. Adhere to all traffic laws, including speed limits and all traffic control devices
2. **Urgent Calls** – Calls in which time and expediency are of the essence but are not life threatening. Officers shall respond to all urgent calls without delay and in the following manner:
- A. The officer will evaluate the nature of the call to determine the degree of seriousness and expediency necessary.
 - B. Proceed to the incident location using the safest, most efficient route
 - C. Respond quickly, but in a safe and responsible manner. The use of emergency equipment will be at the discretion of the responding officers and shift supervisors.

The decision will be based on many factors to include:

- a) Information from the communications center
 - b) Location history and alerts or personal knowledge of subjects involved
 - c) Traffic and road conditions
 - d) Environmental Conditions
3. **Emergency Calls** - Calls of a critical nature, where the lives of citizens or fellow officers are or may be subject to danger. An emergency is any situation in which there is a high probability of death or serious injury and the actions taken by a police officer may reduce the seriousness of the situation. The following calls are classified as emergency calls which include, but are not limited to, these examples of those authorized for emergency response;
- A. Accidents with injuries
 - B. Domestic situations where weapons are or may be involved
 - C. Fight (affray) where there are weapons involved or shots fired
 - D. Civil disputes involving weapons or shots fired
 - E. Officer down and/or in trouble
 - F. Suicide attempts

- G.** Structure fires
- H.** Person shot/stabbed
- I.** Robbery

4. Responding to emergency calls –

A. Carefully, evaluate the nature of the call to determine the degree of seriousness. Proceed to the incident location by using the most direct route available.

B. If necessary (meets all the criteria of an emergency call), officers are permitted to exceed the posted speed limits as follows:

(a) Activate all emergency equipment.

(b) Advise the Communications Center of Emergency Response

(c) Operate the patrol vehicle with extreme caution at a speed which is safe, and the officer can maintain absolute control over the vehicle.

(d) The officer shall not take any unwarranted risks which are likely to endanger the public under any circumstances.

C. If necessary to proceed through an intersection against a red light or a stop sign, it shall be accomplished as follows:

(a) Activation of all emergency equipment.

(b) Slow or stop to ensure the intersection is clear and the officer can safely negotiate the intersection without interfering with any on-coming vehicles.

(c) When other traffic is present, the responding officer will establish eye contact with the intersecting driver and ensure the operator is willing to yield his/her right of way before the officer attempts to proceed through the intersection.

(d) Should the situation escalate and require a more expedient response, the officer will follow established guidelines concerning responding to emergency calls for service. The supervisor may upgrade any call to an “emergency” based on new information received/provided.

F Pursuits – See S.O.P 12-2 and 12-4

1. During pursuits, excessive speed and carelessness shall not be permitted.

2. Every effort should be made to ensure that only marked vehicles with roof-mounted emergency light systems engage in a pursuit.
3. No unmarked vehicle, without both blue lights and siren, will become involved in pursuits.
4. Special vehicles (e.g., paddy wagons, crime scene units, etc.) should not engage in pursuits.
5. Vehicles that are transporting prisoners, witnesses, suspects, complainants, or passengers will not engage in pursuits.
6. Motorcycles will not engage in pursuits unless the motorcycle officer is the one who initiates the pursuit. Motorcycles may continue the pursuit only until a four-wheeled marked patrol vehicle joins the pursuit.

G Law Enforcement Involved Pursuit Investigation

In addition to normal reporting procedures, a review board will be conducted of all law enforcement officers who are involved in vehicle pursuits.

H 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; and
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.

I Take Home Vehicle Policy

1. After completing the FTO period, officers may be issued a Fairburn PD vehicle. Officers are permitted to drive their vehicle home each day. Officers will always operate their assigned vehicles with the utmost courtesy and respect to other drivers, but especially when operating it off duty.
2. Officers will not be permitted to drive their vehicles more than 35 miles from Fairburn city limits to their home. If they live further than 35 miles from city limits, they may park their vehicle at a police or fire station near their home that is within 35 miles of Fairburn city limits.

**STANDARD OPERATING PROCEDURE
EFFECTIVE: 05/19/2008**

S.O.P. 12-1 VEHICLE MAINTENANCE

I. INTRODUCTION

One of the basic rules of safe 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 Agency 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; and
5. These conditions, or any of the above not readily corrected shall be immediately reported to the on-duty supervisor. An employee shall not operate an unsafe vehicle.

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

1. Cleanliness, attention should 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. Gauges, to keep the vehicle within the proper operating ranges;
3. Condition of spare tire and other necessary equipment;
4. Oil (each time the vehicle is refueled);
5. Battery water level (if not maintenance free) and transmission fluid (at least weekly); and
6. Routine maintenance (oil, filter, lube)

**STANDARD OPERATING PROCEDURE
EFFECTIVE: 05/19/2008**

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

I. PURPOSE

The purpose of this policy is to provide guidelines and directions: for the establishment of responsibility for the safe operation of police vehicles during a pursuit; for the initiation or discontinuation of pursuits; for the responsibility of participating officers and supervisors; and to provide the essential balancing of the necessity for the pursuit and more immediate apprehension of the fleeing subject against the risks involved with the pursuit which might include death, injury and/or property damage.

In fulfilling agency objectives, officers will occasionally encounter dangerous subjects who will attempt to avoid capture by fleeing in motor vehicles. In these cases, officers should attempt to anticipate flight and utilize tactics to prevent a pursuit. If tactics to prevent a vehicle pursuit fail, tactics should be utilized to minimize the duration of the pursuit, and if possible, to influence the subject vehicle's direction in ways that reduce the risk of harm to others. Once initiated pursuits shall be monitored and assessed according to state statutes and this policy to ensure that the need to pursue outweighs the risk and dangers of the pursuit itself.

II. POLICY

The agency recognizes its responsibility to apprehend criminals and lawbreakers, but it also recognizes the higher responsibility to protect and foster the safety of all persons in the operation of police vehicles under pursuit conditions. Officers operating under pursuit conditions shall be constantly aware that no assignment is too important, and no task is to be expedited with such emphasis that any of the basic principles of safety are jeopardized.

The officer shall use due regard and follow all vehicle operations and procedures outlined below. When the officer pursues the suspect vehicle outside of this Agency's jurisdiction, a request for assistance from all appropriate jurisdictions shall take place.

A. Authorized Vehicle Pursuits:

1. Person(s) suspected of committing a forcible felony;
2. Person(s) suspected of committing a felony and the officer is able to articulate his/her suspicion in a clear and convincing manner. Example would be a vehicle with no registration tag in the parking lot of a warehouse that has been victim to numerous entering auto incidents.
3. Any person operating a motor vehicle in a manner that shows a reckless disregard for the safety or property of others. The reckless driving must be present prior to the initiation of police contact (emergency equipment activated), and it is objectively reasonable for the officer to believe that the reckless behavior will continue without police intervention.
4. Any person reasonably suspected of being an impaired driver, based upon specific articulable facts. In determining a suspected impaired driver, the officer must be able to articulate his/her suspicion in a clear and convincing manner.

5. Any offense involving a substantial physical injury to a victim (other than forcible felonies)
6. Known felony offender/suspect such as Flock list entry as entering auto perpetrator(s). Example, a specific vehicle entered in our system identified as being involved in entering autos enters the city, officers receive an alert of its location.

B. Unauthorized Pursuits:

1. Officers will immediately discontinue a vehicle pursuit when directed by any supervisor
2. Officers will not initiate or engage in a vehicle pursuit unless the crime, violation, and/or condition meets the criteria outlined above in II. Policy, Section A Authorized Vehicle Pursuits
3. The identity of the violator is known, and there is no apparent further danger to the public, if the pursuit is terminated (i.e. the violator can be apprehended later under more favorable conditions)
4. Police motorcycles and unmarked emergency vehicles should not engage or continue as a primary or secondary officer in a vehicle pursuit if marked units are available to relieve such, or unless an emergency situation exists.
5. Officers will not participate in a vehicle pursuit during a ride-along that involves something other than a sworn Fairburn Police Officer in the passenger seat. In exceptional circumstances, officers may drop off the ride-along at a safe location, and assist with the pursuit as necessary.
6. Officers should not pursue violators the wrong way on a divided roadway.
7. Officers will not pursue motorcycles, ATV/APV, or dirt bikes for any offense other than a forcible felony.
8. Misdemeanor traffic offenses (both moving or equipment) that do not meet conditions stated above in II. Policy, Section A. Authorized Vehicle Pursuits.

Finally, officers shall be held accountable for the consequences of reckless disregard for the safety of others and violations of this procedure. In initiating any pursuit, the officer shall carefully consider the facts, the driving environment, the seriousness of the offense, the need for apprehension, all the possible consequences and the safety of all persons.

III. DEFINITIONS

- A **AERIAL SUPPORT:** The use of aerial surveillance to monitor a pursuit or take over the pursuit allowing vehicles to back off to a supportive role.
- B **AUTHORIZATION TO CONTINUE PURSUIT:** Verbal approval, transmitted over the assigned radio channel, by the supervisor and acknowledgment by the dispatcher and the officer driving the primary unit.

- C **AUTHORIZED LAW ENFORCEMENT VEHICLE:** A motor vehicle belonging to a federal, state or local law enforcement agency with a functioning audible signal and a functioning flashing or revolving light.
- D **CARAVAN:** Operating emergency vehicles in a line or alongside each other in a pursuit.
- E **CITY VEHICLE:** Any motor vehicle that is owned, leased, or borrowed by the city.
- F **CODE-THREE EMERGENCY CALL:** A request for police service that presents an actual and immediate danger of death or serious bodily injury.
- G **DEADLY FORCE:** Force when employed that likely to result in bring about serious bodily injury or death.
- H **DISCONTINUE THE PURSUIT:** The law enforcement officer ends his or her involvement in the pursuit by slowing down to the posted speed limit and turning off his or her emergency light and siren.
- I **EMERGENCY OPERATION:** Driving an emergency vehicle according to state law and this manual in response to an emergency call or in pursuit of a fleeing vehicle.
- J **INTER-JURISDICTIONAL PURSUIT:** Any vehicle that crosses into a neighboring jurisdiction, such as across municipal, county or state lines.
- K **MARKED POLICE VEHICLE:** A police vehicle displaying the emblem and marking of the police agency with flashing or revolving lights and audible warning devices.
- L **PARALLELING:** Operating an emergency vehicle on streets or a route parallel to the pursuit route.
- M **POLICE VEHICLE:** A city vehicle assigned to the police department.
- N **STOP STICK/SPIKE STRIP:** A rigid column or a strip of belting containing specially designed hollow spikes which, when deployed across a lane of roadway, penetrates tires, slowing the pursued vehicle usually to a complete stop.
- O **TERMINATE THE PURSUIT:** Stopping a suspect vehicle by use of intervention methods.
- P **UNMARKED POLICE VEHICLE:** A police vehicle not displaying the emblem or marking of the police department.
- Q **VEHICLE PURSUIT:** An active attempt by a law enforcement officer operating an authorized law enforcement vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

IV. EMERGENCY VEHICLE OPERATION

The State of Georgia outlines the privileges and duties of the operator of an emergency vehicle by state statute. Officers must be acting in response to an actual, ongoing bona-fide emergency in order to employ the privileges and immunities:

- A The driver of an authorized emergency vehicle or law enforcement vehicle, when responding to an emergency call, when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in state law.
- B The driver of an authorized emergency vehicle or law enforcement vehicle may:
1. Park or stand, irrespective of the provisions of this chapter;
 2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 3. Exceed the maximum speed limits so long as he or she does not endanger life or property; and
 4. Disregard regulations governing direction of movement or turning in specified directions.
 5. The exceptions granted by Code section to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signal and use of a flashing or revolving red light visible under normal atmospheric conditions from a distance of five – hundred (500) feet to the front of such vehicle, except that a vehicle belonging to a federal, state, or local law enforcement agency and operated as such shall be making use of an audible signal and a flashing or revolving blue light with the same visibility to the front of the vehicle.
 6. 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.
 7. 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.

V. PROCEDURE

A Pursuit Restrictions

1. Only two emergency vehicles, a primary vehicle and a secondary vehicle, shall engage in a pursuit, unless additional emergency vehicles are authorized specifically by the managing supervisor.
2. Officers may continue a pursuit unless the pursuit is terminated by a supervisor, if the pursuit is within agency guidelines.

3. Officers shall not set up roadblocks or deploy tire deflation devices without the approval of a supervisor.
4. If a pursuit is discontinued by the primary vehicle, (unless for mechanical reasons), or the supervisor, then all officers shall discontinue the pursuit.
5. Only emergency vehicles or marked police vehicles with emergency warning devices shall initiate a pursuit.
6. Officers engaged in a pursuit shall not drive emergency vehicles the wrong way (against the regular flow of traffic) on a divided highway, interstate, or expressway or any other street or highway designated for one-way traffic, despite allowances in the state vehicular code. When a fleeing vehicle goes the wrong way against traffic, the primary officer shall:
 - a) Parallel the vehicle in the correct lane of traffic
 - b) Notify dispatch of a wrong way driver
 - c) Request assistance from outside agencies to shut down vehicular traffic on the highway coming in the fleeing subject's direction
 - d) Have communications notify the Department of Transportation to activate reader boards to advise motorists of a wrong way driver
7. Officers shall not engage in a pursuit when transporting prisoners, witnesses, suspects, complainants, or any person who is not a sworn member of this agency.

B Considerations for initiating/Continuing a Pursuit

When identifying a vehicle that may flee from officers upon engagement of emergency equipment (such as a stolen vehicle), the use of trapping is authorized in order to prevent a vehicle pursuit. The use of trapping shall be carefully weighed in regard to officer safety.

Officers shall carefully consider all available facts and weigh the seriousness of the offense against the possible consequences of jeopardizing the safety of others by a continuous evaluation of the following at the time of the initiation and continuation of the pursuit:

1. Time of day and day of the week
2. Lighting conditions
3. Vehicular and pedestrian traffic
4. Type of roadway
5. Condition of the roadway
6. Weather conditions

7. Condition of the emergency vehicle and the condition and type of the fleeing vehicle
8. Driving ability of the officer
9. Speeds of the emergency vehicle and the fleeing vehicle

C Responsibilities of the Primary Vehicle Driver:

1. Upon initiating a pursuit, activate the vehicle's emergency warning devices from the point of initiation to the point of termination.
2. Immediately notify communications of:
 - a) His or her unit number
 - b) The location
 - c) Direction of travel
 - d) Speed
 - e) Reasons for the pursuit
 - f) The description of the vehicle being pursued
 - g) The number of occupants
 - h) The presence of other law enforcement agencies
 - i) Location at the time the pursuit is discontinued
3. Provide updated information regarding direction of travel, speed, and other pertinent details, as changes occur
4. Allow the secondary vehicle driver to assume all communications
5. Abandon the pursuit if any mechanical problems develop in the primary vehicle
6. Discontinue the pursuit if hazardous circumstances or environmental factors present an unreasonable risk to public safety.
7. If properly trained, utilize necessary termination of pursuit tactics if the pursuit falls within policy for authorized vehicle pursuits, and there is an immediate need to mitigate further threat to the public or continued attempt to evade arrest by flight. And immediately communicate such actions, or attempts, through radio transmissions.

D Responsibilities of the Secondary Vehicle Driver

The first officer arriving to assist the primary vehicle driver shall notify communications and becomes the secondary vehicle driver.

1. This officer shall receive immediate authorization from the supervisor to assist in the pursuit to the extent that a supervisor is available and monitoring the pursuit.
2. This officer shall activate all warning devices from the point of entry into the pursuit until it is ended while following the primary vehicle at a safe distance and shall assume the radio communications for the primary vehicle driver;
3. This officer shall become the primary vehicle driver if the initial primary vehicle is unable to continue, turns the pursuit over to another unit, or experiences mechanical problems.

E Responsibilities of the Supervisor

1. Assert control over the pursuit
2. Control the number of authorized vehicles in the pursuit
3. To terminate the pursuit based on hazardous circumstances and or environmental factors communicated by the primary driver, or other circumstances within the supervisor's immediate knowledge.
4. Order units to clear intersections in the likely path of the pursuit where appropriate
5. Ensure that not more than two (2) emergency vehicles engage in the pursuit unless additional emergency or marked police vehicles are required based on the following circumstances:
 - a) The severity of the offense
 - b) The number of occupants in the suspect vehicle
 - c) The likelihood of the suspects being armed
6. Direct and monitor necessary tactics in the pursuit; including authorizing termination of the pursuit through use of force tactics
7. Continuously evaluate the pursuit
8. Assign additional officers to traffic control, accident investigation, foot pursuit, and/or perimeter security
9. Respond, in all situations, to the scene of any arrest resulting from the pursuit

F Response to Resistance/Termination of Pursuit

1. Remember that roadblocks, the PIT maneuver, and Stop-sticks or spike strips, constitute seizures, i.e. a stopping of movement by a means intentionally applied. Roadblocks, the PIT maneuver, and tire deflation devices could, under certain circumstances constitute the use of deadly force. In using these tactics, officer should consider;
 - a) The seriousness of the offense

- b) If there is a physical threat to the officer or any other person, and the significance of that threat
- c) If the suspect is actively resisting or attempting to evade arrest by flight

2. Use of Firearms

- a) The use of firearms to affect the apprehension of a fleeing suspect is a use of deadly force
- b) Officers shall not shoot at or from a moving vehicle unless:
 - (1) The officer has a reasonable belief that an occupant of the vehicle poses an imminent threat of death or serious physical injury to the officer or another person,
 - (2) The officer has a reasonable belief that an occupant is using the vehicle in a manner that poses an imminent threat of death or serious physical injury to the officer or another person, and there is no avenue of escape.

3. Roadblocks – in the decision to establish a roadblock, officers shall consider:

- a) the safety of the officers
- b) the risk of physical injury to the occupants of the pursued vehicle
- c) the protection of citizens and their property

4. PIT maneuver - Only officers trained in this maneuver will attempt to employ this procedure. Officers must have completed the GA POST training course for PIT.

5. Stop Sticks/Spike Strips

- a) Only officers trained in the use of Stop Sticks/spike strips shall deploy them making sure that their use is contained in the pursuit report.
- b) The deploying officer shall advise pursuing units and all other units to distance themselves from the pursued vehicle and be prepared to slow down before entering the deployment site. Other traffic shall be diverted from the site if possible.
- c) The deploying officer shall have radio communication acknowledgement from pursuing officers before deployment of stop sticks/spike strips. If radio communications is not acknowledged, the deploying officer will cease any attempt to deploy stop sticks/spike strips.
- d) Stop sticks/spike strips may only be used on pursuits entering this jurisdiction where an outside pursuing agency is actively engaged in the pursuit of a violent felony subject. The on-duty supervisor shall

evaluate the request and may authorize the officers to deploy Stop Sticks/spike strips.

G Reasons for Discontinuation of Pursuit

Any officer involved in a pursuit shall terminate the pursuit, cease the use of emergency equipment, and immediately notify communications of his point of discontinuation under any of the following conditions:

1. When ordered by any supervisor
2. When the officer believes the level of danger created by the pursuit outweighs the necessity for immediate apprehension
3. When the subject's identity has been established to the point where later apprehension can be accomplished and there is no longer any need for immediate apprehension
4. When the location of the pursued vehicle is no longer known
5. When motorists/pedestrians are involved in an accident as a result of the pursuit, assistance shall be given. If there is only the marked primary police vehicle with no secondary or responding officer nearby to provide such assistance, then the primary vehicle must stop to provide assistance.

H Inter-jurisdictional Pursuits:

1. Pursuits from this jurisdiction into another jurisdiction:
 - a) Notify through communications the other jurisdiction as soon as possible and advise of the reasons for the pursuit, the vehicle description and if assistance is requested
 - b) It is still the responsibility of the pursuing officer to ensure favorable conditions when pursuing a vehicle outside of jurisdiction, and the supervisor's responsibility to carefully consider all available facts and weigh the seriousness of the offense against the possible consequences of jeopardizing the safety of others.
2. Pursuits from another jurisdiction into this jurisdiction:
 - a) The communications staff should determine the number of police vehicles from the other jurisdiction that are involved in the pursuit, find out the circumstances of the pursuit to include the offense, vehicle description and if assistance is requested.
 - b) Supervisors will only approve assistance from this jurisdiction if the offense is in keeping with this agency's justification for a pursuit. If the pursuit does not conform to this policy, officers shall not engage in the pursuit but may attempt to control intersections to promote the safety of innocent persons in the vicinity.
 - c) A supervisor from this jurisdiction will proceed to the point of completion of the pursuit as quickly as possible.

- d) The initiating agency will remain in control of any pursuit that crosses into this jurisdiction and will remain responsible for the pursuit.
 - e) Generally, officers will not continue with a pursuit that has passed through this jurisdiction, once the pursuit has left this jurisdiction, unless the on-duty supervisor approves the continuation of such.
 - f) If a pursuit from another jurisdiction enters into this jurisdiction and involves multiple emergency vehicles, this agency shall provide one marked patrol vehicle to assist. All other units shall assist with traffic control, unless deemed otherwise by the shift supervisor.
- I Report and Review Process - An agency incident report shall be completed after any pursuit. The narrative of the report shall include the following:
- 1. The reason or probable cause for engaging in the pursuit
 - 2. An account of all violations committed during the pursuit
 - 3. A summary of tactics employed to apprehend the subject
 - 4. The exact point of the discontinuation, apprehension, or termination of any pursuit
 - 5. If the subject is apprehended, there should be an account of the actions taken by officers at the time of the arrest.

The on-duty supervisor will do a supplement to the incident report, stating whether or not the pursuit was discontinued or terminated, and whether or not the subject was apprehended. The supervisor's supplement will include the following:

- 1. Officers assigned to the pursuit and the assignment of all those involved in the pursuit in various roles.
- 2. A summary of any accidents or other incidents arising from or related to the pursuit.
- 3. If the supervisor discontinued the pursuit, the time and location the pursuit was ordered terminated and the reason for the termination.
- 4. The supplement should articulate the key points that the supervisor took during the pursuit, outlined in section E Responsibilities of a Supervisor.

The supervisor will:

- 1. Collect copies of reports and supplements from involved officers
- 2. Request a copy of the communications/dispatch tapes
- 3. Review all reports to ensure that all required information is present
- 4. Conduct an analysis of the pursuit and complete the appropriate section of the Pursuit Report

5. Preserve and save dashcam footage of the pursuit from involved vehicles, if the vehicles are outfitted with dashcams.
6. Attach copies of the officers' reports, including his report and forward the packet to the Uniform Patrol Division Commander

The review board will conduct an analysis of all the information compiled by the on-duty supervisor to determine compliance with all statutes and policies and make a recommendation for further action (various forms of discipline, and/or retraining) to the Chief of Police.

VI. TRAINING

Officers shall not be authorized to utilize any equipment or tactic during a pursuit unless the officer has received proper training and/or certification with respect to that equipment or tactic and said training is recorded with the Training Supervisor.

The Agency shall prepare an annual report evaluating the pursuit history and the number of pursuits during that year. This report shall assess the adequacy of the written policy, training and field implementation of the agency's pursuit policy.

VII. TRAFFIC STOPS

A When making traffic stops, officers are to adhere to the following procedures:

1. An officer may receive a call or may observe a traffic violation occur in his/her presence.
2. Officers will notify the Communications center when they are following a vehicle they intend to stop. Officers shall give the communications center the location, the license number, a description of the vehicle, the direction of travel (if moving), the number of occupants, sex and race;
3. If an assisting officer arrives, the communications center shall be notified.
4. When stopping the vehicle:
 - a) If possible, the officer should stop the vehicle in a well-lighted area. In addition, officers should avoid stopping the vehicle at an intersection or in a heavily congested area; and
 - b) If the vehicle stops unexpectedly and the occupants attempt to exit the vehicle, the officer is to direct them to remain in the vehicle. When a backup unit is in route, and circumstances permit, the officer will remain with his/her patrol unit until the arrival of the backup unit.
5. When a decision is made to make a traffic stop, the officer is to activate the unit's blue lights and when necessary, the unit's siren;
6. At night, the initiating officer will turn the patrol unit's lights to high beam and focus the unit's spotlight and/or takedown lights on the interior of the suspect's vehicle. Backup units are to stop behind, the first patrol unit. The backup unit's headlights should be turned off and the blue lights should be left on.

7. When approaching the violator's vehicle, use caution, visually scan the passenger compartment of the vehicle while approaching, paying particular attention to the driver and occupant's hands/movements. There are two basic types of approach to a stopped vehicle;
 - a) Driver side approach - the initiating officer approaches the violator vehicle on the driver side. This approach is the most common, is expedient and is fairly safe during daylight hours; and
 - b) Passenger side approach – the initiating officer exits his/her patrol vehicle, walks behind the patrol vehicle keeping the occupants and vehicle in sight at all time and approaches the violator's vehicle from the passenger side. This approach has proven to be much safer at night or when stopping vehicles on busy highways.
8. The backup officer is to assume a position at the right rear bumper of the first law enforcement unit, (being sure not to stand directly between the bumpers of first and second units). The primary concern of the backup officer is to observe the occupants for suspicious activities, not to assume control of the scene. If practical, the backup officer should seek a position to the right of the law enforcement units, provided the seeking of this position can be made without endangering the officers. When approaching the suspect vehicle, the backup officer should attempt to keep cover between himself/herself and the suspect vehicle without obstructing his/her view;
9. Upon making contact, the initiating officer shall inform the violator of the reason for the stop.
10. The initiating officer shall request the communications center run a driver license check on the driver/violator;
11. If no arrest is warranted, the driver shall be given a warning/citation(s) and shall be assisted in a safe return onto the roadway.
12. Officers should not turn off overhead blue lights until the patrol vehicle has returned onto the roadway and gained sufficient speed to no longer pose any danger to other traffic.

**STANDARD OPERATING PROCEDURE
EFFECTIVE: 05/19/2008**

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

I. INTRODUCTION

Members of the Agency should be aware 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 five hundred (500) feet.

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.

Prior to the deployment of any roadblock or rolling roadblock, the pursuing officer(s) shall give radio confirmation of the location that deploying officers are setting up. If no radio confirmation is provided, all deploying officers shall cease from deploying the roadblock/rolling roadblock pursuit termination technique.

III. ROADBLOCKS/AUTHORIZATION

Roadblocks will be utilized by members of the Agency 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 Communications 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 (preferably marked) 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 an Agency vehicle is stationed as part of a roadblock, no one shall remain in the vehicle.

VI. ROLLING ROADBLOCKS

Under certain circumstances the use of a rolling roadblock is effective. The chance of injury or vehicle damage 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 one-half mile ahead of the violator. By slowing the flow of normal traffic, the violator and the pursuit vehicle are forced to reduce speed.
- B Boxing in: In a pursuit of moderate speed, may be accomplished by surrounding a violator's vehicle with emergency vehicles that are then slowed to a stop, forcing the violator's vehicle to do likewise. Every effort should be made to maximize officer safety and avoid actual contact with the violator vehicle.

**STANDARD OPERATING PROCEDURE
EFFECTIVE: 05/19/2008**

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 Communications Center, with the supervisor's approval, will notify other agencies when this agency is in pursuit within the other agency's jurisdiction.
- B This message will specify either a request for assistance or, if it is merely a courtesy notification, that no participation/assistance is desired.
- C The initiating agency will have control and responsibility of the pursuit.
- D 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.
- E 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 except for accident reports in another jurisdiction.
- F Supervisors from both the initiating and terminating agencies shall respond to the termination location to supervise and assist officers on the scene.
- G 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 agency pursuit policies are applicable.
- H If the outside agency's pursuit involves multiple emergency vehicles in the pursuit, this agency shall allow one marked vehicle to assist. All other marked vehicles shall assist with traffic control, unless deemed otherwise by the shift supervisor.

**STANDARD OPERATING PROCEDURE
EFFECTIVE: 05/19/2008**

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

I. INTRODUCTION

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

II. REPORTING ACCIDENTS

All vehicle accidents involving Agency vehicles shall be immediately reported to the on-duty supervisor or the appropriate law enforcement jurisdiction if outside the City's geographical limits. Personnel involved in such accidents shall follow the procedures outlined below.

A Accident Jurisdiction

1. In addition to normal reporting/handling procedures, a review board will be conducted of all Agency vehicle accidents resulting in damage to City property or injury to Agency personnel. In instances where Agency personnel are found to be at fault, disciplinary measures may be taken.
2. All accident investigations, inside the city, involving Agency vehicles will be conducted by the Georgia State Patrol if the officer is, or possibly is, at fault in the accident and involves accident with another vehicle.
3. If an accident occurs outside the City, the agency of jurisdiction will investigate the accident.
4. On accidents where damage to city property occurred but incident involved no contact with another vehicle (i.e. curb or median), officer must complete Damage to City Property incident report, to include pictures of damage incurred. Georgia State Patrol is not necessary for non-contact vehicle damage.

B Reports

1. The involved employee shall complete an incident report detailing the damage to the vehicle, describing the vehicle, and any injuries occurring as a result of the accident. Pictures of the damage shall be included with the agency report.
2. The employee will report for a drug/urine screening as soon as possible as per city policy.
3. The employee's on duty supervisor shall complete a First Injury Report for the involved officer as per city policy, and the document submitted to the Division Commander.
4. Copies of all documents shall be sent through the chain of command to the Division Commander within forty-eight hours for review.

5. The Division Commander will prepare all pertinent reports to the Accident Review Board.
6. The Review Board shall obtain a copy of the investigating agency's accident report, if applicable.

III. VEHICLE ACCIDENT REVIEW BOARD

The Vehicle Accident Review Board will investigate all vehicle accidents which involve vehicles assigned to the Agency. The Board will meet as needed, review all information available concerning the vehicle accidents referred to the Board, and make a recommendation to the Chief of Police in each case reviewed. This recommendation will include recommended disciplinary action if the facts of the case indicate such action is warranted.

- A Personnel - The Vehicle Accident Review Board will be composed of three persons appointed by the Chief of Police.

The Deputy Chief shall be appointed by the Chief of Police to serve as the senior member. The Chief of Police 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 Agency for any reason, or if he/she is personally involved in an accident. This may be a temporary or permanent change.

B Rules

1. The Vehicle Accident Review Board will meet at the Agency. The Board may be called into session at any time by the Chief of Police.
2. The appropriate shift supervisor will forward within 48 hours to the Division Commander copies of the following:
 - 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; and
 - c) A copy of all supplemental reports/memorandums, and all photographs, and any other personnel who were involved in or had knowledge of facts surrounding the accident.
3. The Board will obtain copies of any previous accidents incurred by the officer involved from his/her personnel file.
4. Photographs will be taken for all accidents involving Agency vehicles.

- C Board Procedures - The following agenda will be followed by the Vehicle Accident Review Board on each case presented:

1. The senior member of the Board will present the facts;
2. The Board will decide fault and/or negligence

3. If the Board finds no negligence, the case will be referred to the Chief of Police for final disposition;
4. If the Board finds negligence, the Board will further determine the extent of disciplinary action that should result. This determination will be put in the form of a recommendation to the Chief of Police. The Chief of Police, in concert with the governing authority, will have the final authority in the case and will execute any disciplinary action deemed necessary;
5. All accidents involving Agency vehicles will be recorded in the individual officer's personnel files.

D Disciplinary- refer to the disciplinary guide (Chapter 6) for the type of category infraction if an employee is found at-fault (or negligent) in a motor vehicle accident.

Any employee that is found to be deceitful or attempts to cover-up the reporting of an officer involved motor vehicle accident will result in an Internal Affairs investigation.

**STANDARD OPERATING PROCEDURE
EFFECTIVE: 03/15/2023**

S.O.P 12-6 VEHICLE AUDIO/VIDEO RECORDING

PURPOSE:

This directive establishes procedures to be followed when using the mobile video recording systems, specifically vehicle-mounted recording systems.

POLICY:

The department has adopted the usage of mobile video recording systems to allow for accurate documentation of events, actions, and surrounding circumstances as they occur. Furthermore, information collected through this technology can be critical in the investigation of criminal incidents and complaints against employees. This policy is applicable to all personnel who operate a police vehicle that is equipped with video recording systems.

PROCEDURES/RULES AND REGULATIONS:

The Agency currently will operate using the C450 Apeman Dash Camera device that provides 1080P full HD picture. The device acts as a Mobile Video Recording System (MVRS) and will be set up on a 5-minute cycle recording, with all videos stored on a micro-SD card. The usage of MVRS is intended to accomplish the following objectives:

1. To provide additional evidence and documentation of police vehicle pursuits in order to enhance the agency's ability to review police actions after the engagement of pursuit;
2. To provide additional evidence and documentation of an officer involved vehicle accident and enhance the agency's ability to review the driving behavior and actions that resulted in the police involved accident.

USAGE AND RESTRICTIONS:

Officers equipped with the MVRS shall use the MVRS, and ensure evidence is saved, when involved in:

- Any incident where the marked patrol vehicle incurs damage, to include motor vehicle accidents with a fixed object or another vehicle.
- Any police pursuit

RECORDINGS, STORAGE, AND CLASSIFICATION:

Training on the device will be provided at the Watch Commander level and will be documented in writing as to the training and acknowledgement of the intentions and usage of the MVRS.

At the beginning of any tour of duty, the officer is to ensure that his/her MVRS is properly working. The officer shall ensure that the MVRS is on a 5-minute cycle.

Immediately following one of the two specified incidents (pursuit or accident), it is the officer's responsibility to ensure that the video recording is saved. Officer safety is the priority, but when feasible, the officer is responsible for ensuring that the evidence on the MVRS is saved for proper storage and documentation. The officer obtaining the copy is solely responsible for the proper retention and safeguarding of this evidentiary property. It is the responsibility of the supervisor to

ensure that the video is properly provided to the Division Commander for the official Review Board process.

Each video will be saved and provided to the Division Commander and classified as either "Accident" or "Pursuit", followed by the appropriately assigned case number. The video will then be uploaded and saved on the agency's Fairburn Police- Axon web-based system.

All MVRS will fall under the Open Records Act and are subject to release to the public, similar to all videos recorded on body worn cameras.