



# **NEW CASTLE COUNTY POLICE**

## Community Policing Enhancement Program

### **DIRECTIVE 17**

#### Appendix 17-A

(UPDATED MAY 31, 2023)

# **COMMUNITY POLICING ENHANCEMENT PROGRAM**

## **I. PURPOSE**

The primary objectives of this program are:

1. Providing the best service delivery to our community while optimizing officer safety.
2. Efficient operation and maintenance of the fleet.
3. Increase the sense of police presence in our communities.

## **II. POLICY**

### **A. Vehicle Assignments**

1. The assignment of a take-home vehicle is a privilege and not a benefit guaranteed each officer, but a means to fulfill our mission statement. It is not a right or entitlement; nor, is it the subject for a grievance. Vehicle assignments will be based on Division needs and direction as determined by the Chief of Police. The Chief of Police has the discretion to revoke, suspend or restrict these privileges at any time if an officer violates any of the provision of this policy or any Divisional policy, rule or regulation. The operation of an assigned vehicle shall be governed by division policy and according to the law with safety considerations always being a matter of primary concern to the operator. The Community Policing Enhancement Program may be curtailed, in whole or part, by the Chief of Police.

Officers, who have been placed on modified duty which limits their ability to drive a police service vehicle, as determined by County medical personnel, will not be authorized to operate their take-home vehicles. Officers who are serving a period of suspension shall not operate their take home vehicle during the period of suspension. Officers will notify their chain of command in writing, any changes to the status of their driver's license. Officers are permitted to drive their assigned police vehicles to and from work or to a designated parking area after they have successfully completed the Field Training Program. The officers will also

adhere to all of the provisions set forth in this appendix once they are permitted to drive their assigned vehicles home or to a designated parking area.

2. Vehicles assigned to New Castle County police officers shall be parked at the officer's primary residence during off-duty hours. All officers are required to update SmartForce with their current primary address. Parking the assigned vehicle at any address other than the primary residence, requires the permission of the Chief of Police.
  - a. If the officer resides outside of New Castle County or Kent County, the officer must leave the vehicle in New Castle County or Kent County unless otherwise authorized in section 3 below. The officer, with the permission of the Chief of Police, may park the vehicle at a police facility (or other approved location) inside New Castle County or Kent County. The vehicle must remain within the boundaries of New Castle County or Kent County unless on official business or unless authorized in section 3 below. All sworn officers taking their vehicles home outside of New Castle County shall only utilize their vehicle to travel to and from work. Conducting personal business in an assigned divisional vehicle while outside of New Castle County is strictly prohibited.

The following locations will be authorized for off duty hours parking of Division of Police vehicles issued to Officers who reside outside of New Castle or Kent Counties. Other locations may be approved at the discretion of the Chief of Police.

- a. The primary residence of a New Castle County police officer who lives within the boundaries of New Castle County or Kent County, as long as it is with the knowledge and permission of the officer who resides at that location. This option is limited to a maximum total of three Division vehicles per location, unless written approval is obtained from the Chief of Police.
- b. The Cpl. Paul J. Sweeney Public Safety Headquarters Building can be used by those officers who reside in surrounding states.
- c. 605 North Broad Street, Middletown, Delaware (Former Southern Patrol Unit Building).

- d. The Hockessin P.A.L.
  - e. Delaware State Police Troop 2 – This site has room for three of our units, and requests to use this site will be addressed in writing to the Chief of Police and approval will be issued according to seniority.  
  
Every officer who resides outside of New Castle County or Kent County will prepare a memorandum, through their chain of command to the Chief of Police, detailing their vehicle number and the approved location where they will be parking their assigned vehicle while off-duty.
3. Exceptions to out of New Castle/Kent counties and out of State parking.
- a. Officers who serve in an on-call status who reside in Delaware but outside of New Castle County or Kent County may take their vehicle home only when on-call (Detectives, CNT, TSU and any other designated on-call individual). On-call status is defined as being in an actual on-call scheduled rotation that is documented and the officer is scheduled on call for a particular day or time frame.
  - b. Command Staff Officers, Members of the Professional Standards Unit, K9 Officers, Facility Dog Officers, SWAT Operators, EOD Technicians and EDU Technicians who reside outside of New Castle County, Kent County or outside of the State of Delaware may take their vehicle home.
  - c. All sworn officers taking their vehicles home outside of New Castle County, Kent County or the State of Delaware will prepare a memorandum, through their chain of command to the Chief of Police, detailing their vehicle number and the location where they will be parking their assigned vehicle while off-duty.
  - d. All sworn officers taking their vehicles home outside of New Castle County or the State of Delaware shall only utilize their vehicle to travel to and from work. Conducting personal business in an assigned divisional vehicle while outside of New Castle County or the State of Delaware is strictly prohibited regardless of your on-call status.
4. Officers on extended leave or vacation for 14 calendar days or more and

are away from home will park their assigned vehicle at New Castle County Police Headquarters. The officer shall notify their immediate supervisor in writing of the vehicle's disposition and leave the keys to the vehicle with the supervisor for the duration of this vacation period. An officer of command rank may authorize a permanently assigned vehicle to remain at the residence of the vacationing officer if it is deemed to be in the best interest of the Division.

5. New Castle County police officers will be held accountable for the security of their assigned vehicles. For this reason, officers are required to close vehicle windows and lock doors when the vehicles are not in use. This measure will help to ensure that the vehicles are not stolen, as well as safeguarding the contents of the vehicles. Vehicle keys must be removed and properly secured when vehicles are not in use.
6. All officers assigned vehicles shall exercise good judgment while utilizing their vehicle and shall not drive, use or park vehicles in such a manner or in places that may cause unfavorable comment or reflect discredit upon New Castle County or the Division of Police. The vehicle may not be driven to any political activity or function without prior approval of the Chief of Police.
7. Assigned vehicles will not be driven out of state for any off-duty purpose.
8. The use of any tobacco products is prohibited in any Division vehicles, including the assigned "take home" vehicles.
9. The procurement, storage, transportation, and/or use of alcoholic beverages in assigned vehicles is strictly forbidden. No "take home" vehicle will be operated after an officer has consumed an alcoholic beverage or has used certain prescription medications, which may impair their driving abilities.
10. Assigned vehicles shall not be used for personal employment or be used to transport a member to and from personal employment.
11. Assigned vehicles will not be utilized off duty to carry heavy or excessive loads and will not have objects protruding from the trunk or windows. The towing package, if equipped, and all associated parts are not to be utilized off duty unless authorized by a supervisor in accordance with their duties.

## B. Vehicle Maintenance

1. Equipment to be carried inside the fully marked patrol vehicle, the semi-marked vehicle and the unmarked vehicle:

The following equipment may be issued:

- a. First aid kit.
- b. Fire extinguisher.
- c. At least 12 emergency flares.
- d. Emergency Response Guide book.
- e. One-way resuscitation mask (lateral pocket mask).
- f. Disposable gloves.
- g. Spare tire and tire jack.
- h. Reflective traffic vest.
- i. Flashlight.
- j. MSA Millenium mask, voice amplifier and CBRNE filter.
- k. Web gear.

The following items, if assigned to an officer and or installed in the assigned vehicle, shall be kept in a state of operational readiness and available for use by the officer during their tour of duty:

- a. Laptop computer.
- b. In-car camera.
- c. Radar unit.
- d. Division approved interior partition shotgun/rifle rack.

**(NOTE: The shotgun/rifle rack will only be used by officers who have received training by the Primary Firearms Instructor or designee in the proper use of the rack.)**

- e. Ballistic Shields
  - f. All other Division-issued material necessary for the patrol function.
2. Except for the flashlight, all of the equipment and supplies listed above are issued by the Division and are available to be replaced and or repaired so as to ensure each item's state of operational readiness
  3. Fire extinguishers are to be maintained in the vehicle's trunk area. It shall be the assigned officer's responsibility to ensure the extinguisher is secured in the trunk bracket, and is properly charged and tagged.
  4. The basic care of and responsibility for New Castle County Division of Police vehicles, particularly those assigned to individual officers, rests with the assigned police officer. Any complex maintenance or repairs to be performed on these vehicles shall be the primary responsibility of the Fleet Manager in conjunction with the Department of Special Services.
    - a. Officers needing to have county owned vehicles towed are to contact RECOM who will make the proper notification to Churchman's Garage or the approved vendor for towing services. At no time are personnel to request or permit the towing of county vehicles by any other tow service, private individual or other officer. This includes vehicles disabled due to mechanical issues, vehicle damage, road and/or weather conditions.
    - b. A supervisor will be advised when a county owned vehicle requires towing or the vehicle becomes disabled due to mechanical issues, vehicle damage, road and/or weather conditions.
  5. The care of Division-issued equipment is the responsibility of the assigned officer. **This equipment includes portable radios, handcuffs, ASP batons, Conducted Electrical Weapon (CEW), O.C. spray, firearms, body armor, department issued badge and identification, uniforms including coats and jackets.** These items should never be left in plain view during off-duty hours. Firearms, uniforms and the department issued identification and badge must be stored in a locked, secure location at either the officer's residence or the Cpl. Paul J. Sweeney Public Safety Building.

- a. The trunk or a gun vault installed in an officer's assigned vehicle is **not** considered to be an acceptable secure location for firearms or departmentally issued badge and identification during off-duty hours.
  - b. It should be noted that if an officer is operating a divisional vehicle, they must **at all times** have their firearm, handcuffs, badge, and police identification while operating said vehicle. (See Vehicle Operation, Section 1)
  - c. During off-duty hours, an officer's rifle shall never be left secured in the shotgun/rifle rack in the interior compartment of the officer's assigned vehicle. The rifle shall be removed from the shotgun/rifle rack and secured inside the officer's residence. The Cpl. Paul J. Sweeney Public Safety Building is the only other acceptable location.
  - d. If the vehicle is parked at any location other than an officer's primary residence, the officer must remove all Division-issued equipment including firearms, uniforms and the department issued identification and badge during off-duty hours. They must be stored in a locked, secure location at either the officer's residence or the Cpl. Paul J. Sweeney Public Safety Building.
  - e. Anytime a patrol vehicle is left unattended for an extended period of time while on-duty, i.e. training or a court appearance, it is recommended that the rifle or shotgun be removed from the shotgun/rifle rack and stored in the trunk of the vehicle or the gun vault. If equipped, a Division issued cable trunk lock **must** be utilized to further secure the trunk of the vehicle.
  - f. Laptops must be locked in the computer mount at all times when left in the vehicle, on or off duty.
  - g. All officers will remove the above-mentioned equipment **ANYTIME** the assigned vehicle is left at Churchman's Garage for preventive maintenance and/or repairs.
6. Assigned officers are to conduct both a pre-shift and post-shift inspection of their assigned vehicles. The vehicles should be checked for any new damage, and to ensure they are equipped to Division specifications. Findings from such inspections will be noted in the



Officer's Daily Activity Report form and any discrepancies will be reported to the assigned officer's immediate supervisor upon discovery.

No members of the Division will leave their vehicle unattended while the engine is running. The only exception to this policy is for the members of the K-9 Unit. Members of the K-9 Unit may leave their vehicle's engine running while the vehicle is unattended to ensure the safety of the canine present in the vehicle.

7. New Castle County Police vehicles are among the most visible symbols of our presence in the communities. For this reason, special care should be taken to ensure that the vehicle's appearance is in keeping with the high standards of the New Castle County Police. The vehicle's exterior, windows, radio equipment, radar units, floor and trunk area are to be kept clean. A vendor is selected each year to perform the car wash function, and assigned officers are responsible for ensuring that their vehicles are washed on a regular basis.
8. Routine periodic maintenance (P.M.) shall be completed based on the schedule established by Special Services Personnel. Special Services personnel will affix a static cling service reminder to the inside of the windshield. The reminder will display the mileage or date of next service; whichever comes first. Vehicles will be serviced within 500 miles (under or over) of the mileage requirement. Personnel whose vehicles are over the 500 mile requirement will be subject to progressive discipline.

Any officer, who is going on vacation, for any amount of time, must return any pool vehicle to Churchman's Road garage personnel, prior to starting the vacation. In addition, officers will **NOT** keep pool cars for any period of time after they have been notified that their assigned vehicle is ready for pick-up at Churchman's Garage.

All requests for vehicle repair/service will be made in writing on a vehicle repair ("down slip") form. The following information is mandated on the described form:

- a. Date.
- b. Odometer reading.
- c. Repairs or maintenance request.
- d. Vehicle number.

- e. Name and I.B.M. number of officer making the request.
- 9. In order to prevent extensive vehicle damage, officers inspecting their vehicles will pay particular attention to the vehicle fluid levels, (i.e., oil, antifreeze) and vehicle tire inflation level. Engine oil, antifreeze, washer fluid, emergency flares and other items are available at Churchman's Garage. Engine oil, washer fluid, emergency flares and an air hose are available at the Cpl. Paul J. Sweeney Public Safety Headquarters Building. Any officer who needs assistance with conducting fluid level checks should consult with their supervisor.
- 10. Officers shall not make any alterations nor remove any issued equipment or have installed extra equipment, lights, radios, gadgets, or other unauthorized instruments on their assigned vehicles except upon written approval of the Chief of Police. There shall be no unauthorized bumper stickers, devices, decals, special license plates, radio speakers etc. affixed to the police vehicles without permission of the Chief of Police.
- 11. Refueling of vehicles shall be the responsibility of the assigned officer and may be accomplished at either the Churchmans Road facility or at contracted service stations serving the Southern District. During the fueling process, officers are expected to remain outside of the vehicle and in view of the fuel pump nozzle. Personnel that cause damage to the vehicle and/or the fuel pump station during refueling will be subject to progressive discipline. Officers should make every effort to refuel prior to the start of their shift or after their shift ends.

### C. Vehicle Operation

- 1. When operating a New Castle County Police vehicle, the officer must carry in their possession the Division-issued identification card, a police badge, handcuffs and firearm. While involvement in a non-essential policing task is discouraged, officers must always be prepared for an emergency.
- 2. While it is not a requirement that officers be in uniform while operating an assigned vehicle during off-duty hours, it is required that they maintain a well-groomed appearance, which should be reflected in their chosen attire.

3. New Castle County Police officers will wear seat belts while operating or riding in Division vehicles. Officers will also ensure that authorized passengers adhere to seatbelt laws at all times. However, these passengers are not permitted to operate Division vehicles. The assigned officer shall be responsible for the safety of these persons and, therefore, must drive accordingly. No authorized passengers will be transported in child safety seats in vehicles equipped with prisoner restraint seats. Additionally, prisoners will, whenever possible, also be required to wear seat belts. Refer to Directive 70 Detainee Transportation for procedures regarding prisoner transport.
4. Assigned officers should take great care to observe all traffic and parking regulations. Except under emergency circumstances, assigned officers will not exceed the speed limit and shall also not obstruct the normal flow of vehicular traffic.
5. Officers involved in any fatal collision operating a county-owned vehicle shall be removed from the line of duty and placed on paid administrative leave by the Chief of Police, through consultation with the Chief Administrative Officer (CAO). The paid administrative leave shall be for a period of up to 72 hours (three workdays), at which time a determination will be made by the Chief of Police if the paid administrative leave should be continued. While on paid administrative leave, the involved officer(s) shall remain available for any necessary administrative investigations. The involved officer(s) may be authorized additional administrative leave with the approval of the Chief of Police, or if the Division psychologist is not ready to release the officer(s) to modified duty.
  1. The Staff Medical Liaison shall notify the County Attorney and the County's Risk Manager of the incident.
  2. The Staff Medical Liaison, through the New Castle County Risk Management Office, shall arrange with the Division's contracted psychologist to have the involved officer(s) seen for a psychological consultation. Upon completion of a psychological consultation, the officer may be returned to work in a modified duty status until the conclusion of the investigations. When possible, the psychological consultation should occur no more than five (5) calendar days after the incident.
  3. Involved officer(s) who appear to be coping well immediately after a

critical incident may later experience difficult psychological symptoms; therefore, an involved officer shall report for a follow-up psychological consultation four (4) months after the event. If an involved officer wishes to meet with a psychologist for additional consultation, he/she shall be afforded the opportunity to do so at no cost to the involved officer(s).

4. Neither the psychological consultation, nor the administrative leave, shall be interpreted in any manner that would give the impression that some form of discipline is being imposed.
  - a. Any division personnel riding in the vehicle will be afforded an opportunity to meet with a psychologist for a consultation at no cost.
5. All collisions involving injury or extensive property damage within Delaware involving Department of Public Safety vehicles are investigated by the Traffic Services Unit. Refer to Directive 61 regarding collision investigations.
6. The safe operation of a police vehicle shall always be the responsibility of the operating officer. The use of a laptop, police radio, or any other device while driving shall always be secondary to the safe operation of the police vehicle. Officers should carefully consider the need to safely stop the police vehicle before using any of the aforementioned devices, if such usage will divert the officer's attention from the safe operation of the police vehicle.

The utilization of handheld phones during the operation of police vehicles significantly increases operator distraction from the task at hand. As such, it will now be mandatory that **all** police personnel operating a divisionally-issued vehicle utilize a hands-free device to make and receive all calls. New Castle County employees who are issued a cellular phone will be issued a hands-free device at the County's expense. All officers utilizing personal cell phones while operating police vehicles will be required to furnish their own hands-free device. Employees are reminded that the definition of 'operating a vehicle' includes those vehicles that are stationary due to traffic, a traffic signal, stop sign or similar device.

Additionally, the use of the laptop, cellular communication devices, and

other items that might distract the police officer from driving shall be limited to the following:

- a. Acknowledging an emergency call or message when a delay would be unreasonable.
  - b. Reporting a disposition when necessary.
  - c. Running a time-sensitive MDT or telephone inquiry (i.e., registration and/or wanted check).
  - d. The safe operation of police vehicles is paramount, and collisions involving distractions while driving a police vehicle will be handled through the divisional discipline matrix for collisions.
7. While in off-duty status, assigned officers are responsible for ensuring the well-being of any stranded or disabled motorists in an emergency or life-threatening situation. The officer shall assist and address the needs of the motorist in distress. The officer shall summon help from another officer or agency if necessary. At no time will an officer be neglectful of their duty merely because they are in an off-duty capacity. The same rule will apply to traffic hazards and criminal violations observed by the officer during off-duty hours while operating a Division vehicle. Overtime will only be authorized in unusual situations which require the officer's commitment for an extended period of time, with the knowledge and approval of an on-duty supervisor.
  8. All police vehicles equipped with a GPS system can be monitored to determine the vehicle's location and speed. Officers should be aware that the operation of police vehicles should conform to Division policy, procedures, and State laws. Should the need arise, GPS information can be retrieved and examined.
  9. No employee will tamper with, disconnect, or intentionally disable any county owned or leased equipment, including any equipment which may be temporarily or permanently installed on or about a county police vehicle.
  10. Any officer found to be in violation of any portion of this policy may have their privilege to operate an assigned vehicle suspended or revoked.