

Waltham Police Department

CHAPTER 49

PATROL

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Accreditation Standard #'s: 41.1.1, 41.1.2, 41.2.4, 41.3.6, 41.3.8, 42.2.0, 45.2.1, 82.2.5

POLICY:

It is the policy of the Waltham Police Department to provide 24-hour, continuous service to the community. To ensure complete and continuous coverage, each shift will assign police officers that will start their shift one hour before each tour of duty, and shall be called the overlap shift [41.1.1-1]. The patrol function is a primary law enforcement function that embraces the philosophy of community policing. The Waltham Police Department is a proactive, problem-solving agency that recognizes the value of community involvement when identifying and solving problems. Under the philosophy of community policing, officers engage in a wide variety of activities to include, but not limited to: working with citizens to identify and solve problems, conducting security surveys, park and walk, conducting neighborhood watch meetings, implementing crime prevention tactics (including inquiry and inspectional activity), responding to calls for service, enforcing traffic/criminal laws, answering complaints, conducting follow-up investigations of crimes (offenses, incidents, and conditions including identifying and arresting offenders), traffic direction and control, regulation of certain business activities as required by law, maintenance of public order by enforcement of all laws and ordinances, provision of emergency services, reporting of information to appropriate divisions within the department, community relations, and transporting detainees. [45.2.1]

Patrol officers conduct preliminary investigations into crimes to the point at which postponement of further investigation does not jeopardize its successful completion.

PROCEDURE:

1. CRIME REDUCTION, INVESTIGATION, AND APPREHENSION:

Crime reduction, investigation, and apprehension of offenders can be achieved through:

- a. Decreasing response time to crimes in progress, while at the same time responding in a manner that ensures the safety of the officer and the public.
- b. Preliminary investigation directed toward identifying and arresting offenders or summoning them into court.

- c. Achieved through conducting crime prevention strategies, and alternate youth activities.

2. **MAINTENANCE OF PUBLIC ORDER:**

- a. Officers should be prepared to handle civil disorders, disasters, and special events, which may cause large crowds.
- b. Officers are to be aware of the laws and ordinances that regulate the operation of businesses and establishments within the city, such as bar rooms, liquor stores, and second-hand dealers. Officers should take appropriate enforcement action when violations are encountered.

3. **PROVISION OF PUBLIC EMERGENCY SERVICES:**

- a. All members of the department are involved in public relations and they reflect the public image of the department, and should strive to develop a positive atmosphere in public relations between citizens and the police. Services that the department provides to the public are to be rendered fully and professionally. Training for its members shall be provided for consistent attitude and the delivery of these services.
- b. **MEDICAL ASSISTANCE:** In cases where medical assistance is required, officers shall respond in a manner consistent with training received in C.P.R. and First Responder Certification. Officers shall also notify the Dispatcher, who shall contact the ambulance service in accordance with procedures outlined in the Waltham Police Operations Manual.
- c. **MEDICAL ALERT IDENTIFICATION:** If an officer observes or learns of a "Medic Alert" bracelet, necklace, or medallion, they shall make the information known to the health care personnel who respond/care for the sick or injured person.

Medic Alert is an internationally recognized system of emergency medical identification. Medic Alert's three-part system is comprised of:

- 1. An alerting emblem worn on the wrist or around the neck.
- 2. A wallet card, which is updated annually by the member.
- 3. A 24-hour emergency answering service which can be called collect in emergency situations from anywhere in the world.

Officers are advised that they should search for the Medic Alert emblem in order to be sure that persons who appear to be inebriated are not suffering instead from an unrecognized medical problem such as diabetes.

Inscribed on this emblem is the person's medical problem, their serial number, and phone number of the Medic Alert central file. The central file can provide additional medical information, **as well as the identity of the person if no other information is available.**

4. CALLS FOR SERVICE BY PHONE, INTERNET OR MAIL: [82.2.5-1A-C]

All calls for service do not require on-scene response by an officer. In an effort to improve the use of patrol time, some crime calls do not require the dispatch of a patrol officer to the scene and can be effectively handled by receiving the information in an alternative manner. Other procedures for reporting crime information can be by email, mail or telephone or by the person coming to the police station. You may only file an on-line report **[82.2.1]** if there is no suspect for police to talk or investigate, and there is no evidentiary value for police to observe, collect or investigate such calls that can be handled effectively in these manners are: **[82.2.5-2]**

- a. Minor vandalism to property for insurance reporting purposes.
- b. Minor motor vehicle accidents that do not necessitate an on-scene investigation by patrol officers.
- c. Lost or stolen property where there are no suspects or where the value of the property is minimal.
- d. Missing adults of a non-emergency nature or which are not of suspicious origin. (Missing persons from state hospital facilities are routinely taken over the telephone).
- e. Areas requiring extra attention for short periods of time to address a specific problem.
- f. General information that can be provided to the public over the telephone.

5. FOOT PATROLS: Foot patrols and park and walk patrols may be deployed when manpower is sufficient, in areas where the public and businesses are best served by an officer on foot, or when utilized to address specific problems best rectified by foot patrol. Before deploying foot patrol beats, the Commanding Officer - Patrol Division will confer with their lieutenants to determine the need. Criteria to be considered for deploying foot patrols shall include, but is not limited to:

- a. The need for frequent inspections such as in business and commercial areas.
 - b. A high concentration of calls for service to a specific area which is best patrolled by an officer on foot on the street.
 - c. Areas that are inaccessible to cruiser patrols.
 - d. Neighborhood groups requesting park and walk patrols because of an increase in neighborhood crimes, but is not limited to just these groups.
6. **MOTORCYCLE PATROL:** Motorcycle patrol is a high visibility presence that shall be used for traffic safety and enforcement, investigate motor vehicle accidents, parking enforcement, escort services, and to patrol other locations that are not suitable to cruiser, bicycle, or foot patrol. These units may respond to any call for service that the Commanding Officer - Platoon on Duty feels appropriate.
- a. Motorcycles will patrol parks, river walkways, playgrounds, strip malls, housing developments, and other areas inaccessible to cruiser patrol.
 - b. All motorcycle officers shall have a valid MA Motorcycle license and have passed a training class by the Mass. Criminal Justice Training Council or other certified motorcycle training prescribed by the Chief of Police.
 - c. All motorcycle officers are responsible for the proper condition of their vehicle. They shall arrange proper maintenance of their motorcycles with the department's Maintenance Supervisor.
 - d. Motorcycle equipment:
 - 1. First Aid Kit.
 - 2. Radar.
 - 3. Crime Scene Tape.
 - 4. Flares.
7. **BICYCLE PATROL:** The use of the Bicycle Patrol Unit in combination with the cruiser patrol is being employed successfully in many departments today. Despite the many obvious advantages of cruiser patrol, it inhibits the ability of officers to detect subtle signs of criminal activity. These are much easier to detect by an officer who is patrolling on a bicycle and whose senses are alerted to telltale indicators. Bicycle Patrol can also be more effective in areas where cruiser patrol is not

possible, such as shopping centers, housing complexes, downtown, business areas, parks, and playgrounds.

The Bicycle Patrol Unit shall be a year-round unit limited only by severe weather conditions or road hazards. The Bicycle Patrol Unit Officer will assume routine patrol responsibilities for the purpose of integrating its operation with the overall patrol function of the Department in responding to calls for service and in follow up complaints. Because the Bicycle Patrol Unit is ideally suited to patrol parades, special community events, and demonstrations, the Bicycle Patrol Unit Officer must be flexible to shift changes and assignments.

- a. DUTIES AND RESPONSIBILITIES:** The duties and responsibilities of the Bicycle Patrol Unit Officer shall be as follows:

To perform the same duties and responsibilities as officers assigned to the Patrol Division, and to show high visibility police presence.

To comprehend the primary purpose of the Bicycle Patrol Unit and understand its advantages and limitations.

To primarily patrol the following areas:

1. AREAS NOT ACCESSIBLE TO CRUISER PATROL:

- a.** Riverwalk
- b.** Waltham Common
- c.** Parks
- d.** Alleys
- e.** Playgrounds
- f.** Pathways
- g.** Parking lots

2. AREAS OF HIGH-VOLUME PEDESTRIAN TRAFFIC:

- a.** Commuter rail.
- b.** Bus stops.
- c.** Retail parking lots.
- d.** Municipal parking lots.

3. AREAS OF SPECIAL ATTENTION:

- a.** Shopping malls.

- b.** Business districts.
 - c.** Housing complexes.
 - d.** Residential neighborhoods.
- 4.** To perform Park and Walk Patrol during times when the Bicycle Patrol Unit is considered non-operational (bicycles are removed from service only due to conditions that amount to unsafe conditions or the most extreme weather conditions).
- 5.** Maintain a positive working relationship with the community.
- 6.** Participate in approved on-going personal fitness program.
- 7.** To perform other such duties as may be assigned by appropriate authority.

b. ASSIGNMENTS:

- 1.** The Commanding Officer - Patrol Division, or the Commanding Officer - Platoon on Duty shall determine what calls or types of calls shall be given to the Bicycle Patrol Unit Officer.
- 2.** In making these decisions, they shall consider the value of the Bicycle Patrol Unit assignment as it weighs against the need for assigning the officer to a different call or location.

c. TRAINING: The Bicycle Patrol Unit Officer shall not begin bicycle patrol prior to successfully completing an approved bicycle patrol training program.

d. EQUIPMENT:

- 1.** Officers shall be issued a department-approved bicycle, helmet, uniforms, equipment, and accessories.
- 2.** Officers shall be responsible for proper care and maintenance of department-owned/issued equipment, in accordance with training provided and manufacturer's recommendations.

8. FIELD INTERVIEWS/INTERROGATIONS: [42.2.0-2B]

The police activity of inquiring into a person's identity and the reason for their presence at an unusual time and/or place or under suspicious circumstances plays an important role in the prevention of crime and the apprehension of criminals.

The quality and the frequency with which they are conducted will contribute materially to the success of the department in repressing and preventing crime. It is the policy of the Waltham Police Department to encourage its members to actively engage in this process. Officers conducting field interviews must understand the legal basis and authority for these actions. Such documented interviews can contribute greatly to crime analysis/solution if the information obtained is properly collected, recorded, and analyzed. In addition, the field interview program may deprive actual and potential offenders of some of their initiative in selecting the time, place, and circumstances for the commission of crimes.

a. PURPOSE OF FIELD INTERVIEWS:

- 1. SOURCE OF INFORMATION:** The field inquiry is based on the principle that the opportunity to apprehend criminals and to prevent crime increases with the number and frequency of persons interviewed. One way a police officer can increase their effectiveness is to obtain information from persons frequenting their patrol area.
- 2. MEANS OF IDENTIFYING SUSPECTS:** An on-view arrest is not always based upon the immediate recognition of a wanted criminal. Frequently, it is the outgrowth of the action taken by a police officer that stops and questions a person who has aroused their suspicion. Information obtained during a field contact may also be used at a later date to identify a criminal.
- 3. MEANS OF OBTAINING SUSPECTS OR WITNESSES:** The value of reported field inquiries becomes very pronounced when a crime is committed and there are but a few investigative leads. The investigator must then rely on the field interview reports to sift out any information. A review of these reports will show if anyone had been questioned in the vicinity and at the approximate time of the crime.
- 4. CRIME PREVENTION:** The aggressiveness of the patrol activity may be brought to the attention of the criminal and of their friends. The criminal can also observe the activities of the police and

conclude that the possibility of escaping detection and apprehension is not favorable.

b. CONDUCTING THE FIELD INTERVIEW:

1. There is a fine line drawn between a field interview and a lawful detainment. Reasonable suspicion is the key element on which the officer should base their actions. Mass. Gen. Law, Chap 41, Sec. 98, gives police officers the authority to stop and question a person whom they have reason to suspect has committed, is committing, or is about to commit a crime. If an officer stops a person for questioning pursuant to Mass. Gen. Law, Chap. 41, § 98, and reasonably suspects that they are in danger of life or limb, they may conduct a "pat down search" of such person for a dangerous weapon. If they find such weapon or any other thing the possession of which may constitute a crime, they may take and keep it until the completion of the questioning, at which time they shall return it, if lawfully possessed, or they shall arrest such person.
2. The field interview may not meet the above requirements, but the officer may still seek to talk to the individual while realizing that the person is under no obligation to answer their questions or remain with the officer. The officer should recognize that some citizens are sensitive to any police contact and an overly aggressive approach may result in the loss of important support from the person being stopped.
3. The unusual or suspicious actions of people should trigger a field interview. Felony arrests are made consistently by officers who are quick to recognize something unusual in the actions or the appearance of a person or of a vehicle.
4. The person not fitting the place or time should be questioned. Personal appearances, the area, the time of day, the information being sought, and other factors will determine who is to be questioned. Race alone should never be considered.
5. Officers will frequently develop probable cause to arrest an individual as a result of conducting a field interview. At this point, to ensure the admissibility of statements, "Miranda" warnings should be given.

c. **WHEN TO USE FIELD INTERVIEW FORMS:**

1. A "Field Interview Form" may be completed for individuals whom an officer stops for a field interview.
2. A field interview form may be completed on a subject who is charged with a traffic violation or who is stopped on a routine traffic stop if the situation appears to warrant such a card. This will be largely a matter of the officer's judgment.
3. A field interview form may also be used as a field observation card. In these instances, the officer should fill out the form as completely as possible, using prior knowledge of the individual or vehicle and the current observation of the individual or vehicle.

Examples of instances when the field observation form should be used include, but are not limited to, the following:

- a. An officer stops an individual for the purpose of conducting a field interview, but the individual refuses to give the officer any information and the officer has no reasonable cause to pursue the matter further.
- b. An officer wishes to make note of a subject in a specific place at a certain time, and the officer has completed a field interview form on the same subject on another occasion.
- c. An officer observes a vehicle, which arouses their suspicions, but the owner of the vehicle cannot be interviewed (e.g., a "strange" vehicle parked near a business after business hours).
- d. An officer observes a known criminal in or out of a suspicious place or time, but is not able to stop to talk with the individual.

d. **FIELD INTERVIEW FORM: ELECTRONIC SUBMISSION:**

Officers will enter relevant information electronically into Field interview/observation form located in the report writing (Q.E.D.) system.
[82.2.1]

9. **INCIDENTS REQUIRING THE STREET PATROL SUPERVISOR**
RESPONSE: Street Patrol Supervisors are required at the scene of any emergency or incident of serious or unusual nature, as outlined in Waltham Police Department Regulation 112.6 (d). Any use of Patrol Rifle, See Waltham Police Department Manual Chapter 51.
10. **INFORMANTS USED BY PATROL:** [42.2.7i] Patrol personnel should deal with informants in accordance with the Waltham Police Department Manual, Chapter 56. Development of contacts or a confidential informant file may occur during the course of their calls for service and in doing so may cultivate a relationship for the future. An officer must remember:
- a. To treat these contacts with consideration regardless of background.
 - b. To be truthful and fulfill to the best of their abilities all agreements made.
 - c. To always have control over their informant and not allow the individual to control an investigation.
 - d. To continually evaluate their informants and form estimates of their reliability.
 - e. The informant belongs to the organization and not to them.
11. **POTENTIAL/ACTUAL POLICE HAZARDS:** A police hazard is any situation, person, property, or place that may induce an incident calling for some law enforcement action.
- a. **ROLL CALL BRIEFING:** At each roll call briefing, police officers will be appraised of any actual or potential police hazards they may face during their tour of duty. Knowledge of police hazards helps the officers perform more effectively. Hazards may be permanent or temporary and may vary hourly, daily, or seasonally. Officers should be apprised of these changes and the Commanding Officer - Platoon on Duty should make assignment adjustments accordingly. [41.1.2]
 - b. Although hazards change frequently, certain hazards are more permanent and can be identified more readily. Title III of Superfund Amendment and Re- authorization Act (SARA) Emergency Planning & Community Right to Know, is an emergency response manual, which indicates all areas in the city where hazardous materials are stored and procedures regarding hazardous materials.

This manual is located at the Commanding Officer - Platoon on Duty's desk.
This manual is updated annually by the Waltham Fire Department - Fire Prevention Unit.

12. **BULLET RESISTANT VEST/JACKET:** Each marked cruiser has been equipped with one body armor vest in storage cases. There are enough vests for each officer on duty when needed. All police officers are strongly urged to wear vests at all times and will be required to wear issued vests at certain times, such as high risk or pre planned situations, such as when an officer faces bodily harm from a firearm, knife, or other deadly weapon. [41.3.6-2] When it is known that a deadly weapon is present, officers must wear the body armor if time and circumstances allow.

Body armor must be inspected annually for wear and/or deterioration and shall be replaced as necessary. This shall be done by the Supervisor of Maintenance and a report shall be submitted to the Commanding Officer - Patrol Division.

13. **EMERGENCY NOTIFICATIONS TO MEDICAL EXAMINER AND OTHER AGENCIES:**

- a. **MEDICAL EXAMINER:** In compliance with Mass. Gen. Law, Chap. 38, § 3, it shall be the duty of any officer who finds a dead person to notify the Medical Examiner immediately. With this in mind the following procedure shall be adhered to. Preliminary investigating officer(s) at the scene of any death, shall notify the Commanding Officer - Platoon on Duty, and provide them with all available information required on the Sudden Death Form (Form # 49-2). It will be the responsibility of the Commanding Officer - Platoon on Duty, or designee, to contact the Medical Examiner and notify them regarding the death and all pertinent information. [41.2.4]
- b. **EMERGENCY/ACCIDENT SCENE NOTIFICATION:** Officers assigned to the scene of an accident or incident where debris could cause a hazard or hindrance to the public or where disruption of a public utility is caused, shall notify the Commanding Officer - Platoon on Duty, who shall contact or cause to be contacted the proper agency needed. Immediate notifications shall be made to correct a hazard or potentially hazardous situation. Typical situations that require prompt notifications include, but are not limited to, the following: [41.2.4]
1. Essential traffic light in need of repair.
 2. Large potholes or other road defects.
 3. Electrical power lines down.

4. Electrical power outages.
5. Breaks in water, gas, or other utility mains.
6. Tree limbs or other hazardous debris in the road.
7. Snow and ice conditions that are hazardous to commuters.
8. Fire hazards needing immediate attention.
9. Dead animals in road.

c. NOTIFICATION AT BEGINNING OF NEXT BUSINESS DAY:

1. Non-essential traffic lights in need of repair.
2. Small non-hazardous holes in road.
3. Street lights in need of repair.
4. Telephone/video cables down but not creating a hazard.
5. Potential fire hazards not requiring immediate attention.
6. City code violations that are safety hazards.
7. Excessive growth of weeds, grass, brush, etc.

Emergency telephone numbers for Eversource, National Grid, Comcast, Verizon, Waltham Fire Department, Waltham Wires Department, City Ambulance Provider, and other emergency agencies are listed and available thru the E911 dispatcher.

- 14. PATROL RESPONSES TO SEXUAL OFFENSES:** Whenever a member of the Patrol Division is the first respondent to a complaint of rape, attempted rape, assault with intent to rape, or indecent assault and battery, the following procedures, in addition to those outlined in Chapter 42 of the Waltham Police Department Manual, shall be followed:

- a. Determine as quickly as possible if it appears that one of the above listed crimes may have been committed. This will necessarily involve a brief interview with the victim.

- b. Once it has been determined that a crime may have been committed, attempt to obtain suspect information for possible immediate apprehension.
- c. Notify the Commanding Officer-Investigation Division, or designee, immediately.
- d. Advise the victim not to bathe or to wash or destroy clothing worn during the assault. Transport the victim to the hospital and have them brought directly to an examination room. DO NOT LEAVE THE VICTIM IN A PUBLIC LOBBY.
- e. Additional investigative personnel shall be assigned by the Commanding Officer - Investigation Division, or designee, as appropriate.

15. **POLICE RESPONSE TO HOUSE/STRUCTURE FIRES:** The role of the police officer at a fire scene is to furnish close cooperation to the fire department and to assist in the preservation of life, the protection of property, the prevention of crime, the establishment of fire lines, the control of crowds, and the direction of vehicular traffic. Although the fire department is the agency directly responsible for the handling of fires, the police also have an important part to play. Because of the nature of their primary patrol function, especially during the nighttime and early morning hours, the police are often the first to discover a fire, the first on the scene, and the first to alert and assist the occupants of a burning building.

Police officers must also be aware of the possibility of arson and be observant for any person acting suspiciously at a fire scene. It should be noted, however, that the basic responsibility for the investigation of fires of incendiary or suspicious origin is with the local fire department officials, who may call the State Fire Marshall's Office at the State Department of Public Safety or the Waltham Police Department for assistance.

Police officers, as part of their regular patrol duties, should also note and report upon any conditions that could constitute a potential fire hazard for transmission to the fire department for necessary action.

- a. **REPORTING:** Fires discovered by police officers shall be reported immediately to the fire department through the Emergency Telecommunications Division, by radio, by fire alarm, or by telephone.
- b. **EMERGENCY TELECOMMUNICATIONS DISPATCHER, UPON NOTIFICATION OF FIRE:** Upon notification of a fire by any means, the Emergency Telecommunications Dispatcher shall notify the fire department, and then dispatch officers to the scene of the fire. **[41.2.4]**

1. Officers shall assist fire personnel at the scene.
 2. Only police units dispatched to the scene shall respond.
- c. **POLICE RESPONSE TO A FIRE SCENE:** If a police officer is present at the scene of a fire prior to the arrival of fire department personnel, they shall:
1. Warn inhabitants of any buildings involved by fire and adjacent areas and seek refuge. This may be accomplished by use of siren and public address system in the officer's cruiser.
 2. An officer should not attempt to enter a fire-involved building, unless doing so is necessary to save human lives and the risk to his own life is not unreasonable. **An officer entering a fire-involved building shall notify the dispatcher that they have entered the building, and also notify the dispatcher when they exit the building.**
 3. If the officer decides entry of the building is necessary, they should not open any door that is hot to the touch, as this indicates the presence of fire inside.
 4. Evacuees and the officer should keep their heads low, possibly by crawling on hands and knees until they are outside the building, in order to avoid inhalation of smoke and toxic gases.
 5. Officer should prevent any person who has exited a fire-involved building from re-entering the building.
 6. The officer should take reasonable emergency measures to inhibit the spread of fire, if possible, but to do so without unnecessary risk to themselves, especially if human life is not presently endangered by the fire.
 7. To the extent possible, any officers on the scene before the arrival of fire department personnel should make note of such things as:
 - a. The part of the structure that is on fire and where flames are visible.
 - b. The amount, color, and location of the heaviest smoke.

- c. The direction of the wind, if any.
- d. The presence of any odors which suggest gasoline, kerosene, paint thinner, or other accelerant may be burning in the fire.
- e. Whether any signs of forced entry into the structure are present and whether any windows are broken or left open.

Such evidence may be crucial to a subsequent arson investigation and may disappear as the fire progresses.

- 8. **POLICE RESPONSE - CRUISER PLACEMENT:** Upon arrival, cruisers shall be positioned outside the fire lines in such a manner that they do not obstruct passage or response of fire and other emergency vehicles. Care should be taken not to block in other vehicles.
- 9. **ON-SCENE OBSERVATIONS AND NOTATIONS:** After officers have done as much as is reasonably possible to preserve life and to secure the scene for firefighting personnel, the officer's attention should be directed toward the detection of any suspicious persons or circumstances which might suggest that the fire is the result of a criminal act. Officers should identify and interview anyone who arrived at the scene before the first police and fire units or who make mention of having observed any suspicious people in the vicinity.
- 10. **ON-SCENE AFTER ARRIVAL OF FIRE DEPARTMENT:**
After the arrival of the fire department personnel, police officers shall not enter a burning building unless it is absolutely necessary to do so to save a life.
- 11. Additional units dispatched or arriving at the scene shall cover the most appropriate positions for performing all necessary police services.
- 12. The first police officer or unit arriving on the scene of the fire shall be in command of other police officers until the arrival of a higher-ranking officer.
- 13. **COMMAND POST, IF NECESSARY:** The Commanding Officer shall designate a location that will serve as a possible command post if it appears police involvement will continue for a long time. The

officer in command will appoint another to take charge pending their return if they are called away. Officers arriving at the scene shall report to the command post for orders.

14. POLICE/FIRE COOPERATION: Cooperation with the fire department is essential. To this end, the police at the scene shall:

- a. Establish fire lines and maintain, extend, or contract the lines as requested by the fire department, including the closing off of streets whenever necessary.
- b. Remove any vehicles within the lines, which interfere with the movement of fire fighters.
- c. Ensure that access to hydrants is unobstructed at all times.
- d. Prevent vehicles from passing over fire hoses unless directed otherwise by a member of the fire department.
- e. Provide other forms of assistance as requested.

15. Police should remain at the building or dwelling until it is secured against looting and until the fire is extinguished, and the area should be secured consistent with police responsibilities to the rest of the community.

16. CROWD CONTROL:

- a. Crowds, an inevitable element of fires, shall be kept a safe distance from the fire. This will ensure the safety of the persons gathered and prevent interference with the fire department.
- b. Police officers shall not permit any person through the fire lines except members of the fire and police departments, clergymen whose service are needed within the lines, or authorized members of the news media who provide proper identification. (See proper procedure as outlined in Chapter 54 of the Waltham Police Department Manual "Public Information.")
- c. Police officers shall take steps to safeguard fire and police apparatus at the scene. Persons interfering with apparatus or the extinction efforts shall be arrested if necessary.

17. REPORTING REQUIREMENTS:

- a. The officer assigned the call shall have responsibility for filing a complete report on the fire.
- b. Police investigating a fire scene must comply with all legal standards pertaining to when searches may be made without a criminal or administrative search warrant and when a criminal or administrative search warrant must be obtained.

16. FIGHTING FIRES: The following has been taken from the Massachusetts Firefighting Academy, Impact Series, "IT'S ONLY A CAR FIRE," published through the Commonwealth of Massachusetts Executive Office of Public Safety. A copy is located in the Waltham Police Operations Manual:

- a. **FIRE EXTINGUISHER LIMITATIONS:** Officers are to be aware of the limitations of the portable fire extinguishers kept in the passenger compartment of each vehicle. Portable extinguishers are only effective against small incipient fires (just starting); examples: carburetor blowback, small engine compartment fire, small electrical dashboard fire, and small passenger compartment fire.
- b. **FAILURE OF CLOSED CONTAINERS:** Officers should be aware of the most serious problem at motor vehicle fires: the failure or explosion of closed containers, or "container rupture."
 - 1. **GASOLINE TANKS:** Hazards of gasoline and container itself.
 - 2. **HYDRAULIC SYSTEMS:** (Brakes, power steering, bumpers, shock absorbers) the hazard of oil under pressure, and location and number of systems that could explode.
 - 3. **AIR CONDITIONING:** Dangerous gases.
 - 4. **ENGINE COOLANT SYSTEM:** Liquid expansion.
 - 5. **BATTERY CASES:** Explosion with acid involved.
 - 6. **BURSTING TIRES:** Hot particles thrown great distances.
 - 7. **DRIVE SHAFT:** The hollow shaft allows for expansion of air; the ends are the weakest points. Overturned vehicles involved in fires are most dangerous, as are shafts in storage.

8. **OTHER PRESSURIZED CONTAINERS:** These are usually carried for convenience (de-icing fluids, touch-up paint, windshield cleaner, spare brake or transmission fluid, oil, power steering fluid, etc.).
 9. **SPLIT RIMS:** May cause problems in exploding, as metal is propelled a great distance. These are not only found in large trucks, but also on pickups and recreational vehicles.
- c. **PNEUMATIC SPRING DEVICES:** These are the devices used in station wagons and hatchbacks that lift the tailgate section, usually located on each side of the door or gate. This spring is extremely high pressure (approximately 900 P.S.I.). These devices should under no circumstance be disassembled. If the lock ring is removed, the high pressure will result in components being ejected with extreme force.
- d. **VEHICLE FIRE:**
1. Patrol officers will conduct the preliminary investigation.
 2. Officers shall, if possible, obtain at a minimum the following information:
 - a. Name and address of vehicle owner.
 - b. Telephone numbers (home and work) of owner.
 - c. Make, model, year, and color of vehicle.
 - d. V.I.N., registration number, and whether plate is on vehicle.
 - e. Inspection sticker information, if visible.
 - f. Whether vehicle has been stolen, etc.
 - g. Ignition popped, etc.; car driven or towed to location.
 - h. Name of the tow company used to remove vehicle.
 - i. Motor Vehicle Inventory Form #66-6.

3. Officers shall also include any other information that is pertinent in the narrative section of their reports. If officers are unable to obtain any of the above information due to the condition of the vehicle or for any other reason, they shall so state in their report.

- e. **VEHICLE ARSON-REPORTING:** In accordance with the Middlesex County District Attorney's Office and the Office of the State Fire Marshall, under the authority of Mass. Gen. Law, Chap. 148, § 33, there is a need for more detailed information in police reports relative to vehicle fires. A follow-up investigation will be required in each case of a burned vehicle, which will be conducted by a member of the Investigation Division.

17. **AUTOMOBILE INVENTORY SEARCH:** An inventory search shall be conducted on all motor vehicles brought into police custody to protect the property of persons and to protect the officers and department from false claims of loss or theft of property.

- a. Officers conducting the inventory are to check the entire motor vehicle, including:
 1. Passenger compartment.
 2. Under the seats.
 3. Glove compartments.
 4. Consoles.
 5. Trunk, when officers are in possession of the keys to the trunk.
 6. Any containers found within the above areas of the vehicle.

Any container (or any item reasonably appearing to be a container, including the trunk, glove compartment, and console) found in the motor vehicle shall be opened and its contents inventoried. Any locked container for which the owner/operator and/or detainees has a key among their other personal belongings shall be opened and its contents inventoried. Any locked container for which the owner/operator and/or detainees does not have a key among their other personal belongings shall be opened only if the police have reasonable suspicion to believe that the container contains any items posing a threat to the safety and security of the police station or its personnel. The rule set forth in this paragraph applies equally to any container found within any other container searched.

- b. **AFTER COMPLETION OF INVENTORY:** In most cases, after the inventory is completed, valuables can be secured in the trunk of the motor vehicle. Items of high value and any weapons found SHALL be transported to the station for safekeeping. Such items shall be turned into the Property/Evidence Officer. Papers, documents, or any other writings found in the motor vehicle or within any container searched may be examined only to the extent necessary to ascertain the identity of the vehicle's owner, effect the removal of items dangerous to the police station or its personnel, and protect the department from false claims of theft.
- c. **TOW TRUCK DRIVER:** The driver of the tow truck WILL be required to sign the inventory form (#66-6) PRIOR to towing the motor vehicle. The IGNITION KEYS ONLY will be turned over to the tow truck driver. All other keys (i.e., trunk key, personal keys, etc.) SHALL be brought to the station for safekeeping.
 - 1. **MOTOR VEHICLE INVENTORY FORM # 66-6:** Form #66-6 shall be filed with a report whenever a motor vehicle is TOWED for any of the following reasons: [82.2.1]
 - 2. Arrest/Custody.
 - 3. Parking violations.
 - 4. Motor vehicle violations.
 - 5. Accident (if owner of the vehicle is absent or incapacitated due to injury).
 - 6. Recovered stolen motor vehicle.

In instances where items may need to be confiscated, the officer should note these items in the report.

- 18. **MOBILE AUDIO/VIDEO RECORDING EQUIPMENT:** The Waltham Police Department does not use mobile audio/video recording equipment for the purpose of collecting evidence and for use in the prosecution of those who violate the law [41.3.8].