

<b>G. O. 302 OPERATION OF DEPARTMENTAL VEHICLES</b>
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**I. Emergency Driving - General (Non-Pursuit Situations)**

- A. The Police Department's primary concern in emergency driving situations is the protection of the lives and safety of all citizens and officers. During emergency driving situations, officers will operate their vehicles with extreme caution and in compliance with A.C.A. § 27-51-204, which requires that the emergency light bar and siren be activated on authorized emergency vehicles. Driving under emergency conditions does not relieve the officer from the duty to drive with due regard for the safety of all persons, nor will these provisions protect the driver from the consequences of his disregard for the safety of others.
1. Definition of emergency driving (non-pursuit situations) – Emergency driving is defined as the operation of an authorized emergency vehicle (emergency lights and siren in operation) by a police officer in response to a life threatening situation or a violent crime in progress, using due regard for the safety of others.
  2. Definition of marked police vehicle - A marked police vehicle is defined as a conspicuously marked patrol car or motorcycle, readily identified as a Little Rock Police Department vehicle. A marked Little Rock Police Department vehicle will have exterior-mounted emergency blue lights and siren, reflective striping, lettering, and City or Police shield. The Little Rock Police Department's name and emergency number will be on all marked patrol cars.
  3. Definition of an unmarked police vehicle - An unmarked police vehicle is defined as a vehicle that is not distinctly identified as a Little Rock Police Department vehicle.
  4. Definition of special purpose vehicle- a vehicle used because of considerations of weather, terrain, or the need for inconspicuous appearance, quietness, storage transportation and/or special operational needs. Special purpose vehicles include, but are not limited to: conveyances used for the transportation of departmental owned animals and/or specialized equipment, mobile command posts, all-terrain vehicles (ATV's), airport vehicles, Traffic Safety vehicles, motorcycles and bicycles.
- B. The decision to drive under emergency conditions will be discretionary with each individual officer, based on the following considerations:
1. When deciding to initiate or continue driving under emergency conditions, officers will consider such factors as traffic volume, time of day, potential hazard, and safety to themselves and the public.
  2. Emergency responses shall be made only when the call involves a life threatening situation or a violent crime in progress.
  3. Officers will have sufficient information to justify the decision to drive under emergency conditions.

4. Officers, responding to an “officer needs assistance” type call, must bear in mind that even though a rapid response is important, they must arrive at the scene safely in order to be of assistance. (Officers who are operating in emergency status should not operate the emergency flashers, as operation of emergency flashers will make the turn signals inoperative.)
- C. Officers, upon deciding to make an emergency response to any situation, will immediately notify Communications of their decision.
1. All officers, when making an emergency response, will notify Communications of such by using the term “Code Three”. This will indicate that the officer will be employing emergency equipment (emergency blue lights and siren).
  2. All Officers, upon indicating a “Code Three” response, shall immediately provide communications with sufficient information regarding their need for an emergency response, thereby allowing the appropriate patrol supervisor to further evaluate the necessity and safety of such an action.
  3. A Supervisor will override the officer’s decision to make an emergency (Code Three) response if, in their judgment, it is not warranted or cannot be done safely. The Sergeant of the officer making an emergency response will normally be responsible for making this determination.
- D. No officer will operate a police vehicle in emergency (Code Three) status if it is occupied by any passengers, other than another police officer or a person who has signed a release or waiver of liability.
- E. Police vehicles without emergency lights and sirens will not make emergency (Code Three) responses or participate in pursuits.
- F. Special purpose vehicles, excluding motorcycles and canine vehicles shall not be used in pursuits or emergency (Code Three) responses. Motorcycles will follow the guidelines set forth in Section II of this General Order, canine vehicles may engage as all other marked units do in pursuit situations.
- G. Motorcycles may conduct emergency (Code Three) responses, but are prohibited from becoming involved in an active pursuit. If a motorcycle initiates a pursuit, it will yield to other authorized Departmental vehicles as soon as practical. They will serve as a support unit and provide assistance to the pursuing units if needed, once the pursuit is concluded.
- H. Escorts
1. Non-emergency escorts involve an officer assisting a party to a specific location, during which all motor vehicle laws are obeyed, both by the officer and escorted party. Non-emergency escorts may be performed by a unit:
    - a) Upon notification to Communications, if the escort does not leave the officer's assigned area of responsibility; or,
    - b) Upon approval from a supervisor, if the escort leaves the officer's assigned area of responsibility.

2. Emergency escorts involve an officer or officers assisting a party or vehicle to a specific location, during which motor vehicle laws may be disregarded. Emergency escorts will only be performed with the prior authorization of a supervisor. Emergency escorts include, but are not limited to:
    - a) Dignitaries;
    - b) Public Officials;
    - c) Funerals; and,
    - d) Emergency vehicles.
  3. Emergency escorts of medical patients shall only be performed in an articulable life-threatening situation, and then with authorization from a supervisor.
  4. Emergency escorts of over-size loads, hazardous cargo, parades and other such circumstances shall only be performed with the prior authorization of the City of Little Rock Traffic Engineer and Department Traffic Services Commander.
  5. When any escort is performed, the safety of all persons involved shall be of utmost importance. Department procedures guiding emergency driving shall be adhered to.
  6. Officers shall not escort private vehicles in an emergency response mode.
- J. While responding to incidents involving a medical emergency, officers may respond in emergency status if it is known that the emergency medical services are holding short of the scene until police arrive. In these instances, responding officers will advise a supervisor that they are responding in emergency status by announcing "Code 3 for Medical" on the radio. Only officers assigned to the incident may respond in emergency status.

## II. Pursuit Driving - General

- A. The Police Department's primary concern in pursuit situations is the protection of the lives and safety of all citizens and officers. The operation of emergency vehicles is governed by A.C.A. § 27-51-204, which authorizes emergency vehicles (activated blue lights and siren) to exceed the posted speed limit, but does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons. It also does not relieve the driver of any emergency vehicle from the consequence of a reckless disregard for the safety of others.
- B. Definition of pursuit driving – A motor vehicle pursuit is an active attempt by a law enforcement officer, operating an emergency vehicle and utilizing simultaneously all emergency equipment (blue lights and siren), to apprehend one or more occupants of another moving vehicle, when the driver of a fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing his speed, disobeying traffic laws, ignoring or attempting to elude the officer.
- C. An officer may be authorized to engage in a motor vehicle pursuit if the officer reasonably believes that the suspect has committed or is about to commit a felony or if the actions of the suspect intentionally puts the public at risk.

1. The act of evading or fleeing in a motor vehicle shall not, standing alone, be deemed to be a violent act, crime or felony within the meaning of this written directive.
  2. Information developed or discovered after the pursuit cannot be used to justify the pursuit itself.
  3. Officers who have attempted a traffic stop on a suspected D.W.I. driver who refuses to stop, but does not recklessly flee, may continue to follow the suspected D.W.I. driver in a Code 3 status until the suspect stops or such time that they begin to actively flee at which time the situation will be reevaluated in accordance with this order.
- D. An officer engaged in a motor vehicle pursuit should constantly re-evaluate his/her surroundings, speed, foot and vehicle traffic, suspect driving ability and weather conditions. Any time the officer finds that any of these parameters has exceeded an acceptable limit, it shall be the responsibility of the pursuing officer to terminate the vehicle pursuit for the safety of both departmental personnel and citizens.
- E. A supervisor is ultimately responsible for any vehicle pursuit that is initiated by officers under his command. Supervisors should also evaluate the same parameters as the pursuing officer(s), in addition to their knowledge of the driving skills, decision making ability, and emotional bearing of the pursuing officer(s) when determining to terminate the action or allow a vehicle pursuit to continue.
- F. The following policies will govern vehicular pursuits:
1. Unmarked police vehicles may participate in any vehicular pursuit under the following conditions:
    - a) Unmarked police vehicles (equipped with lights and siren) may become involved in a pursuit as a primary vehicle only if a marked vehicle is not available. The unmarked vehicle will become secondary once a marked unit becomes primary.
    - b) An unmarked police vehicle acting as a secondary unit will disengage once a second marked vehicle becomes actively involved in the pursuit.
  2. No more than two emergency vehicles will be involved in the immediate pursuit. Other police vehicles will be support units, and will not become actively involved in the pursuit or operate in an emergency mode.
    - a) During pursuit's involving persons who have been involved in violent felonies, a supervisor may authorize additional units to respond to the area in a Code 3 status. The purpose of this response should be to cover escape routes, increase the chance of capture, and aid primary vehicles with traffic. This does not negate that no more than two units can be in actual pursuit of a suspect at any given time.
  3. The first unit to become involved in a vehicular pursuit will be designated the primary vehicle and will have the following responsibilities:

- a) The officer will activate the police vehicle's emergency lights and siren and notify Communications of the following information:
    - (1) The unit identifier;
    - (2) The location and direction of the suspect vehicle;
    - (3) Speed and traffic conditions;
    - (4) The charges involved;
    - (5) The license number, vehicle description and number of occupants; and,
    - (6) If operating an unmarked vehicle.
  - b) A Little Rock Police Department helicopter, when immediately available, will be notified of all vehicle pursuits and advised of all information contained in this order. The department helicopter will be utilized as an additional support unit.
4. In a pursuit, the second police unit will become the backup. Upon joining the pursuit, the backup officer will activate the vehicle's emergency lights and siren and advise Communications. The secondary unit will advise Communications of their unit identifier and if they are operating an unmarked vehicle.
- a) Only one backup unit is to be used, unless authorization for additional backup units is obtained from a police supervisor.
  - b) The backup vehicle will follow the primary vehicle at a safe distance.
  - c) Additional police units will not assume emergency status and follow the primary and backup units, unless a supervisor deems it necessary.
5. Additional units will be support vehicles and will not become actively involved in the pursuit, violate traffic laws, or operate in emergency status, unless the fleeing suspect has been involved in a violent felony and a supervisor has approved the action.
- a) Support units will cover escape routes.
  - b) Support units will be available to assume a backup or primary role, should one of those units be unable to continue the pursuit.
  - c) If a support vehicle inadvertently intercepts the suspect vehicle, the support vehicle will not attempt to intervene. The support vehicle will attempt to obtain additional vehicle description.
6. Officers will not operate their vehicles as primary or secondary units when their vehicles are occupied by any passengers, other than another police officer or a person who has signed a release or waiver of liability.

7. *If a motorcycle initiates a vehicular pursuit, it shall yield to other authorized Departmental vehicles as soon as practical. The motorcycle will then discontinue an emergency response and serve as a support unit providing assistance to the pursuing units if needed.*
8. Police personnel will not engage in, nor will police vehicles be used, for the following purposes:
  - a) Ramming of suspect vehicles;
  - b) Boxing in or surrounding a suspect vehicle (marked and unmarked units may be used to box in an unaware suspect in order to avoid a pursuit);
  - c) Overtaking, driving next to, or forcing suspect vehicles off the roadway; or
  - d) Creating roadblocks. "Roadblock" is defined as any method, restriction (including a partial restriction), or obstruction, used or intended for the purpose of preventing free passage of motor vehicles on a highway or street, in order to effect the apprehension of an actual or suspected violator in a motor vehicle.
9. Pursuits will be immediately terminated under the following conditions:
  - a) When any police supervisor orders the pursuit terminated.
  - b) The distance between the officer and suspect is such that, in order to continue the pursuit, it would place the officer or the public in unreasonable danger.
  - c) The primary officer loses visual contact with the suspect for an extended period of time (approximately 15-20 seconds). This is not to imply that the officers must cease looking for the suspect, but they must slow the pursuit after loss of contact.
  - d) When there is a clear and unreasonable danger to the officer, fleeing suspect and/or any other persons. This may be due to excessive speed, reckless driving techniques, or the erratic driving by the suspect, which exceeds the performance capabilities of the vehicle or the driver.
  - e) *When the danger, created by the pursuit, outweighs the necessity for immediate apprehension.*
10. The following factors shall be considered by officers and supervisors in making the decision to continue or terminate a police pursuit:
  - a) Environmental factors, such as rain, fog, ice, snow or darkness that would substantially increase the danger of the pursuit.
  - b) The officer's familiarity with the area and his ability to accurately notify Communications of his location and the direction in which the pursuit is proceeding.

- c) Road conditions are congested by traffic or pedestrians. This would be especially important during rush hours or in the area of any school.
- d) The pursued vehicle proceeds the wrong way on any freeway, divided highway, or one-way street. At no time will officers pursue violators the wrong way on a freeway.
- e) The pursuing officer knows, or has reason to believe, that the fleeing vehicle is being operated by a juvenile who is driving in such an unsafe manner that it is obvious he/she does not have the maturity to deal with the danger involved.

11. Pursuits - Other Agencies or Jurisdictions

- a) When other agencies pursue vehicles into the city limits, the following shall govern Little Rock Police Department involvement:
  - (1) Little Rock Police Department officers will not assist in active pursuit, unless requested by the pursuing agency and such assistance is approved by a L.R.P.D. police supervisor;
  - (2) At no time will L.R.P.D. units become actively engaged in a pursuit, if two police vehicles from another agency are already in active pursuit; and,
  - (3) If the pursuing agency is joined by L.R.P.D. units, and the agency's backup unit arrives to assist, L.R.P.D. units will terminate active pursuit and cease emergency operations.
- b) When L.R.P.D. pursuits leave the city limits and enter other jurisdictions, the following will apply:
  - (1) The primary officer will advise Communications that the pursuit is leaving the city;
  - (2) The supervisor handling the pursuit will evaluate the entire incident and make the decision to let the pursuit continue or terminate; and,
  - (3) If the agency with jurisdictional authority joins in active pursuit, the L.R.P.D. backup unit will discontinue pursuit and cease emergency operations. If two units from the other agency join the pursuit, all L.R.P.D. units will safely terminate their pursuit and discontinue emergency operations. (At no time will L.R.P.D. units be involved in pursuits when two police units from another agency are already involved.)
- c) When other agencies become involved in L.R.P.D. pursuits, within the city limits of Little Rock, the following shall apply:
  - (1) If another agency becomes involved in the immediate pursuit, the L.R.P.D. backup unit will terminate emergency operations;

- (2) The primary unit will, if possible, advise Communications of the identity of the other agencies involved, so that Communications can make contact and begin communications with the involved agency;
- (3) Due to limited radio communications with other agencies, the assigned supervisor shall re-evaluate the pursuit and terminate, if necessary; and,
- (4) At no time will L.R.P.D. units be involved in multi-vehicle pursuits with other agencies. For the purpose of this Policy, a maximum of two units are authorized in pursuit situations.

12. Communications Responsibilities

- a) Ensure that a supervisor is aware of the pursuit and the nature of the pursuit.
- b) Notify the Aviation Unit and Canine Unit, if applicable.
- c) During the pursuit, communications personnel will use any available information to further develop and ascertain the possible identity of the fleeing driver and/or occupants, plus attempt to discover other possible reasons for which the individual(s) might be fleeing.
- d) Notify outside agencies if the pursuit might involve their jurisdiction, and whether the call is a request for assistance or merely a courtesy notification with no participation requested.
- e) The dispatcher will advise units participating in a pursuit of any known hazardous conditions in the area of the pursuit, e.g., accidents, closed streets, etc.

13. Supervisors' Responsibilities

- a) An appropriate Sergeant will immediately, upon hearing of a police pursuit, take command of the situation, and will be accountable for compliance with this Policy until the pursuit is terminated. The supervisor taking command of the pursuit will immediately attempt to determine the reason for the pursuit.
- b) The supervisor of the officer, who initiates the pursuit, should normally be the supervisor assuming command. In the event that the officer's supervisor is not available, or does not assume command, the Field Services Sergeant, in the Division in which the pursuit originates, will take command of the situation, and will be accountable for compliance with this directive, until the pursuit is terminated. If a Sergeant does not take command immediately, the Shift Lieutenant, in the Division in which the pursuit originates, will take command and/or assign a Sergeant. If this does not occur, any Field Services Shift Lieutenant on duty will assume command and/or assign a Sergeant.
- c) Any police supervisor may order a pursuit terminated if, in their best judgment, the necessity of apprehension is outweighed by the level of danger.



- d) If the pursuit involves an unmarked unit as a primary or secondary unit, the supervisor in charge of the pursuit will attempt to relieve the unmarked vehicle with a marked vehicle as soon as practical.

14. Supervisory Reviews

- a) A formal review of all pursuits will be conducted by the officer's Chain of Command and the Training Division.
- b) The purpose of the review is to determine if:
  - (1) The pursuit was necessary and within Departmental Policy;
  - (2) There are training needs to be considered; and,
  - (3) Any policy changes need to be considered.

15. Reports

- a) A supervisor will ensure an Information Report and a Blue Team Pursuit Report is generated and that each officer involved in the pursuit completes an Officer's Report Form, detailing the facts of the pursuit. The supervisor shall complete an initial entry into the Blue Team program prior to the end of their shift.
- b) A supervisor will ensure that copies of the MVR video, of all units actively involved, are contained in the file.
- c) Supervisors will obtain a copy of the Communications tape of all radio traffic pertaining to the pursuit for inclusion in the file.
- d) The reports will be reviewed by the officer's supervisor, who will make a written evaluation and forward the reports, through the Chain of Command. The reports will be reviewed at each level and submitted to the Office of the Chief of Police.
- e) If necessary, after review by the appropriate Assistant Chief, the Pursuit file will be forwarded to the Chief of Police for his/her findings and disposition.
- f) The following pursuit files will be forwarded to the *Office of the* Chief of Police for findings and disposition:
  - (1) Any file wherein a potential violation of Departmental policy has been identified,
  - (2) Any file where counseling or other disciplinary action has been recommended,
  - (3) Any file where there is some element of disagreement in the Chain of Command evaluations,
  - (4) Any file where an individual has been injured, and,

(5) Any file where there is an indication of a safety or policy issue which should be addressed.

g) After final review, the pursuit file will be forwarded to Internal Affairs for computer data entry. The Internal Affairs Division will retain files where any type of disciplinary action was taken. All other files will be routed to the appropriate Division Commander for retention.

16. File Format

a) All documentation will be placed in a file folder and secured at the top with an ACCO two-hole fastener.

b) Any photographs or audio/video tapes will be placed in a manila envelope, attached to the inside front cover of the file.

c) The initial evaluating supervisor shall be responsible for ensuring that all necessary documentation is obtained and properly placed in the file, before routing it through the Chain of Command. The initial evaluating supervisor is also responsible for producing a copy of the completed file and forwarding the copy to the Defensive Driving Coordinator.

d) The file will be constructed as follows:

(1) Lieutenant's evaluation;

(2) Sergeant's evaluation;

(3) Blue Team Pursuit Report;

(4) Information Report (copy);

(5) Involved Officer's report;

(6) Copy of MVR video, if available;

(7) Arrest Report (copy, if any);

(8) Medical treatment information (if any);

(9) Computer printout of suspect's arrest record; and,

(10) Copies of Worker's Compensation Forms, if an injury has occurred to an involved employee.

G. The Training Division Commander will be responsible for the completion of an annual analysis of all police pursuits. The analysis will include statistical data and a summary recommending any training needs or policy modifications, based on trends or patterns revealed in the report. This analysis should be completed and forwarded to the Office of the Chief of Police no later than February 15<sup>th</sup> of each year.

- H. The Training Division Commander will be responsible for the completion of an annual review of pursuit policies and reporting procedures.
- I. The Training Division Commander will be responsible for the completion of a quarterly statistical report of all police pursuits. The report should be completed and forwarded to the Office of the Chief of Police no later than the 10<sup>th</sup> of each quarter (January, April, July, October).
- J. Tire Deflation Devices – The purpose of the deployment of the tire deflation device is primarily to safely end vehicle pursuits, while placing paramount importance on the safety of the officers, the public and the suspects. When any vehicle crosses a deployed tire deflation device, hollow spikes are embedded into the tires to deflate the tire at a controlled rate. While the driver may continue to drive, the ability to operate the vehicle at high speeds is greatly reduced, if not eliminated.
- a) Tire deflation devices shall only be deployed with supervisory approval.
  - b) Only personnel who have completed an authorized training course for the deployment of tire deflation devices are permitted to deploy the devices.
  - c) The tire deflation device location should provide deploying personnel with good visibility of the approaching pursuit and other traffic in the area. The location should provide as long of a visual path as possible. Deploying personnel should seek protective cover that provides good visibility of the surrounding area and the approach of the suspect vehicle. Using any vehicle as cover is discouraged.
  - d) The deploying unit shall not overtake a fleeing vehicle in an attempt to place a tire deflation device in the roadway. The deploying unit may use emergency equipment and “run code” in order to get into position to deploy the tire deflation device. Only one unit may “run code” in order to establish position for deployment, unless additional units are authorized by a supervisor.
  - e) The deploying unit shall advise the pursuing unit(s) and Communications of the location of the deployment. Communications shall rebroadcast the location of the deployment to the unit(s) involved in the pursuit.
  - f) Upon notification that tire deflation devices are being deployed in front of the fleeing vehicle, pursuing vehicles should increase the gap between them and the fleeing vehicle to avoid striking the tire deflation device (approximately 3 to 5 seconds).
  - g) Tire deflation devices shall not be used to stop the following vehicles:
    - (1) Vehicles with less than four (4) wheels.
    - (2) Vehicles transporting hazardous materials.
    - (3) School buses transporting passengers.
    - (4) Public transportation vehicles transporting passengers.

- h) The use of a tire deflation device to stop a vehicle being pursued by an outside agency will be allowed under the following conditions:
  - (1) The deployment is approved by a Little Rock Police Department supervisor;
  - (2) The use of the device would fall within the guidelines of a pursuit initiated by the Little Rock Police Department; and,
  - (3) The pursuing agency has requested and been made aware of the deployment to prevent damage to their vehicles.
- i) Anytime a tire deflation device has been compromised (ran over or damaged by any means), the entire device will be turned into the division's vehicle/equipment coordinator for replacement. A copy of the completed Pursuit Review Report indicating the unit number the device was taken from will be attached to the device. In the absence of the Pursuit Review Report, an Officer's Report detailing how the device was damaged and authorizing its replacement by a Division Commander will be attached. The vehicle/equipment coordinator will be responsible for completing the warranty replacement report or requisitioning a new device, and the shipping and receiving of the damaged and replacement device.
- j) The use of a tire deflation device shall be indicated on the Pursuit Review Report (Form 5500-28). The officer(s) deploying a tire deflation device will document the deployment on an Officer's Report (Form 5600-2) to be included in the pursuit file.

### III. Non-Emergency Operation of Departmental Vehicles

- A. Police employees will comply with all City Ordinances and State Laws when operating vehicles owned, rented, leased or seized by the City.
- B. Employees will use seat belts at all times when operating any city vehicle.
- C. Employees will ensure that their assigned vehicles have sufficient gas and oil for their assigned shift, and that tires are properly inflated.
- D. All vehicles shall be pre-tripped, in accordance with driver's training instruction.
- E. All employees will inspect their assigned vehicles, prior to their shift, for damage or missing equipment, and will inspect the rear seat area for contraband or evidence. (Officers shall inspect the rear seat area after transporting every prisoner.)
- F. All vehicle damage or missing equipment will be reported to a supervisor, prior to the vehicle being placed in service. The supervisor will initiate an investigation to determine the cause and document his/her findings. The reports will be forwarded through the Chain of Command to the Division Commander for resolution.
- G. Employees will ensure that their Department vehicle is kept clean and free of trash.

- H. Employees will, at all times, ensure that the spare tire is in its proper location and secured to avoid damage to radio equipment. When a Department vehicle has a flat tire, at any time, the assigned employee will complete a work order and forward it to the Automotive/Equipment Coordinator to initiate repairs.
- I. Careless, abusive, negligent or reckless handling of any vehicle will result in disciplinary action.

#### **IV. Operation of Unmarked Departmental Vehicles**

- A. Non-uniformed officers operating unmarked vehicles may conduct traffic stops of motorists if the situation dictates that waiting on a marked vehicle would not be prudent. The non-uniformed officer will conduct the traffic stop in accordance with policy regarding safety and identification. Non-uniformed officers are to be cognizant of the public's reaction to police impersonators.
- B. Non-uniformed officers operating vehicles not equipped with emergency lights or siren shall not make motor vehicle stops unless there is imminent danger of loss of life should they fail to act. In other less urgent cases that demand attention, officers shall contact the Communications Center, request that a marked patrol vehicle perform the stop, and assist in directing the marked unit to the subject vehicle's location.

#### **V. Take-Home Vehicle Assignments and Guidelines**

- A. Certain Department personnel in specialized assignments which by the nature of the assignment mandate their return to duty during off-duty hours for investigation or other critical police responses may be assigned a take-home Department vehicle. The Chief of Police will designate all take-home vehicle assignments in writing as needed.
- B. Operation of Take-Home Vehicles
  - 1. Take-Home vehicles will only be operated by the following:
    - a) The assigned employee;
    - b) Maintenance or repair personnel;
    - c) Probationary employee riding with the assigned employee;
    - d) Another employee in emergency circumstances requiring the use of the vehicle; and,
    - e) Others as directed by appropriate supervisory authority.
  - 2. Employees assigned a take-home vehicle may utilize them as follows:
    - a) For travel to and from the employee's duty assignment and during the employee's tour of duty;
    - b) For transportation to and from any court appearance as long as it is job related;

- c) For travel to and from approved off-duty employment with prior approval from an appropriate supervisory authority; and,
- d) The use of any Departmentally issued vehicle is limited to Department business. While it is permissible for employees to make personal stops to and from work at locations near the officer's normal route, it should be clearly understood that the assigned employee is prohibited from using the vehicle for personal business or transportation. Employees shall apply common sense and avoid stopping at liquor stores, night clubs, etc., to protect the police image. Evidence of any misuse or vehicle abuse will result in an investigation and possible revocation of the privilege, reassignment as necessary and/or disciplinary action.

#### C. Responsibilities

- 1. Employees assigned a take-home vehicle are required to keep the vehicle clean inside and out and shall ensure that all maintenance and repair is completed on schedule.
- 2. Supervisors will be responsible for assuring that employees under their command are maintaining their assigned vehicles pursuant to Departmental guidelines and will conduct monthly inspections to assure adherence.
- 3. Officers assigned a take-home vehicle shall render police aid and services as necessary regardless of duty status. This includes assisting stalled motorists, standing by at accident scenes until the arrival of the assigned officer, giving directions or responding to nearby emergencies. Off-duty officers will not ignore these responsibilities.
- 4. The assigned driver of a take home vehicle will park the vehicle at their respective place of duty when they are off duty for a period of more than ten consecutive working days. The period of time off will include sick leave, vacation, personal discretionary days, military leave, death in family, administrative leave, and in conjunction with their regular days off. The assigned employee will notify their immediate supervisor as to the delivery of the vehicle and leave them the keys, to include the fuel tab key, where it may be available for utilization during their time off.

#### D. Eligibility

- 1. The Chief of Police must approve all take-home vehicle assignments.
- 2. The Chief of Police may at any time modify this Order for the budgetary or operational needs of the Department. Nothing in this Order should be construed as conferring the assignment of a take home vehicle as a right or condition of any Departmental position.

### VI. Accidents and Damage to City Vehicles

- A. Any employee, who damages a city vehicle or becomes involved in a motor vehicle accident with a city owned, rented, leased or seized vehicle, in the city limits will immediately notify an on-duty patrol supervisor who will ensure that the appropriate Division Commander is notified.

- B. Any employee, who damages or becomes involved in a motor vehicle accident with a city owned, rented, leased or seized vehicle, outside the city limits will notify their immediate supervisor or their superior immediately. When practical, the supervisor will respond to the accident scene to begin the Departmental investigation.
- C. When a member of the Command Staff is involved in a motor vehicle accident with a city owned, rented, leased or seized vehicle inside or outside the city limits, their immediate supervisor will be notified as soon as possible.
- D. A police supervisor will respond to the scene and personally complete an Arkansas Motor Vehicle Traffic Accident Report for accidents involving a city owned, rented, leased or seized vehicle inside the city limits. In instances involving a pursuit situation, or where a fatality, serious injury or extensive property damage occurs, the supervisor will request the assistance of a supervisor, or officer trained in accident reconstruction, to assist in the investigation.
1. The investigating supervisor is responsible for ensuring that the State SR-1 form is completed (if damage is believed to be \$1000.00 or more), the City's Supervisors Investigation Report-Motor Vehicle Accident form, and logging the damage with Communications.
  2. The investigating supervisor is responsible for completing an Accident Report in the Blue Team electronic file system, with the initial entry being made prior to the end of their shift.
  3. A repair order will be made, detailing the damage, and a copy of the accident report attached for submission to Fleet Services.
  4. The investigating supervisor will immediately forward a copy of the Accident Report, Repair Order and Supervisor's Investigation Report to the Department Vehicle Coordinator. The Vehicle Coordinator will contact Fleet Services to determine the disposition of the damaged vehicle.
  5. The investigating supervisor will complete and fax (918-4229) the following forms to the Fleet Services Department within three working days of the incident. A notation shall be written on the inside front cover of the file indicating that the below listed forms have been faxed and the date which they were faxed to Fleet Services.
    - a) State SR-1 Form (if damage is believed to be \$1000 or more);
    - b) Supervisor's Investigation Report – Motor Vehicle Accident;
    - c) Municipal Vehicle Program – Vehicle Accident Report; and,
    - d) City of Little Rock – Vehicle Incident Report Form and/or Arkansas Motor Vehicle Accident Report Form.
- E. The file, containing all forms and a written evaluation from each supervisor in the Chain of Command, will be submitted to the Division Commander.
- F. The file will be assembled as follows:

1. All documentation will be placed in a file folder and secured at the top with an ACCO two-hole fastener.
2. Any photographs or audio/video tapes will be placed in a manila envelope, attached to the inside front cover of the file.
3. The evaluating supervisor shall be responsible for ensuring that all necessary documentation has been properly placed in the file, before routing it through the Chain of Command.
4. The file shall include:
  - a) Lieutenant's evaluation;
  - b) Sergeant's evaluation;
  - c) Blue Team Accident Report;
  - d) Accident Report (copy);
  - e) Involved Officer's Report (5600-2);
  - f) Arrest Report/Traffic Summons (copy, if any);
  - g) Supervisor's Investigation Report – Motor Vehicle Accident (copy);
  - h) SR-1 Form (copy);
  - i) Municipal Vehicle Program – Vehicle Accident Report (copy);
  - j) City of Little Rock – Vehicle Incident Report Form (copy);
  - k) Copy of vehicle damage book notation;
  - l) Copy of repair slip;
  - m) Copies of Worker's Compensation Forms, if an injury has occurred to an involved employee; and,
  - n) Copy of the alcohol and drug screen documentation, Custody and Control Form.
5. The original SR-1 Form, Supervisor's Investigation Report-Motor Vehicle Accident form, Municipal Vehicle Program – Vehicle Accident Report form, City of Little Rock – Vehicle Incident Report Form, original blue copy of the Custody and Control Form, and a copy of the Accident Report shall be attached by paper clip to the inside front cover of the file.

## **VII. Defensive Driving Coordinator**



- A. The Training Division Lieutenant will serve as the Defensive Driving Coordinator. It will be the responsibility of the Defensive Driving Coordinator to:
  - 1. Provide record keeping for all driving records;
  - 2. Provide record keeping for all current LRPD driving instructors that are certified;
  - 3. Continue to advocate program development; and,
  - 4. Schedule and supervise all defensive driving courses being taught.
  
- B. The Recruit Training Sergeant will serve as the Assistant Defensive Driving Coordinator. It will be the responsibility of the Assistant Defensive Driving Coordinator to:
  - 1. Chair the Accident Review Committee in the absence of the Defensive Driving Coordinator;
  - 2. Coordinate recruit school defensive driving instruction;
  - 3. Continue to advocate program development; and,
  - 4. Provide record keeping for all recruit school driving records.
  
- C. The Defensive Driving Coordinator and the Assistant Defensive Driving Coordinator shall be required to have certification as a Defensive Driving Instructor in order to serve on the Accident Review Committee. If either supervisor does not meet the criteria to serve as a Coordinator, then they will assume an advisory role until certification can be obtained. The Assistant Chief of Police over the Training Division will temporarily appoint a Defensive Driving Instructor of supervisory rank to the position of Coordinator or Assistant Coordinator until the criteria established in this Order are fulfilled.

#### **VIII. Accident Review Committee**

- A. When an employee is involved in a motor vehicle accident, the employee's supervisor will evaluate the file, but will not make a final recommendation until the file has been reviewed by the Accident Review Committee.
  
- B. Upon completion of the accident file, less the recommendation of the involved employee's supervisors, the original will be forwarded, through the chain of command, to the Office of the Chief of Police for disposition of SR-1, the original blue copy of the Custody and Control Form, and Workmen's Compensation Forms.
  
- C. The Office of the Chief of Police will forward the original accident file to the Professional Standards Section for processing. The original accident file will be forwarded to the Defensive Driving Coordinator for review.
  
- D. The Defensive Driving Coordinator will maintain a log of accident files received, including date of receipt and date to be reviewed by the Accident Review Committee.

- E. The Accident Review Committee will evaluate all accidents based on:
1. Avoidability of the accident;
  2. Adequacy of training;
  3. Adherence to training;
  4. Past driving record; and,
  5. Avoidability of future accidents.
- F. The Accident Review Committee will be comprised of:
1. The Defensive Driving Coordinator, who will chair the committee;
  2. The Assistant Defensive Driving Coordinator;
  3. Three Defensive Driving Instructors who do not work with the involved officer; and,
  4. If the Coordinator or the Assistant Coordinator is in the involved employee's chain of command, a Defensive Driving Instructor of supervisory rank will be appointed to replace them.
- G. After conducting the review, the Accident Review Committee will develop their findings and recommendations. The Defensive Driving Coordinator will then compile a written report, which will become part of the accident investigation.
1. The file will be returned to the involved employee's Division Commander, within ten days of receipt of the file.
  2. The completed file will be reviewed and evaluated by the involved employee's immediate supervisors and forwarded, through the chain of command, to the Office of the Chief of Police with their recommendations.
- H. All investigations, committee reviews and chain of command reviews of police involved traffic accidents shall be completed within 30 days from the date of the accident, unless investigatory considerations warrant delay and the Office of the Chief of Police approves.

**IX. Monthly Vehicle Inspection**

- A. Division Commanders shall be responsible for ensuring that all vehicles, assigned to their respective Divisions, are inspected monthly, with all documentation completed by the 1st of the month.
- B. Division Commanders shall review and maintain monthly vehicle inspection forms.

**X. Off -Duty Employees - Private Vehicle Accidents**

- A. When a sworn police officer is involved in a motor vehicle accident, in a private vehicle within the City of Little Rock, a police supervisor will be responsible for investigating the accident and completing an accident report.
- B. When a civilian employee is involved in a motor vehicle accident, in a private vehicle within the City of Little Rock, a police officer will be responsible for investigating the accident and completing an accident report.

**XI. Guidelines For Use of Temporary Traffic Control**

- A. Under certain circumstances, the blocking of a road by using patrol units may be necessary. Only marked police vehicles, equipped with emergency equipment, and manned by uniformed personnel, will be utilized to establish and maintain temporary traffic control. The temporary traffic control must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. Blue lights will be activated any time a police unit is utilized in temporary traffic control. Only fixed temporary traffic control will be employed by personnel of this Department.
- B. Temporary traffic control may be used under the following conditions:
  - 1. Where the flow of traffic needs to be temporarily controlled into or around an area for investigative purposes; to allow for the removal of potential hazards (accident scenes, structure or vehicle fires, chemical spills, crime scenes, etc.); or at the scene of natural or manmade disasters. Field supervisors will be responsible for monitoring the need for and duration of such temporary traffic control.
  - 2. During special events, such as Razorback football games, Riverfest and Pops on the River. Where possible, temporary traffic control at such events should be planned in advance and approved by the supervisor in command of the event.

Additions and revisions are italicized and underlined.