

# EAST LANSING POLICE DEPARTMENT

## POLICY AND PROCEDURE

ORDER NUMBER: 9-20  
SUBJECT: OPERATION OF DEPARTMENT VEHICLES  
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EFFECTIVE DATE: 10-01-18  
ANNUAL REVIEW DATE: 5/2020  
INDEX AS: OPERATION OF DEPARTMENT VEHICLES  
TOTAL PAGES: 10  
SUPERCEDES: P&P: 9-07, 9-08, 9-14, 9-16, 9-18

CHIEF OF POLICE: \_\_\_\_\_

### 9.1 PURPOSE

- A. The purpose of this policy is to provide members of the East Lansing Police Department with guidelines to follow when operating any Department vehicle, including emergency driving and high speed pursuits. No task, call or incident justifies operating a Department vehicle in a manner which jeopardizes the public or officer safety, except as provided in this policy.

### 9.2 DEFINITIONS

- A. Authorized Emergency Vehicle: Vehicles equipped with overhead oscillating top lights and siren.
- B. Emergency Equipment: Overhead oscillating top lights and siren. When this policy refers to using "emergency equipment" the officer shall use the overhead oscillating top lights and the siren, unless the situation requires the officer to respond silently without giving warning to the suspect, as authorized under MCLA 257.632 .
- C. Emergency Driving: The driving of an authorized emergency vehicle with the emergency equipment activated. Officers are authorized to use emergency driving when pursuing a fleeing vehicle, responding to an emergency or as authorized in this policy. Officers engaged in emergency driving shall use the overhead oscillating top lights and the siren, unless the situation requires the officer to respond silently.
- D. Emergency: An event, condition, or situation where there is a need for immediate medical attention due to a medical emergency, where a serious injury has occurred or there is a possibility that further serious injury or a death could occur. Information has been received of a "crime in progress" that could result in a serious injury, a fatality or the escape of a dangerous suspect who presents a significant threat to the life or to the safety of others.

- E. Vehicle Pursuit: The attempt by an officer driving a motor vehicle to stop another vehicle when the officer has probable cause to believe that the operator of the vehicle being pursued is attempting to resist being stopped.
- F. Department Vehicle: Any vehicle owned by the City and operated by a member of the East Lansing Police Department (i.e. marked patrol vehicles, semi-marked patrol vehicles, P.A.C.E. vehicles, Detective vehicles and Administrative vehicles).

9.3 **ACCOUNTABILITY**

- A. Officers shall operate police vehicles with due regard for the safety of others. Officers shall discontinue emergency driving or a high speed pursuit whenever factors or circumstances arise such that the danger to the public would outweigh the benefits of apprehending the suspect.
- B. Officers shall drive in a manner that enables them to keep their vehicles under control at all times and to exercise due care and caution. Supervisors shall monitor vehicle pursuit emergency driving to ensure it is consistent with Department policy.

9.4 **EMERGENCY RUNS**

- A. If an officer of the East Lansing Police Department feels that an emergency exists based upon the definition contained in this policy, the officer is permitted to activate the emergency equipment.
- B. MCLA 257.632 provides that an officer responding to an emergency, must activate lights and siren to obtain an exemption to violate speed laws unless the situation requires the officer to respond without giving warning to the suspected law violators. Even though the law allows for this exemption, the officer must still respond with due regard for the safety of others.

9.5 **RESPONDING TO ACCIDENTS**

- A. Personal Injury Accidents:
  - 1. Officers may respond to personal injury accidents using emergency equipment. Officers shall consider such factors as: the number of reported calls into dispatch, nature and severity of injuries, other units responding, time of day, location, weather and traffic conditions.
- B. Property Damage Accidents:
  - 1. Officers shall not use emergency equipment. Officers are to respond following all traffic regulations.
- C. Unknown Injury Accidents:
  - 1. Officers shall not use emergency equipment, unless the officer has reason

to believe that there are extenuating circumstances where it is imperative that the police arrive as soon as possible. Officers shall consider such factors as: the time of day, weather conditions, location of accident, number of reported calls to dispatch, pedestrian traffic, etc.

#### 9.6 **RESPONDING TO ALARMS**

- A. Officers may respond to an alarm using emergency equipment when they have reason to believe that a threat to life or a threat of physical harm may occur. The officer may respond silently to an alarm, as authorized under MCLA 257.632. When responding to alarms, officers shall consider factors such as: the time of day, type of alarm, number of previous alarms at same address, additional dispatch information, traffic conditions, pedestrian traffic, etc.

#### 9.7 **RESPONDING TO FIGHTS/DOMESTIC ASSAULTS**

- A. Officers may respond to a fight call or a domestic assault call using emergency equipment when they have reason to believe that a threat to life or a threat of serious physical harm may occur. When responding to fight calls, officers shall consider factors such as: the time of day, number of officers on scene, dispatch information, pedestrian traffic, any weapons involved, etc.

#### 9.8 **RESPONDING TO UNKNOWN TROUBLE CALLS**

- A. Examples of an unknown trouble call are: 911 hang-up calls, open doors at a residence, trespassers, suspicious situations calls, check subject calls, etc.
- B. Officers shall not use emergency equipment, unless the officer has reason to believe that a threat to life or a threat of serious physical harm may occur.
- C. When responding to these types of calls, officers shall consider factors such as: the time of day, number of officers on scene, dispatch information, pedestrian traffic, etc.

#### 9.9 **RESPONDING TO A "CRIME IN PROGRESS"**

- A. Officers may use emergency equipment when responding to a "crime in progress" in the following situations. The officer may respond silently when required, as authorized under MCLA 257.632.
1. There is an immediate threat to life or an immediate threat of serious physical harm.
  2. A dangerous suspect who presents a significant threat to the life, or to the safety of others may escape.
  3. The "crime in progress" could result in a serious injury, a fatality, or the escape of a dangerous suspect who presents a significant threat to the life or to the safety of others. Some examples would be Home Invasion, B&E, Arson, etc., where a victim's safety could be placed at risk. The responding officer does not have to know if a victim is physically present at the scene.

- B. Officers shall not use emergency equipment when responding to crimes involving the theft of property or damage to property, unless they receive authorization from the on-duty supervisor. Some examples would be, but not limited to, MDOP's, LFA's, larcenies, retail frauds, etc.
- C. The on-duty supervisor may authorize an officer to respond with emergency equipment to a property type crime based upon, but not limited to, the following factors.
  - 1. Based upon the information just received, the crime is likely to be a felony that would justify an emergency response.
  - 2. Based upon the information just received, or upon prior information known to the officer or the supervisor, there have been recent thefts or damage in the area that would justify an emergency response in an attempt to apprehend the suspect.
- D. If an officer is unsure how they should respond to a specific "crime in progress," they should contact the on-duty supervisor for guidance.

#### 9.10 **RESPONDING TO ELFD / MEDICAL ASSISTS**

- A. Officers shall not use emergency equipment, unless the officer has reason to believe there are extenuating circumstances where it is imperative the police arrive as soon as possible. Examples would be victims of drowning, heart attack, choking; people in a burning building, etc.
- B. When responding to a Medic Assist call, officers shall consider factors such as: where the officer is responding from, road and weather conditions, updated dispatch information, etc.
- C. Considering the above factors, officers may respond to a medical assist call using emergency equipment when they have reason to believe a threat to life or a threat of serious physical harm may occur.

#### 9.11 **PURSUIT DRIVING GUIDELINES**

- A. Only emergency vehicles driven by sworn personnel may participate in a vehicle pursuit. The decision to initiate or continue a pursuit shall be based upon, but not limited to, careful consideration of the following factors:

**Pursuits shall only be utilized when the need for apprehension of the subject outweighs the risk created by the pursuit itself.**

- 1. An Officer may only initiate a motor vehicle pursuit when they can articulate the individual/vehicle in question is/was involved in a serious felony or violent crime or the perpetrator poses an immediate threat to the safety of the public or other police officers.
  - a. *ELPD defines serious felonies or crimes of violence as: Murder ((including lesser offenses), Rape, Kidnapping, Aggravated*

*Assaults, Armed Robbery and/or Felony Domestic Assault. The Department recognizes there may be limited instances where other crimes such as Arson or Home Invasions may warrant pursuits. These instances need careful consideration prior to pursuit being authorized by the supervisor.*

2. Pursuits shall not be conducted for Traffic Violations, Misdemeanors, Stolen Vehicles, or Non-Violent Felonies.
  3. Has the suspect/driver exhibited dangerous maneuvers such as excessive speeding, leaving the roadway, extinguishing the headlights, driving in the wrong lanes, disregarding traffic control devices, etc.? In these cases pursuits and the immediate threat to citizens and officers should be carefully considered along with the increased risk and terminate the pursuit if warranted.
  4. Knowledge of the suspect's identity and the likelihood of being able to apprehend the suspect at a later time should be grounds for termination unless the perpetrator poses an immediate threat to the safety of the public or other police officers.
  5. The total number of actively involved police vehicles in the pursuit, especially when the pursuit involves multiple police agencies.
  6. Familiarity with the area, especially if the pursuit leaves East Lansing
  7. The volume of vehicle and pedestrian traffic in the area. The road and weather conditions
- B. Semi-marked patrol cars may initiate and be involved in a vehicle pursuit until the point that a fully-marked police vehicle becomes involved in the pursuit. At that point, the fully-marked vehicle shall take over as the primary unit in the pursuit. The semi-marked vehicle may continue as the secondary pursuit vehicle.
- C. Primary Pursuit Vehicle
1. The primary pursuit vehicle will be the patrol vehicle that initiates the pursuit, or the patrol vehicle that assumes control of the pursuit as the lead vehicle, behind the fleeing vehicle.
  2. Upon initiating a pursuit, the officer shall immediately activate the emergency equipment. The officer shall continuously use all the emergency equipment until the pursuit ends in the apprehension of the suspect, or the pursuit is terminated.
  3. The officer shall immediately notify the Dispatch Center they are involved in a pursuit and shall provide the following information:
    - a. specific reason for the pursuit, the current location, and the direction of travel. A description of the suspect vehicle, including the license plate number, if available.
    - b. number of occupants in the vehicle. Any information pertaining to weapons.
    - c. speed of the vehicle and any dangerous driving maneuvers by the suspect vehicle.
    - d. traffic conditions, pedestrian presence, and road conditions.
  4. The primary pursuit vehicle shall have radio channel priority. If the primary

pursuit vehicle is a one officer vehicle, they shall maintain radio responsibility for the pursuit, until the backup pursuit vehicle arrives on the scene behind the primary pursuit vehicle.

5. Upon arrival, the backup pursuit vehicle shall take over radio responsibility for the pursuit.

D. Backup Pursuit Vehicle

1. The backup pursuit vehicle will be the patrol vehicle that actively joins the pursuit to directly assist the primary pursuit vehicle. Only one patrol vehicle will be a backup pursuit vehicle, unless additional patrol vehicles are authorized by the on-duty supervisor. Upon arrival, the backup pursuit vehicle shall take up a position behind the primary pursuit vehicle.
2. The officer shall activate all the emergency equipment as soon as they engage in emergency driving. The officer shall continuously use all the emergency equipment until the pursuit ends in the apprehension of the suspect, or the pursuit is terminated.
3. The officer shall maintain a safe stopping distance behind the primary pursuit vehicle, but maintain visual contact at all times when possible.
4. The officer shall take over radio responsibility for the pursuit when they arrive on the scene behind the primary pursuit vehicle.
5. The officer shall not pass the primary pursuit vehicle unless they are specifically requested to do so by the primary pursuit vehicle or the supervisor.

E. Additional Pursuit Vehicle

1. Officers that are not the designated primary pursuit vehicle or the backup pursuit vehicle shall monitor the progress and direction of the pursuit. Officers may position themselves at strategic points in anticipation of providing support to the pursuing vehicles.
2. Officers shall not use the emergency equipment and shall not engage in any emergency driving when traveling to position themselves at strategic points to assist. Officers shall drive in a manner consistent with responding to a routine call for service, of a non emergency nature.
3. Officers may use the emergency equipment and engage in emergency driving to assist with the pursuit only after they have received authorization from the supervisor to do so.
4. Upon receiving authorization from the supervisor to assist with the pursuit, and when the emergency equipment is activated, the officer will be considered an "additional pursuit vehicle." Additional pursuit vehicles are considered to be actively and directly involved in the pursuit.

F. Supervisor Responsibilities

1. Supervisors shall immediately refer to 9.11 (A) in determining if a pursuit should occur or be terminated.
2. The on-duty patrol supervisor is responsible for monitoring and coordinating the pursuit.
3. Additional units may be authorized by the on-duty supervisor to join the

pursuit and engage in emergency driving, if deemed necessary by the supervisor.

4. When possible, the supervisor should respond to the ending point of the pursuit if the fleeing vehicle is stopped.
5. It is recommended that supervisors not use the emergency equipment and not engage in emergency driving when coordinating a pursuit. This will allow for better radio communication between the supervisor, other units and the Dispatch Center. Supervisors may use the emergency equipment and engage in emergency driving if they determine it is necessary to do so.
6. If the pursuing units do not acknowledge an order to terminate the pursuit from the supervisor or as repeated by the Dispatch Center, the supervisor shall attempt to directly contact the pursuing units by their assigned number to confirm the order to terminate.

#### G. Termination of the Pursuit

1. Vehicle pursuits shall be terminated for the following reasons.
  - a. The pursuing vehicles determine in their best judgment that the factors in section # 9.11(A) exposes the public or the officers to greater danger than the offense.
  - b. When the suspect's identity is positively known and the pursuing offense is not life threatening, or the suspect would not present a serious physical danger to the public.
  - c. The on-duty supervisor orders the pursuit terminated.
2. When an order is given to terminate a pursuit, the pursuing vehicles shall immediately slow down to the posted speed limit and turn off all emergency equipment. The pursuing vehicles shall make a right-hand turn at the first available safe turning area, and proceed in a direction away from the fleeing vehicle.

#### H. Miscellaneous

1. It is strongly recommended that pursuing vehicles roll up their windows, turn off the AM-FM radio and turn up the volume of the police radio at the start of the pursuit if it can be done in a safe manner. This will allow the pursuing vehicles to maintain better radio communication between the other patrol vehicles, the supervisor and the Dispatch Center.
2. When an officer activates the emergency equipment and engages in emergency driving, they are considered to be "actively involved" in the pursuit.

#### I. Offensive Tactics

1. Officers shall not intentionally ram, bump, or use any vehicle contact, to try and force a vehicle off the traveled portion of the roadway, without the authorization of the on-duty supervisor. These techniques should only be used for individuals who are known or suspected felons wanted for serious and violent crimes, or for an individual who presents a serious threat to

life.

J. Shooting at or from a Moving Vehicle

1. Discharging a firearm at a moving vehicle or from a moving vehicle is prohibited, unless it meets the following criteria.
  - a. Self-Defense or Defense of Another
    1. An officer may discharge a firearm at a moving vehicle or from a moving vehicle, in self-defense or in defense of another when there is no other reasonable means to protect the officer or another person from the immediate threat of death or serious physical injury. There must be a specific direct action on the part of the suspect which would establish the intent to kill or severely injure the officer or another person, as opposed to the suspect attempting to escape.
  - b. Life Threatening Felony
    1. An officer may discharge a firearm at a moving vehicle or from a moving vehicle when an officer has probable cause to believe that a person has committed a life threatening felony and that person poses a significant danger to the community if escape should occur.
    2. The refusal of a driver to stop a vehicle, chasing a stolen vehicle, a police pursuit for a non-life-threatening felony, or running a roadblock, is not considered justification for discharging a firearm.
    3. Before using a firearm, police officers should attempt to identify themselves and state their intent to shoot, unless this increases the risk of harm or would otherwise not be feasible. "STOP POLICE" would be sufficient.

K. Pursuits That Leave East Lansing

1. When the pursuit leaves the City limits, the officers shall advise Dispatch and continue to use channel one. The officers may switch to the Tri-county radio frequency or another police agency frequency, if it becomes necessary to maintain better radio communication.
2. When the pursuit leaves the City limits, the officers may remain in the pursuit even when another police agency has actively joined the pursuit. The East Lansing pursuit vehicles are not required to drop out of the pursuit.
3. Officers and supervisors shall use the factors listed in section # 9.11 (A) when making the decision to continue a pursuit in another jurisdiction.
4. Officers shall continue to update Dispatch with the location, speed, conditions, etc., while in another jurisdiction.

L. Pursuits That Enter East Lansing

1. After being advised of another police agency pursuit, officers should monitor the radio frequency that the pursuit is on for further information.
2. A primary pursuit vehicle and a backup pursuit vehicle may actively join a

pursuit that enters the City limits, only upon receiving authorization from the on-duty supervisor.

3. Officers and supervisors shall use the factors listed in section # 9.11 (A) when making the decision to join or continue a pursuit that enters the City limits.
4. When requested to do so by another police agency, the East Lansing pursuit vehicles may assume radio communication responsibility.

#### 9.12 **NORMAL USE OF DEPARTMENT VEHICLES**

- A. Department personnel shall drive Department vehicles with the due care and caution that is necessary for safety and good public relations.
- B. Department personnel are required to wear seat belts and/or shoulder harnesses while operating or riding in a Department vehicle. Officer safety shall never be compromised.
- C. Head rests in Department vehicles shall be adjusted to provide maximum protection from neck or head injury.
- D. No more than two marked vehicles shall be at a restaurant, coffee shop, business, etc., at any one time for break purposes, unless authorized by a supervisor.
- E. Department vehicles should travel no more than one mile from the City limits for break purposes unless authorized by a supervisor.
- F. Due care and caution shall be paramount when an employee chooses to use their cell phone while operating a City-owned vehicle/Department vehicle. Cell phone use for official business purposes is permissible. Cell phone use for personal use should be on a limited basis. When operating a City-owned vehicle /Department vehicle, and when possible, employees should consider pulling off the roadway to conduct the applicable cell phone communication.

#### 9.13 **MAINTENANCE OF DEPARTMENT VEHICLES**

- A. The City garage provides the Police Department with a list of maintenance dates for all police vehicles. The vehicles will be made available to the garage on the scheduled date so the vehicles may be serviced.
- B. The Department will assign a vehicle maintenance officer to maintain the vehicle equipment. The officer will be responsible for periodically inspecting the patrol vehicles to ensure the necessary equipment is stocked in the trunk. The officer will also assist with maintaining the in-car video camera system, etc.
- C. The officer will be selected by the Captain, and will be an officer assigned to the patrol division. The officer's primary duties will be that of a patrol officer. The function of maintaining vehicles will be completed as staffing levels allow.
- D. When defects or problems arise between scheduled maintenance dates, the

officer assigned to the vehicle that day should take the vehicle to the garage with a repair slip, describing the specific problem.

- E. Emergency repairs, such as headlights and taillights, may be made at a local service station at the discretion of the shift supervisor.
- F. Emergency repairs regarding unmarked police vehicles shall be the responsibility of the officer operating the vehicle.
- G. If an officer should cause or notice damage to any Department vehicle, the officer shall notify their immediate supervisor and document the damage.

EMPLOYEE	INITIAL	EMPLOYEE	INITIAL
Bassage, Ebani		McMath, Asheley	
Bennett, Katelynn		Meisling, Alex	
Benson, Yutaka		Menser, James	
Besford, Brooke		Meyer, Nathan	
Birchmeier, Brooke		Mitchell, Nicole	
Bond, Effie		Mommersteeg, Ben	
Bove, Travis		Monroe, Brittany	
Burkett, Cole		Morehead, Chelsea	
Burkhardt, Ritamarie		Moua, Ty	
Cassidy, Tyler		Nelson, Austin	
Connelly, Chad		Ojerio, Adrian	
Cortez, Jake		Park, Adam	
Cotton, Jason		Paul, Sudesna	
Culross, Jacey		Pride, Chad	
Davis, Lynne		Rohn, Jan	JMR
Didion, Jim		Roubos, Luke	
Evans, Eldon		Scallions, Wesley	
Ewing, Danette		Schwalm, Kristy	
Ferguson, Andy		Sexton, Scot	
Fuller, Tony		Shadduck, Chris	
George, Lucy		Shafer, Diane	
Gibbs, Kayla		Sherman, Kelsey	
Gonzalez, Steve		Shessia,	
Guthrie, Casey		Siemen, Evan	
Hamilton, Jeremy		Sperry, Traci	
Harrison, Katey		Spitz, Jeff	
Heffelfinger, Matt		Stafford, Shelby	
Horn, Jeff		Stemen, Chad	
Horst, Justan		Stephenson, Andy	
Iott, Konnor		Stoltzfus, Dave	
Johnston, Kelly		Striks, Rachel	
Joseph, Barb		Thomas, Jeff	
Kelley, Dean		Truax, Jeremy	
Khoury, Kristine		Vedder, Erich	
Klavenski, Scott		Viera, Jose	
Kole, Staci		Wachowski, Tom	
Kuhn, Ryan		Weidner, Paul	
Lerch, Matt		Whelan, Steve	
McBride, Ben		Woodruff, Jordon	
McGinn, Ken		Young, Jay	