

# EAST LANSING POLICE DEPARTMENT

## POLICY AND PROCEDURE

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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:

[REDACTED]

[REDACTED]

a. [REDACTED]

2.

3.

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 vehicles 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

[REDACTED]

D. Backup Pursuit Vehicle

[REDACTED]

E. Additional Pursuit Vehicle

[REDACTED]

F. Supervisor Responsibilities

1. Supervisors shall immediately refer to 9.11 (A) in determining if a pursuit should occur or be terminated.

[REDACTED]

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.

[REDACTED]

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



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



J. Shooting at or from a Moving Vehicle



[REDACTED]

b. Life Threatening Felony

[REDACTED]

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 **DISPATCH CENTER**

- A. The Dispatch Center should broadcast the initial pursuit over the main channel. Dispatch should notify the on-duty supervisor that a pursuit is in progress and the channel that is being utilized for the pursuit. The on-duty supervisor should monitor this if possible.



- C. The Dispatch Center should control and coordinate any changes in radio frequencies. The on-duty supervisor should monitor this if possible.
- D. If the pursuing vehicles do not acknowledge an order to terminate the pursuit from the supervisor, or as repeated by the Dispatch Center, the Dispatcher should attempt to directly contact the pursuing vehicles by their assigned number, to confirm the order to terminate. The on-duty supervisor should monitor this if possible.

9.13 **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.

**9.14    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.