

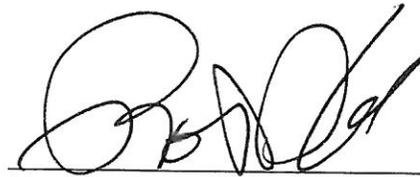
RESOLUTION NO.: R-2004-045

Adopting Section 5 and Section 6 of Police Department Policy and Procedures Manual

BE IT RESOLVED this 18th day of August, 2004, that the Mayor and City Council of the City of Columbia, South Carolina hereby adopts as official City Policy Section 5 and Section 6 of the Police Department Policy and Procedures Manual attached hereto.

ORIGINAL
STAMPED IN RED

Requested by:



Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 8/18/2004

Final Reading: 8/18/2004

5.0 GUIDELINES FOR THE EMERGENCY OPERATION OF POLICE VEHICLES (S.C. CODE 56-5-760)

The driver of a police vehicle, when responding to emergency calls or when in pursuit of a violator or suspected violator of the law, may:

1. Park or stop in prohibited areas;
2. Exceed the posted speed limit within the guideline set forth in this chapter so long as he does not endanger persons or property;
3. Proceed through a red traffic signal or stop sign, but only after slowing as may be necessary for safe operation.

The privileges set forth above apply only when the driver of a police vehicle is operating his blue lights, siren and headlights in the flashing mode. There will be no emergency operation of a police vehicle unless the blue lights, siren and headlights in the flashing mode are being utilized simultaneously and continuously.

The provisions of this section shall not relieve the operator of a police vehicle from the duty to drive with due regard for the safety of all persons and property.

5.1 Emergency Responses (Code 3)

An officer shall notify their supervisor upon initiating an emergency response in the following circumstances:

1. All in-progress crimes where there is immediate danger of death or serious injury. (Example: Armed robberies, shootings, criminal sexual conduct, etc.).
2. All "officer needs assistance" calls.
3. High speed pursuit.
4. Any call where, in the officer's or supervisor's opinion, emergency response is required and can be justified.

During all emergency responses the officer shall use his blue lights, siren and headlights in the flashing mode. In some instances, it may be necessary to discontinue the use of the siren just prior to the officer's arrival at the crime scene. When this occurs, the emergency response is terminated and all speed and traffic laws will apply.

During an emergency response, officers shall not exceed the posted speed limit by more than 15 mph, except in the case of motor vehicle pursuits as outlined in Section 6.0 of this policy.

5.2 Urgent Responses (Code 2)

An urgent response is initiated on those crimes in progress calls in which the type of crime does not normally pose an immediate threat of death or serious injury. (Examples: burglary alarms, auto breaking in progress, etc.).

An officer dispatched on an urgent response call, will proceed immediately to its location while obeying all applicable traffic laws and posted speed limits. The blue lights and siren will not be utilized.

If during an urgent response, the officer observes another incident that requires police attention or if he is flagged over by someone, he will stop to determine the seriousness of the second incident. If the second incident is not of an emergency nature, the officer will proceed on to the original call and notify central communications to dispatch another unit to the second incident.

5.3 Routine Responses (Code 1)

When responding to non-emergency calls, an officer shall observe all applicable traffic laws and posted speed limits. The blue light and siren will not be used when responding to a non-emergency call. Examples of non-emergency calls are public drunk, domestic calls, traffic accidents with no personal injuries, etc.

If an officer is responding to a non-emergency call and observes another non-emergency incident, such as driving upon an accident, the officer will handle the second of these calls and notify central communications to re-assign the original call.

6.0 MOTOR VEHICLE PURSUIT

Pursuit driving is one of the most serious and dangerous duties and responsibilities of police officers. The primary responsibility of an officer in pursuit of a violator is his safety, the safety of the citizens, his fellow officers and the law violator. Regardless of the purpose of the pursuit, it must not be continued when the risks created by pursuit driving outweigh the need for immediate apprehension. At times, a likelihood may exist that someone will be injured or killed if an officer does not pursue the law violator. In these situations, an officer and the supervisor must always base decisions on what is known and not on assumptions.

It is not the intent of this policy to prohibit pursuit of law violators. Prohibition of these duties could result in an unconscionable decrease in safety of the public and officers. However, when an officer or supervisor realizes that continuing a pursuit will expose any person to the risk of serious injury or death beyond a reasonable level, the pursuit must be terminated.

An officer may engage in a motor vehicle pursuit when a violator clearly displays an intent to avoid arrest by using a vehicle to flee. Before engaging in a motor vehicle pursuit, the officer shall evaluate the circumstances surrounding the pursuit to include, but not be limited to, the following:

1. Can the suspect be identified and apprehended later?
2. The types of roadway(s) involved.
3. Weather conditions.
4. The seriousness of the offense.
5. The risks created by initiating the pursuit.

6.1 Procedures for Pursuit Driving

The following procedures shall be adhered to regarding pursuit driving:

1. Motor vehicle pursuits require an emergency response. The officer initiating the pursuit will utilize his blue lights, siren, and headlights in the flashing mode during the pursuit. The initiating officer shall immediately notify Communications that he is involved in motor vehicle pursuit. The officer shall give the location, direction of travel, vehicle description, number of occupants and the reason for the pursuit. No unmarked police vehicle, whether or not equipped with blue light and siren, will be utilized in any motor vehicle pursuit.
2. The telecommunicator should clear a radio channel and assign a back-up unit to assist in the pursuit. The telecommunicator shall switch all other transmissions to another radio channel and relay information on the pursuit on all channels. The telecommunicator shall also request assistance from other agencies, if necessary.
In the event of another agency crossing our jurisdiction in pursuit, the telecommunicator shall obtain all available information from the pursuing agency and relay it to the affected supervisor.
3. Only one additional back up unit will be assigned to actively participate in the pursuit. This unit will assist the initiating officer throughout the pursuit and will use blue lights, siren, and headlights in the flashing mode.

4. The speed of the initiating vehicle and the back up unit will be at the discretion of the officers. These officers shall be responsible for operating their vehicles in a manner that is in due regard for the safety of themselves and others.
5. Other officers responding to the pursuit area to assist shall not initiate an emergency response and shall obey all traffic laws.
6. Officers of this department will assist outside agencies that are involved in a pursuit in the City Limits of Columbia to the extent necessary to ensure public safety. However, officers will not actively engage in such pursuit without permission from a supervisor.
7. At no time will officers attempt to ram or force a pursued vehicle off the roadway in an effort to stop it.
8. No attempt will be made by any officers to set up a roadblock to stop a pursued vehicle.

6.2 Termination of Motor Vehicle Pursuits

A motor vehicle pursuit will be terminated when:

1. The level of danger to citizens and for the officer created by the pursuit outweighs the necessity for an immediate arrest.
2. The violator can be identified so an arrest can be made at a later time.
3. After a reasonably short distance, when the violator being pursued is wanted for traffic violations or minor criminal offenses.
4. The pursuit has proceeded three (3) miles beyond the city limits or after leaving the city limits, the pursuit is joined by a law enforcement agency having jurisdiction (i.e., Highway Patrol, Sheriff's Department, etc.). Under no circumstances is a pursuit to be continued past a point three (3) miles beyond the city limits by units of the Columbia Police Department.
5. The pursuit is a result of action by another law enforcement agency traversing our jurisdiction and our assistance is no longer needed.
6. The officers actively involved in the pursuit lose radio contact with the Communications Center and other units.

6.3 Supervisor's Responsibility During Motor Vehicle Pursuits

The supervisor of the officer initiating a motor vehicle pursuit will assume control of the pursuit. Responsibilities will include, but are not limited to, the following:

1. Respond to the area of the pursuit, monitoring the pursuit by way of the radio, and evaluating the circumstances surrounding the pursuit.
2. Control the number of units responding into the area of the pursuit.
3. Authorize additional units to initiate an emergency response and, if necessary, to become actively involved in the pursuit.
4. Determine whether or not the seriousness of the offense and other conditions justify the continuation of pursuit.
5. Terminate the pursuit when it has been determined that the hazards involved do not justify continuance.

6.4 Pursuit After Action Reports and Annual Review

As soon as possible after a pursuit, the supervisor will forward an After Action Report to the Watch Commander detailing the reason for the pursuit, number of units involved, and the result of the pursuit. The Watch Commander will submit the After Action Report through the chain of command to the Chief of Police. An additional copy of the After Action report will be submitted to the Office of Professional Standards.

Professional Standards will prepare an annual analysis of pursuits to identify patterns or trends that indicate training needs and/or policy modifications.