

	BRIDGEPORT POLICE DEPARTMENT  POLICY AND PROCEDURE GENERAL ORDER	Distribution  ALL PERSONNEL	General Order Number  <b>5.02</b>
		Original Issue Date  5/21/19	Reissue/Effective Date  8/30/19
Order Title:  <b>VEHICLE OPERATIONS</b>		Accreditation Standard: POSTC: 1.7.14, 1.7.15, 1.7.15	Section  5
		Section Title PATROL FUNCTIONS	
Rescinds:		<b>Armando J. Perez, Chief of Police</b>	

*This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting*

## I. PURPOSE

The purpose of this policy is to establish guidelines to direct the safe operation of Bridgeport Police Department vehicles by police personnel.

## II. POLICY

It shall be the policy of the Bridgeport Police Department that all personnel operate Department vehicles in accordance with state statutes and Department policies and procedures. Personnel responding to calls for service are expected to arrive promptly and safely. All Department personnel shall operate Department vehicles with due regard for the safety of persons and property at all times and shall be ever mindful of the reasonableness of their actions. When operating under emergency conditions, officers shall carefully balance the risks involved in such operations against the public's interest in maintaining safety.

## III. DEFINITIONS

Authorized emergency vehicle: A police vehicle equipped with operable emergency equipment to include a siren and red and blue flashing lights while such vehicle is being operated by sworn police personnel answering an emergency call or in pursuit of fleeing law violators.

Code 2 Response: A non-emergency response traveling with the flow of traffic. Non-emergency calls for which a Code 2 response is appropriate include, but are not limited to:

- a) Crimes reported after the fact where no imminent danger is reported to exist;
- b) Burglar alarms without a confirmed perimeter breach;
- c) Non-violent shoplifters in custody;

- d) Minor offenses not of a potentially life threatening or physically dangerous nature;
- e) Property damage motor vehicle accidents that do not create an immediate public hazard or a serious traffic problem;
- f) 911 hang ups/abandoned calls without specific information;
- g) All other calls that do not require an emergency response;
- h) At the direction of a supervisor; or
- i) When directed by a supervisor.

Code 1 Response: An emergency response with emergency lights and an audible siren activated in compliance with CGS § 14-283, to include but not be limited to:

- a) Crimes in progress or crimes that just occurred when an expedited response might reasonably lead to the apprehension of suspects still in the area;
- b) Active domestic assaults;
- c) Robberies in progress, robberies just occurred, and robbery alarms;
- d) Life threatening or physically dangerous situations;
- e) Motor vehicle accidents with injuries;
- f) Motor vehicle pursuits when conducted in compliance with Bridgeport General Order 3.06;
- g) An officer's call for assistance;
- h) When directed by a supervisor.

Communications: The central dispatch center or personnel staffing the central dispatch center of the Bridgeport Police Department

Pursuit: An attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.

Supervisor: A person designated by the Bridgeport Police Department to have supervisory control over the operation of Department vehicles during a police response.

Fleet Supervisor: The supervisor designated by the Chief of Police to oversee the maintenance, administration and assignment of all agency vehicles.

## **IV. PROCEDURES**

### **A. Requirements and Restrictions**

1. License requirements: No person shall operate a Department vehicle of any kind unless they have a valid Connecticut Driver's license to operate such vehicle. The Patrol Division Commander will verify the validity of all employees' driver's licenses each year and report his findings to the Chief of Police by the end of January of each year. Employees found to have an

expired, suspended, or otherwise invalid license will not be permitted to operate any departmental vehicle.

2. Occupant restraint systems: When operating police vehicles, or privately owned vehicles while on duty, operators, passengers, and prisoners shall wear available seatbelts or restraint devices. Operators will ensure that all occupants, including prisoners, have their seatbelts fastened prior to the vehicle being operated. Any child, required by State Statute to be restrained in a child restraint seat, shall be secured in a child restraint seat.
3. Officer use of seat safety belts: Sworn personnel shall wear a seat safety belt while operating, or as a front seat passenger of, a city-owned vehicle. Personnel shall not operate a city-owned vehicle if the operator's seat safety belt is inoperable. Personnel shall not modify, remove, deactivate, or otherwise tamper with the vehicle seat safety belts except during an emergency situation, or with the permission of the Chief of Police. The following are exceptions to this requirement:
  - a. Authorized emergency vehicles while responding to an emergency call.
  - b. Physically disabled or impaired person who carry with them a written physician's statement with justification for the exemptions. (Employees shall provide a copy of the physician's written statement to the Personnel Unit.)
  - c. For tactical situations such as an officer operating in an undercover capacity where the use of a seatbelt will compromise the officer's identity.
4. Vehicle check: Operators will conduct a check of their assigned vehicle to ensure critical vehicle equipment, including the radio, lights, and siren, are functioning properly prior to the beginning of their shift. Operators will also inventory their assigned vehicle to verify the presence of all equipment necessary for their assignment. Prior to the start of shift, and following the transport of a passenger, officers shall check the rear passenger compartment for weapons and/or contraband. On a weekly basis, the supervisor shall conduct vehicle and equipment inspections of all vehicles in operation by personnel under their command. The employee shall be present during the inspection. Memo will be submitted to their respective Division Commanders upon completion of the inspection. At the end of each shift, personnel shall refuel their vehicles, inspect for and remove any evidence, trash, personal equipment, and leave the vehicle interior in clean condition.
5. Vehicle maintenance: Employees operating a vehicle are responsible for inspecting the vehicle and its equipment for functionality and cleanliness. Malfunctioning or deficient equipment shall be reported to the officer's immediate supervisor and the Fleet Supervisor on a vehicle repair form. The

employee shall also inspect the vehicle for damage. Any employee discovering unreported damage to a department vehicle shall immediately report it to their immediate supervisor. No person shall operate a Department vehicle that has a deflated tire or when there is evidence of an apparent mechanical defect. Should the member fail to note and properly report any defect, which is discovered after his/her shift, it will be assumed that it occurred during his/her tour of duty and he/she will be held accountable. Vehicles will periodically be removed from service in accordance with monthly maintenance schedules.

6. Disabled Vehicles: When a vehicle becomes disabled, the employee shall notify the Dispatch Center and his or her supervisor. Dispatch shall notify the appropriate towing agency, as required. In addition, the respective employee shall complete a vehicle repair form.
7. Personal use: Bridgeport Police Department employees will not use Department vehicles for their personal use except with the express permission of the Chief of Police or his designee.
8. Pushing/Towing: Unless properly equipped, no person shall use a Department vehicle for the purpose of pushing or towing another vehicle, nor shall a departmental vehicle be towed by another vehicle except by the towing facilities provided by the Department.
9. Passengers: Generally, private citizens shall not be permitted to “ride along” in police vehicles that are being used in the performance of duty unless the citizen's presence is necessary in the furtherance of police work. However, community policing requires an informed citizenry. As part of this Department’s overall mission of encouraging community involvement, on occasion citizens will wish to “ride along” with members to better learn and understand the challenges that law enforcement entails. Citizens who wish to “ride along” with a member in a Bridgeport police vehicle or who are to receive any kind of guided tour, training or orientation from any member of the Department shall be required to sign a Liability Waiver, in duplicate, releasing the City or any of its agents from responsibility for personal injury or property damage. The waiver is required of students, visitors, etc. A person must be 18 years of age to participate in a “ride along.” The waiver shall be signed on every occasion the person wishes to “ride along.” However, it is mandatory that the Chief of Police or designee grant prior approval, and endorse the liability waiver, on every occasion that the person is permitted to ride in a Bridgeport vehicle, (the identity of the person shall be recorded on the daily cruiser log.) The original waiver and report shall be forwarded to the office of the Chief and a copy shall be retained.
  - A Shift Commander will have the authority to terminate any ride along if there is a conflict or problem.

10. Unattended vehicles: Vehicle ignitions shall be locked and the key removed upon leaving the vehicle. When leaving the vehicle for more than a brief period, the doors shall be locked. Whenever a police vehicle is left at a garage for repairs, the officer shall remove the key from the ignition and leave it with authorized garage personnel. All weapons shall be removed from the vehicle prior to it being left at the garage. Vehicles shall not be left unattended with engines running unless required for the performance of the employee's duties.

B. Responsibilities of Sworn Police Personnel

1. Safe operation: The driver of any Department vehicle shall operate said vehicle in a reasonable and safe manner, exercising due caution and judgment, in compliance with all motor vehicle laws and regulations.
2. Code 2 Response: Upon receiving a non-emergency call for service, assigned personnel shall respond in a Code 2 manner, obeying all motor vehicle laws while driving with the normal flow of traffic to the assigned location.
3. Change in response: Sworn police personnel may upgrade or downgrade their response, based on developing information or at the direction of a supervisor, to Code 1 or Code 2 protocols.
4. Travel conditions: Officers shall be cognizant of weather and road conditions, modifying their response from Code 1 to Code 2 when conditions dictate such action is necessary.
5. C.G.S. § 14-283: All sworn personnel shall possess a complete and thorough knowledge of Connecticut General Statute § 14-283, Rights of Emergency Vehicles, and shall comply with its provisions at all times.
6. Responsibility of police personnel to stop for a stopped school bus: The exemptions in C.G.S. § 14-283 do not apply with regard to a school bus that is actively displaying flashing red lights. Under C.G.S. § 14-279, sworn police personnel operating an authorized emergency vehicle shall immediately bring such vehicle to a stop not less than ten feet from the front when approaching and not less than ten feet from the rear when overtaking or following any registered school bus on any highway or private road or in any parking area or any school property when such bus is displaying flashing red signal lights, except at the specific direction of a traffic officer. Emergency vehicles shall not proceed until such school bus is no longer displaying its red flashing lights. This includes the prohibition of vehicular turns at an intersection of two or more highways toward a school bus receiving or discharging passengers.
7. Code 1 Response: Upon receipt of an emergency call for service that requires a Code 1 response, assigned personnel shall activate the police vehicle's

audible siren and emergency lights and shall utilize them during their response. The audible siren and emergency lights are tools used by law enforcement to expedite their response to calls for assistance and to warn motorists of their presence. However, police officers responding to calls, regardless of their seriousness, must exercise due caution in their response and their actions must meet the test of reasonableness.

- a. The responding officer shall notify the dispatcher whenever beginning or ending a Code 1 response, for example:

[UNIT NUMBER] CODE 2, MAIN STREET  
[UNIT NUMBER] CODE 1, NORTH STREET

- b. Sworn personnel shall proceed to the scene and must obey all traffic rules and regulations. Officers may rely on the exceptions contained within C.G.S. § 14-283 only to the extent necessary for the performance of their duties. In such cases, officers will use extreme caution as civilian operators and/or pedestrians will not always see, hear or heed the lights and siren of the approaching emergency vehicle. The exemptions granted in C.G.S. § 14-283 shall only apply when an emergency vehicle is making use of an approved audible warning signal device and approved visible flashing or revolving lights.
- c. Sworn personnel shall drive at reasonable speeds, consistent with road, weather, traffic and light conditions. Officers must also consider the area in which they are driving, and the type of call to which they are responding when making decisions regarding the safest method to proceed.
- d. Sworn personnel operating Code 1 to emergency calls may turn off their lights and/or sirens for officer safety and suspect apprehension reasons as they get close to a scene. However, once the warning lights and audible siren are turned off, they are no longer operating within the requirements of CGS § 14-283 and no longer have the rights of emergency vehicles.

#### C. Dispatchers

When receiving a request for police service, the Dispatcher will be responsible for getting as much information as possible about the call for service/incident.

#### D. Supervisors/Commanders Responsibilities

1. Response codes: Supervisors and commanders shall upgrade or downgrade response codes for responding officers based on, but not limited to, their

training and experience, their knowledge of the history of a particular response location, the people involved, the road, weather and traffic conditions as well as the number of officers already on scene.

2. Code 1 Responses: Supervisors and commanders are responsible for continually monitoring Code 1 responses and taking steps to ensure the safety of their subordinates and the public. Primary responsibility rests with the patrol supervisor on duty. In the event that the patrol supervisor is not available, any other supervisor or commander monitoring the call shall intercede as required.
3. Vehicle maintenance: Each commanding officer is responsible for reporting vehicle maintenance issues for vehicles operated by officers under their command to the fleet officer to ensure that appropriate repairs are made prior to operating the vehicle.
4. Training: Commanders and supervisors shall constantly reinforce the contents of this general order by ensuring that regular training sessions at roll call are conducted and documented at least once annually. Training records will be forwarded to and maintained by the Training Officer.
5. Accidents: When a motor vehicle accident involving police vehicle(s) is reported, the supervisor shall be responsible for ensuring the following occurs:
  - a. Any officer who is injured as a result of an on duty accident will receive immediate and appropriate medical care.
  - b. If the operator of the damaged Department vehicle is injured, the supervisor shall take the necessary steps to protect the vehicle and its contents from theft or further damage.
  - c. Any officer involved in an on duty automobile accident shall submit a written report of the incident as soon as possible.
  - d. Motor vehicle accidents involving agency vehicles shall be investigated by the operator's supervisor in accordance with proper accident investigation procedures as outlined in General Order 5.08. Upon completion of the investigation, a report will be submitted to the Chief of Police, which sets forth the findings. Supervisors shall initiate the appropriate disciplinary action against personnel who are found to have violated any element of this policy.
  - e. A determination will be made as to the extent of damage to the vehicle and the ability for it to be operated safely. When determined to be inoperable, the vehicle will be removed to the garage for inspection and repair.

- f. Supervisors will be notified and respond to any accident involving a police vehicle from another agency or any City of Bridgeport vehicle.
  - g. The Traffic Investigation Team will review all completed accident investigations involving agency vehicles to assure completeness and impartiality.
- 6. Discipline: Any officer involved in an automobile accident deemed to be his/her fault by improper driving or any other reason shall be subject to such disciplinary action or any other action deemed appropriate by the Chief of Police.