

SCRANTON POLICE DEPARTMENT POLICY

<i>Effective Date:</i> January 20, 2020	<i>Policy Number:</i> 07-006
<i>Policy Subject:</i> Vehicle Operation	
<i>Reevaluation Date:</i> January 20, 2021	<i>No. Pages:</i> 5
<i>PLEAC Standard(s):</i> 2.1.1	

I. PURPOSE

This policy is structured to establish authorization, guidelines, and responsibility for the safe operation of departmental vehicles during normal operating conditions, emergency responses, and for any other circumstance(s) which hazardous conditions may exist.

II. POLICY

It shall be the policy of the Scranton Police Department that an officer is limited to use of high speed responses to those situations where an expeditious response to a complaint may well prevent or intervene in a life threatening situation. No task, response, or pursuit shall justify the reckless disregard of the safety of innocent persons. Further, that all personnel operating Scranton Police Department vehicles under normal, or any emergency conditions, shall conform to the provisions of the Pennsylvania crime and vehicle codes.

III. PROCEDURE

- A. Classifications of Police Responses – Complaint responses will be classified as follows:
1. Routine or Non-Emergency Response
 Examples: Burglary discovered (not in progress), request for information, service calls.
 - a. Officers employing routine responses will utilize the normal traffic flow, obeying all traffic patterns, signs and signals.

- b. Under normal conditions, personnel operating police vehicles shall strictly adhere to all traffic laws and drive defensively, safely and courteously.
2. Emergency and/or Urgent Response
- Examples: Forcible felony in threatening incidents.
- a. Officers employing urgent or emergency responses shall have in operation all the emergency equipment including emergency lights and siren to warn vehicles and pedestrian traffic along the emergency route. Headlights should be used during daylight hours as an added visibility factor, and may do the following with due care:
 - 1) Proceed into an intersection on **red** or **stop** signal, **stop** sign, but only after safely adjusting vehicle speed, or stopping as may be necessary for safe operation. A police vehicle shall not enter a controlled intersection against the directed flow of traffic until the driver is sure that the cross-traffic flow has yielded in each lane before attempting to cross the intersection.
 - 2) Exceed the posted speed limits after weighing the risks of danger to life and property, and after considering the conditions of the road, traffic, weather, familiarity with the area, location (school, business, residential area), time of day, condition of police vehicle, seriousness of the incident or charges, possibility of identification and apprehension at a later time, and the danger to the community.
 - 3) Disregard regulation of traffic direction or turning after due consideration of the hazards to the public and the officer in relationship to the need for police response.
 - b. Officers engaged in emergency response shall advise the Comm Center. Any supervisor may direct the down grading or authorize emergency response as well as control the number of vehicles responding.

Personnel shall not operate a police vehicle in an emergency response situation unless responding to an emergency call for service or when in pursuit.

IV. TRAFFIC STOPS: LOW-RISK

- A. Scranton Police Department personnel making a traffic stop shall inform the Comm-Center that he/she is stopping a vehicle and give a complete description of the vehicle and location before approaching the vehicle.
- B. Police personnel shall make every effort to direct the violator to a suitable stopping point where normal traffic flow will not be impeded; use the public address system if necessary. Private driveways or other areas providing access to business establishments shall not be used for traffic stops when alternative locations are available. When private property is used for a traffic stop, all possible care shall be taken to avoid inconvenience to the property owner and any patrons.
- C. Officers shall approach a violator with caution in all instances.

- D. Officers shall be courteous and professional, representing the Scranton Police Department in an unbiased manner. Officers shall refrain from using vulgarities.
- E. Officers shall, when feasible, position their police unit (e.g. two to three feet to the left of the violator's vehicle) to offer the most protection to the officer and violator during the traffic stop.
- F. The officer should watch the occupants of the violator vehicle at all times for any unusual or furtive movements.
- G. In stopping vehicles during hours of darkness, auxiliary lights (when available) shall be used to illuminate the interior of the violator's vehicle for the officer's safety.
- H. An unmarked police vehicle may be used for traffic enforcement when operated by a uniformed police officer, if the vehicle is equipped with audible and visual emergency signals for recognition by the offending motorist.
- I. Police officers in plainclothes and detectives **shall not** make traffic stops unless the actions of the violator are a *clear and immediate life threatening situation* to pedestrians or vehicular traffic **and** no uniformed unit is readily available.
- J. Officers shall notify Comm-Center upon the completion of any traffic stops.
- K. Officers shall issue either a written traffic warning or traffic citation in the event a traffic stop is made for a traffic violation in accordance with Policy 16-022 Vehicle Enforcement Action. This will not apply to a case where a case report will be filed for the particular traffic stop (ie. DUI arrest, drug arrest, etc.).

V. FELONY TRAFFIC STOPS: HIGH-RISK

- A. A felony traffic stop is any traffic stop where the operator of a vehicle has committed, is in the process of committing, or is attempting to commit a felony crime. This shall include, but are not limited to:
 - 1. forcible felonies (rape, robbery, kidnapping, criminal homicide, etc.)
 - 2. felonies that endanger public safety or have the potential to endanger the public
 - 3. suspects wanted on a felony warrant (pursuant to Pennsylvania Crime and Vehicle Codes, and Federal Statutes)
 - 4. *any circumstances that a primary officer or a supervisor deems necessary to treat as a felony stop.*
- B. The following best practices shall be utilized when possible:
 - 1. Officer safety is the primary consideration.
 - 2. Before initiating any felony vehicle stop, the primary officer shall immediately notify a supervisor.
 - 3. A supervisor shall respond to the location of the probable felony stop.
 - 4. An officer shall not approach a felony stopped vehicle until proper procedures are followed in removing all visible suspects.
 - 5. Back-up units shall approach the primary officer and felony vehicle from the rear of the probable stop location. No officer (primary or back-up) shall approach a vehicle stop in the opposite direction or "head on" with the suspect vehicle and/or primary officer's police unit.

6. Upon stopping the suspect felony vehicle, two units shall take up a side-by-side position approximately 20-25 feet to the rear of the stopped suspect vehicle.
7. Any other back-up police units shall stop their units to the rear of the two primary units and wait for direction from a supervisor or the primary officer.
8. Upon stopping the felony vehicle, the primary officer shall transmit to Comm Center the location of the stop, direction of travel, make, model, registration number, and the number of occupants.
9. Officers from two primary units shall take a position of concealment, either using the open door of the police unit, or retreating to the rear of the police unit. (In the event of a potentially deadly engagement from a suspect(s), officers are advised to retreat to the nearest position of cover).
10. The primary officer or supervisor shall use the public address system to direct the movements of any occupants of the suspect vehicle. (Only one officer will give verbal commands).
11. The driver of the suspect vehicle shall be ordered to remove the keys from the suspect vehicles ignition and deposit them outside the suspect vehicle.
12. The primary officer or supervisor, upon securing the traffic stop, shall begin to remove the suspect(s) from the felony vehicle, beginning with the driver.
13. Each occupant shall be ordered to exit only from the driver's side of the suspect vehicle.
14. Each occupant shall be ordered to face away from the voice of the officer upon exiting the suspect vehicle with their hands extended skyward and open.
15. The suspect vehicle driver's door shall be closed upon each occupant's exit from the vehicle.
16. Each occupant shall be ordered to step backward toward the officers to a location where they can be secured.
17. Each occupant shall be handcuffed, terry frisked for weapons (if authorized), and secured before any additional occupants are removed from the suspect vehicle.
18. The preceding steps shall be utilized in securing all visible occupants from the felony vehicle.
19. Upon securing all visible occupants, two officers shall approach the felony vehicle from a low flanking position (officers are advised to be alert for possible suspects in the trunk area).
20. In the event a suspect is believed to be hiding in the suspect vehicle approaching officers shall retreat to a place of cover.
21. An attempt shall be made to negotiate the surrender of any hidden suspects via the public address system.
22. In the event the hidden suspect refuses to communicate and/or surrender, and after all reasonable means of securing hidden suspect(s) fails, the traffic stop shall be treated as a "Barricaded Suspect".
23. A supervisor shall notify the Shift Commander, who will notify the SOG Unit, and contain and secure the traffic stop area until the SOG Unit arrives.

VI. PARKING

- A. Police vehicles shall not be left unattended without the transmission selector in the park position and the engine turned off. Vehicles shall be parked so as to eliminate hazard to the vehicle, police officer, and the surrounding traffic.
- Police Idle
- a. Vehicles equipped with the police idle feature may be left with the engine running as long as the police idle feature is activated and the key removed from the ignition.
 - b. Officers should not leave the vehicle running in the police idle mode for extended periods of time and should only use the feature when an officer believes it is beneficial to an investigation to leave the vehicle in the police idle (e.g.MVR recording, traffic control, etc).
 - c. Officers shall ensure all windows and doors are secured and all keys to the vehicle removed before leaving the vehicle in the police idle mode.
 - d. Officers using this feature during adverse weather conditions to warm/defrost the vehicle should only use the feature until the vehicle is defrosted and operational. Officers should not use this feature for long periods of time.
- B. Police vehicles shall be parked legally whenever possible, unless an emergency situation exists.
- C. When leaving the vehicle for any reason, the operator shall remove the key from the ignition and secure the vehicle. The windows shall always be closed and the doors locked.
- D. K9 Officers should follow their standard operating procedures to ensure the safety and well-being of their K9's. It is understood that K9 Officers may need to stray from the parking section of this policy but should adhere to this policy when possible.

VII. ESCORTS

1. Emergency Vehicles
Escorting emergency vehicles is not permitted **except** if the emergency vehicles equipment is broken, the operator of the emergency vehicle is unfamiliar with the city streets or if previously approved by a supervisor.
2. Civilian Escorts
Officers shall render assistance for medical emergencies to citizens. Qualifying emergencies are life-threatening conditions or serious injuries. Officers shall notify the Comm Center of escorts.
3. Escorts of vehicles in non-emergency situations are permitted for the following examples if the escort is approved by a supervisor:
 - a. Public Official or Dignitary.
 - b. Funeral.
 - c. Hazardous or unusual cargo.
 - d. Parades.

VIII. POLICE ENGINE IDLE

- A. This feature allows operators of vehicles equipped with the feature to leave the engine running and prevents the vehicle from unauthorized use when operator is outside of the vehicle. This feature allows for the key to be removed from the ignition while vehicle remains idling.
- B. Switching the system on.
 - 1. With the vehicle running and the transmission in park (P) press the button on the instrument panel. A warning lamp will illuminate to confirm the system is on.
 - 2. Switch the ignition off and remove the key.
- C. When the system is on
 - 1. The power windows are disabled and the windows remain in their current state.
 - 2. The power door locks are disabled and all doors remain in their current locking state.
 - a. The doors can be unlocked with the key blade.
 - 3. The lift gate or luggage compartment does not open but can be opened with the key.
- D. Switching the system off.
 - 1. Inserting the key and switching the ignition to the run position
 - 2. Pressing the button on the instrument panel.
 - If an operator switches the system off before switching the ignition to the run position the vehicle will shut down.

IX. MISCELLANEOUS

- A. Safety Belts shall be worn in accordance with policy 08-024 Safety Restraint Systems.
- B. Use of cell phones while being the driver shall be in compliance with state law. (The term cell phone applies to personal electronic hand held devices used for communications. This term does not refer to the emergency police radio or any other emergency equipment that is used to operate the vehicle in accordance with this policy.)

By Order Of:

Chief Carl R. Graziano
Superintendent of Police
Scranton Police Department