

## **2.100 VEHICLE OPERATIONS**

### **2.105 VEHICLE USE, AUTHORIZATION, & OPERATION**

- A. Allocations and operation of state owned fleet and take-home vehicles are made consistent with State Vehicle Fleet Policies and Procedures as promulgated by the Department of Budget and Fiscal Planning, Division of Management Analysis and Audits, through the MTF.
- B. All agency employees are responsible for the proper care, operation, and cleanliness of agency vehicles under their direct or indirect care.
- C. State vehicles shall not be used to conduct personal business, to transport members of the family, e.g. transporting children to and from school, for pleasure, or for meal breaks. Sworn employees are exempt from this policy during the normal course of daily business.

#### **2.105.10 Authorized Drivers**

- A. Only authorized employees may operate agency vehicles. Vehicle use authorization is delegated from the chief to bureau commanders.
- B. Every vehicle operator must possess a valid operator's license for the vehicle class to be driven.
  - 1. All agency employees, including Student Police Aides who are at least 18 years old, may operate agency vehicles consistent with use restrictions.
  - 2. Persons with six or more points against their license are not permitted to drive state vehicles until the accumulated point total is reduced to less than four points in according to state fleet regulations.
- C. Civilian mechanic and service personnel may operate agency vehicles consistent with their duties and responsibilities.
- D. Civilian instructors and student officers in the agency's police academy may operate agency vehicles in conjunction with academy operations or instructional programs. Civilian instructors are not covered by state personal injury insurance.

#### **2.105.15 Restraint Devices**

- A. All persons driving or riding in agency vehicles will use seat belts/shoulder harnesses in compliance with provisions of the Transportation Articles.
- B. Employees will not take actions that will lessen the effectiveness of vehicle passenger restraint systems.

#### **2.105.20 Vehicles to be Secured**

Unattended agency vehicles will be appropriately secured.

#### **2.105.25 Transport of Passengers**

- A. Only agency employees or employees of the University of Maryland may be transported in agency vehicles.
  - 1. Individuals not otherwise authorized may be transported in agency vehicles when it is necessary for conducting agency business.
  - 2. Persons being transported in agency vehicles are not covered by state provided personal injury insurance.
- B. When approved by the chief or designee, individuals not otherwise authorized may be passengers in agency vehicles.
- C. Persons may be transported in agency vehicles in those situations where it would be inhumane not to do so.

#### **2.105.30 Agency not Responsible for Certain Loss**

The agency is not responsible for damages to, or losses of, personal property by fire, theft, or collision due to the negligence of operators of agency vehicles.

#### **2.105.35 Obedience to Vehicle Laws**

- A. Employees will operate agency vehicles responsibly, courteously, and in obedience to all regulations and traffic laws.
- B. Agency vehicles will be driven in accordance with Maryland traffic laws.
- C. When employees are traveling out of state, agency vehicles will be driven in accordance with other states traffic laws.
- D. Employees are responsible for moving and parking violations received on agency vehicles arising from their operation of agency vehicles. However, this does not effect employee's rights to appeal moving violations through established procedures.
- E. In addition, employees may be held accountable for these violations consistent with 1.954 Compliance with Laws and 2.900 Complaints and Discipline.
- F. These moving violations include, but are not limited to, red light or speeding infractions captured by a camera at or near the scene of the violation.

## **2.110 VEHICLE EQUIPMENT**

### **2.110.05 General Equipment & Supplies**

- A. Marked agency vehicles used in routine or general patrol services are:
  - 1. Emergency vehicles and equipped with lights and sirens in accordance with the Transportation Articles;
  - 2. Equipped with supplies that facilitate general or routine patrol services.
- B. Unmarked agency vehicles, including vehicles utilized by patrol squad personnel and investigators are:
  - 1. Emergency vehicles and equipped with lights and sirens in accordance with the Transportation Articles;
  - 2. Equipped with supplies that facilitate general or routine patrol services.
- C. All marked and unmarked cruisers will be provided supplies consistent with Vehicle Condition Reports.
- D. All vehicles, with the exception of the command trailer, will be similarly equipped.
  - 1. Standard equipment for all patrol vehicles includes, but is not limited to:
    - a. First aid kit;
    - b. Fire extinguisher;
    - c. Spare tire and jack with tools;
    - d. Road flares;
    - e. Reflective traffic vest;
    - f. "Police Line" or "Caution" tape; and
    - g. Traffic cones; and
    - h. Go Bag (containing tools, rope, markers, tape, etc.)
  - 2. Standard equipment for other departmental vehicles includes, but is not limited to:
    - a. First aid kit;
    - b. Fire extinguisher;
    - c. Spare tire and jack with tools;
    - d. Road flares;
    - e. Reflective traffic vest;
    - f. "Police Line" or "Caution" tape; and
    - g. Traffic cones.
  - 3. All changes, alterations, or modifications to standard equipment must be approved by the Fleet Manager and the appropriate Bureau Commander.
  - 4. Any additional equipment, accessories, or ornamentation must be approved by the Fleet Manager.

#### **2.110.15 Equipment Deviations**

- A. Short-term deviations from vehicle equipment supplies may be made with patrol squad supervisory approval.
- B. Deviations will be documented to Patrol's Bureau Commander and the Patrol Commander via e-mail.
- C. Supervisors will ensure that all items are available in other vehicles.

### 2.110.20 Non-Transference of Equipment

- A. Equipment assigned to particular vehicles will not be changed, interchanged with other vehicles, altered, or removed without permission from the Fleet Manager or patrol squad commanders.
- B. Patrol squad commanders making or authorizing equipment transfers will inform Vehicle Maintenance of same via e-mail.

### 2.115 OBEDIENCE TO PARKING REGULATIONS

- A. Agency vehicles will be parked in accordance with parking regulations during regular operations. Emergency or exigent circumstances allow for the disobedience of parking regulations.
- B. Agency vehicles parked in restricted areas will not be parked so as to unnecessarily interfere with traffic or impede emergency vehicle response during emergencies.
- C. The agency will not be responsible for parking tickets or traffic violations received in violation of agency directives. Operators will pay parking or storage charges as applicable.
- D. Agency employees who receive parking citations on agency vehicles must turn the citations in to the Parking Coordinator within 24 hours of receiving the citation for appeal.

## 2.120 FLEET MANAGEMENT OPERATIONS

### 2.120.05 Fleet Vehicles

Fleet vehicles are agency vehicles that are not assigned to individual officers for full-time use under the provision of the personal car program.

#### 2.120.10 Vehicle Availability

- A. Agency owned vehicles do not have mileage limitations.
- B. Special use vehicles, such as motorcycles and bicycles, will be utilized only by personnel as authorized by training, certification, or assignment. Authorization may be granted by the chief or bureau commanders.
- C. The use of vehicles detailed for use by the Police Auxiliary, CIU, or the Fleet Manager is restricted to personnel in those units, unless approval has been granted by personnel in those units or the Fleet Manager.
- D. Officers needing to use or reserve the use of agency vehicles for other than normal activities will submit verbal or e-mail requests to the Fleet Manager no later than one business day prior to needed dates.
  1. Vehicle use reservations will be based on the agency mission, timeliness of requests, and the expressed needs of requesters.
  2. The use of vehicles during special events and operations will be coordinated through Patrol's Bureau Commander and/or the event or operation OICs.
- E. Vehicles taken out of service because of maintenance related needs, high mileage, prior reservations for use, or other reasons will not be placed in service without the permission of the Fleet Manager, bureau commanders, or the chief. Factors that must be considered when requesting a release of vehicles placed out of service include, but are not limited to:
  1. Verifying listed reasons for placing vehicles out of service by on-duty patrol squad supervisors; and
  2. Documenting vehicle inspections conducted by on-duty patrol supervisors or designates.

#### 2.120.15 Vehicle Inspections

- A. Employees will thoroughly inspect vehicles prior to driving them, or, because of exigent circumstances, as soon as practical, and will document deficiencies on vehicle condition reports.
- B. Unit commanders will ensure vehicle inspection reports are completed and forwarded to Fleet Management for every vehicle under control of the unit.
- C. Vehicles will be inspected for:
  1. Cleanliness;

2. Damage;
3. Tire conditions;
4. Oil level;
5. Condition and status of assigned equipment and supplies; and
6. Property left by others.
  - a. If contraband or weapons are recovered, recovering officers will obtain CCNs, property numbers, and write MIRs.
  - b. Recovered personal property belonging to agency employees will be submitted to Communications for return to owners and an e-mail memorandum sent by finders to **SWORN** unless specific owners are known.
  - c. Personal property belonging to citizens will be documented and submitted to the Logistics Unit as recovered property.
- D. Officers are responsible for restocking expendable vehicle supplies from on-hand reserve supplies.
- E. The Fleet Manager is responsible for:
  1. Ensuring adequate on-hand stocks of expendable vehicle supplies are available; and
  2. Facilitating the replacement, replenishment, and/or repair of other vehicle supplies and equipment.
- F. Previously undocumented deficiencies discovered during vehicle inspections will constitute *prima facie* evidence that the immediate, prior operators are responsible for deficiencies and improper inspections and may be held responsible for the deficiencies.
- G. At the end of all tours of duty, employees will:
  1. Remove personal property;
  2. Ensure the interior of the vehicle is clean and trash free;
  3. Inspect the interior for articles left by others;
  4. Ensure that the vehicle is at least 3/4 fueled; and
  5. Secure the vehicle.
- H. Vehicles deemed unsafe or not road-worthy by employees will be reported immediately to supervisory personnel.
  1. Unsafe or non-road-worthy vehicles will be placed out of service with concurrence of supervisory personnel and sent via e-mail notification to the Fleet Manager.
  2. Originals of Vehicle Condition Reports will be submitted to the Fleet Manager.

#### 2.120.20 Fleet Management

- A. The Fleet Manager coordinates the general maintenance, repairs, and modifications to agency vehicles.
  1. UMDPS vehicles will only be serviced and repaired by vendors approved by the Fleet Manager.
  2. Inspectional information supplied by unit commanders on vehicle condition reports will be consolidated into maintenance requests.
  3. The Fleet Manager coordinates vehicle pick-up from and delivery to appropriate maintenance facilities.
  4. Only the Fleet Manager will make inquiries with vendors with respect to vehicles that are being serviced or repaired
  5. Officers picking up vehicles from maintenance facilities will, as practical, inspect the vehicles to ensure requested maintenance has been completed and return any copies of work receipts to Fleet Management.
  6. Without first notifying Fleet Management, officers will not accept custody of vehicles or sign for vehicle maintenance charges if they believe the maintenance is incomplete or incorrect.
  7. Immediate notification will be made to the Fleet Manager for any of the below vehicle issues:
    - a. a UMDPS vehicle that experiences a mechanical problem, receives damage and/or is involved in a departmental accident;
    - b. equipment or supplies are missing from a UMDPS vehicle;
    - c. a UMDPS vehicle is dropped off or picked up from a

- vendor by anyone other than the fleet manager; and/or
  - d. a UMDPS vehicle has been towed.
- B. Day watch patrol squad supervisors are responsible for ensuring that patrol vehicles are washed on an as-needed basis. Supervisory personnel assigned to Fleet Management, CIU, and the Police Auxiliary are responsible for ensuring that vehicles predominately utilized by those units are washed on an as-needed basis. Personnel participating in the personal vehicle program are responsible for ensuring their vehicles are washed on an as-needed basis.
1. A commercial car wash facility has been contracted as the primary wash facility for agency vehicles. Hours and conditions of operation are distributed via e-mail.
  2. The MTF wash facility is the secondary wash facility for agency vehicles. Hours and conditions of operation are distributed via e-mail.
  3. Vehicles will be washed in preparation for major special events such as basketball and football games. Fleet Management personnel will coordinate vehicle transportation with the on-duty patrol squad.

### 2.120.25 Personal Equipment in Vehicles

- A. Employees are allowed to augment vehicle equipment and supplies within certain limitations. Authorized vehicle equipment and supply augmentations include, but are not limited to:
1. AM/FM radios, cassette tape players, Citizen's Band radios, and scanner radios may be carried, but not mounted;
  2. Radio antennas that are lip mounted or magnetic mounted and removed after the end of each shift/use;
  3. Cool Seats that are color coordinated with vehicle paint colors;
  4. Beverage holders that are not permanently affixed to vehicles;
  5. Single red and/or blue fire balls, dash lights, etc. if temporarily secured to the dash and do not interfere with the functioning of passenger restraint systems; and
  6. Supplies, books, tools, etc. carried for the furtherance of the police mission.
- B. Employees are not allowed to use in agency vehicles:
1. Non-issued earphones, electronic ear pieces, or headsets, excludes hearing aids;
  2. Televisions;
  3. Temporary, unattached fire balls, dash lights, etc. on rear decks of vehicles;
  4. Equipment, uniform items, or other articles or substances specifically prohibited by laws or directives.

## 2.125 VEHICLE FUELING PROCEDURES

### 2.125.05 Fueling Program Responsibilities

Immediate oversight and management of the agency's fueling program is supplied by the Fleet Management Coordinator.

#### 2.125.10 Fueling Procedures

- A. All agency vehicles will be turned off while being refueled.
- B. Each of the agency's fleet and personal car program vehicles are issued a gasoline company credit card in the name of the agency.
1. Agency employees using gasoline credit cards are responsible for the proper use, security, and return of those cards.
  2. The Fleet Management Coordinator maintains and issues other gasoline credit cards for instances that include, but are not limited to:
    - a. Primary vendors are closed or otherwise out of service: or
    - b. Authorized travel.
  3. Loss or theft of gasoline company credit cards will be reported and investigated consistent with **2.448**.
- C. Employees operating agency fleet vehicles are responsible for:
1. Ensuring vehicles are returned from usage with at least 3/4 tank of fuel, or as near as possible as time permits;
  2. Ensuring self-service gasoline is used when available:

3. Ensuring vehicles are fueled with gasoline conforming with minimum octane ratings;
  4. Checking, and adding necessary oil from agency supplies;
  5. Verifying information contained on credit card receipts;
  6. Documenting in the Vehicle Inspection Log:
    - a. Employee ID numbers;
    - b. Vehicle numbers; and
    - c. Odometer readings (mileage).
  7. Submitting receipts for purchases to Fiscal Services monthly.
- D. Employees operating personal car program vehicles are responsible for:
1. Ensuring self-service gasoline is used when available;
  2. Ensuring vehicles are fueled with gasoline conforming with minimum octane ratings;
  3. Checking and adding necessary oil;
  4. Verifying information contained on credit card receipts; and
  5. Submitting receipt for purchases to Fiscal Services on a monthly basis.

### 2.130 SPEEDOMETER CALIBRATION

- A. Fleet Management coordinates vehicle speedometer calibrations by certified radar operators for all vehicles which may be used for speed enforcement.
- B. Calibrations will be conducted on roadways having a minimum posted speed limit of 50 miles per hour. Road surfaces must be dry and relatively level. Calibrations will be conducted at times which minimizes interference with other traffic.
- C. Vehicles will be tested at speedometer readings starting at 20 MPH and at least five increments of ten MPH. A minimum of two passes will be made at each speed.
- D. Initial calibrations will be conducted as soon as possible after vehicles are acquired by the agency. Recalibrations will be conducted every six months, when tires are changed, or whenever modifications have been made to vehicles which may affect speedometer accuracy.
- E. When there are ten mile per hour or greater differences between the speedometers and actual speeds, the information will be given to Fleet Management for possible maintenance request.
- F. Calibration results will be recorded on vehicle calibration reports by radar operators who conduct calibrations. Original results will be maintained by Vehicle Maintenance. Vehicle Maintenance will ensure true test copies of calibration reports are distributed to all officers assigned to patrol squads.

### 2.135 RESPONSE PROCEDURES

- A. Consistent with agency directives and TR 21-106, officers may use vehicle emergency equipment when:
1. Warning persons of hazardous conditions;
  2. Signaling persons of a police presence;
  3. Directing the movement of persons, animals, or vehicles;
  4. Providing supplemental lighting;
  5. Effecting traffic stops;
  6. Pursuing violators or suspected violators of the law;
  7. Responding "priority" to emergency calls; or
  8. Consistent with **2.202.06**.
- B. All calls for service have response classifications as "routine" or "priority."
1. Routine response to calls:
    - a. Is the response mode for all calls, unless otherwise ordered; and
    - b. Involves normal vehicle operations in compliance with all traffic laws.
  2. Priority response gives authorization, but not a mandate to use emergency lights and siren while responding in an agency vehicle. Routine response is included within this definition.
    - a. When facts known to the officer indicate that a priority response would be appropriate, they may request permis-

sion from a supervisor or communications to respond priority.

- b. Officers responding priority are granted certain privileges under the Transportation Articles. Officers are responsible for compliance with the Transportation Articles with respect to operation of emergency vehicles.
  - c. Only student officers involved in police academy training and sworn personnel are authorized to operate agency vehicles in a priority mode.
- C. Response classifications will be modified as incident dynamics dictate to ensure safety of citizens and officers.
1. Initial units arriving at incident scenes will notify Communications if changes are needed to response classifications.
  2. Units receiving response cancellations will not respond to incident scenes.
  3. Officers unable to notify Communications of their presence at emergency scenes will notify Communications when returning to service.
  4. Officers needing assistance may request either priority or routine back-ups. Only calls of "Signal Red" or "Signal 13" are automatically priority back-up requests.

#### **2.140 ESCORTS OF NON-EMERGENCY VEHICLES**

- A. Priority escorts of non-emergency vehicles are generally prohibited except as provided by in the Maryland Transportation Code Annotated 21-106. In the event of medical emergencies, PGFD will be notified and EMS assistance requested.
- B. Non-emergency escorts for parades, special events, over-sized loads, dignitaries, funerals, hazardous or unusual cargo, etc. may be provided with the approval of the Police Services bureau commander, patrol commander, special events commander, or by the on-duty shift commander if time does not allow coordination with Special Events. Persons requesting such escorts must possess appropriate permits and/or authorization from the university.
- C. The Special Events Commander is responsible for the planning and coordinating of all requested escorts.
- D. Communications will be notified prior to the beginning of any escorts and at the end of escorts.

#### **2.145 VEHICLE PURSUITS**

- A. Vehicle pursuit situations exist when police officers actively attempt to apprehend persons who exhibit clear intentions to flee, elude, or evade apprehension by:
1. High speed driving;
  2. Making evasive maneuvers; or
  3. Continuing normal driving actions, but willfully failing to stop upon police signal.
- B. Officers will not initiate or continue pursuits if they believe pursuits would unnecessarily endanger property, officers, violators, or innocent citizens.
- C. Police vehicles carrying civilian observers, detainees, or other non-agency personnel are prohibited from participating in pursuits unless failure to initiate pursuits would pose immediate risks of death or great bodily harm.
- D. Officers will receive initial training on the agency's pursuit policy. This training must be documented. All sworn officers will also annually review the pursuit policy and document the review.

##### **2.145.05 Pursuit Factors**

- A. Participation in pursuits must be weighed against the mission of the agency and the limitations of pursuit enumerated below in **2.145.10 Limitations of Pursuit**. If efforts to enforce the law unnecessarily place at risk lives and property, then pursuits should either be canceled or not initiated.
- B. Justification for participating in pursuits must be limited to what reasonably appears to be the facts known or perceived by officers at the time they decide to pursue. Facts unknown to officers, no

matter how compelling, cannot be considered in later determining whether the pursuit was justified.

- C. Some, but not all of the factors to be considered by primary officers, secondary officers, and patrol squad commanders when deciding to initiate, continue, or terminate pursuits are:
1. Probable cause existing to believe crimes have been or are being committed, subject to limitations established in **2.145.10**;
  2. Type and seriousness of violations or crimes;
  3. Officers having jurisdictional authority to take action;
  4. Possibility of apprehensions;
  5. Locations;
  6. Pedestrian and vehicular traffic levels;
  7. Weather conditions;
  8. Conditions of police vehicles;
  9. Reasonable expectations that vehicles and/or drivers can be identified later.

##### **2.145.10 Limitations of Pursuit**

- A. Officers may only engage in vehicle pursuits if there is reason to believe that the fleeing suspect is committing, has committed, or attempted to commit any of the following:
1. Homicide,
  2. Shooting (contact)
  3. Armed Robbery,
  4. Armed Carjacking
  5. 1<sup>st</sup> Degree Assault
  6. Rape/Felonious Sex Assault,
  7. Kidnapping, or
  8. Stolen Emergency vehicle
- B. Vehicle pursuits not meeting the above criteria are prohibited.
- C. Vehicle Pursuits meeting the enumerated criteria may be continued outside of the state line with the approval of the on duty patrol squad commander.

##### **2.145.15 Number of Vehicles Involved in Pursuit**

- A. Only the number of agency vehicles necessary to be effective in apprehensions should become involved in pursuits.
- B. Pursuits that meet the criteria enumerated in **2.145.10 Limitations of Pursuit** may involve a maximum of three pursuing vehicles - a primary unit and two secondary units.
- C. Pursuing units may request approval for additional agency units to participate in pursuits. Supervisory or administrative personnel may approve additional agency units participation in pursuits only if it can be reasonably anticipated that the additional units will provide effective support or assistance.
- D. Pursuing units leaving the county will become secondary units when units from the neighboring jurisdiction enter the pursuits.

##### **2.145.20 Vehicle Use Restrictions**

- A. Agency vehicles may be utilized in pursuits only if they have been designated as emergency vehicles consistent with the Transportation Articles and are equipped with emergency lights and sirens.
- B. Specialized vehicles, such as motorcycles, pick-ups, vans, and unmarked vehicles, may be utilized as primary pursuit vehicles only until marked cruisers assume primary pursuit roles. Officers driving specialized vehicles will cease active pursuit when sufficient marked cruisers become secondary units.

##### **2.145.25 Primary Officer's Responsibility**

When initiating a pursuit, primary officers will:

- A. Activate and use emergency lights and sirens throughout pursuits;
- B. Make notifications to communications relating to:
1. Unit or ID numbers;
  2. Pursuit is in progress;
  3. Location, direction of travel, and speed;
  4. License number and description of suspect vehicle;

5. Number & description of occupants; and
  6. Reasons for pursuits;
- C. Transmit pursuit progress updates while within radio range.

#### **2.145.30 Secondary Officers' Responsibilities**

Secondary officers involved in pursuits will:

- A. Activate and use emergency lights and siren throughout pursuits;
- B. Make notifications to communications relating to:
  1. Unit or ID numbers; and
  2. Their participation as secondary units;
- C. Assume positions of support to the rear of primary officers;
- D. Ensure on-duty patrol squad commanders are notified of pursuits;
- E. If requested, take over primary responsibilities for pursuit progress communications; and
- F. Assist with arrests if apprehensions are made.

#### **2.145.35 Patrol Squad Commander's Responsibility**

On-duty patrol squad commanders will:

- A. Assume command of the pursuit;
- B. Not relinquish command until the pursuit is concluded, canceled, or until relieved by a superior;
- C. Monitor the pursuit for adherence to agency directives;
- D. Maintain control of the number of vehicles involved in the pursuit by considering:
  1. Type, nature, and severity of crimes;
  2. Number of personnel needed to safely effect arrests;
  3. Numbers of occupants in suspect vehicles;
  4. Possession and type of weapons;
  5. Requests by pursuit units for additional units; and
  6. Violence exhibited by suspects;
- E. Ensure notifications are made to other jurisdictions; and
- F. Determine the merits of pursuits as the officer ultimately responsible for the decision to continue or discontinue pursuits.

#### **2.145.40 Communication's Responsibility**

Communications personnel will:

- A. Place all units not involved in the pursuit "10-3;"
- B. Immediately notify on-duty patrol squad commanders of pursuits;
- C. Notify and maintain communications with appropriate agencies when pursuits enter other jurisdictions or as other pursuits enter the jurisdiction of this agency; and
- D. Activate and utilize mutual aid radio if so requested.

#### **2.145.45 Other Agency Pursuit Into Jurisdiction**

- A. Communications personnel will attempt to establish and coordinate communications between agencies when other agencies pursue suspect vehicles into this agency's jurisdiction.
- B. Officers will attempt to locate and, if practical, take primary responsibility of other agency's pursuits while they are within the jurisdiction of this agency.
- C. The actions of agency employees becoming involved in other agency pursuits into the jurisdiction of this agency will conform to related directives of this agency, specifically 2.145.10 Limitation of Pursuit. Officers will not engage in other agency pursuits which do not meet at least one of the enumerated criteria of 2.145.10.

#### **2.145.50 Abandonment or Cancellation of Pursuit**

- A. Pursuit will be abandoned or canceled by pursuing officers or a superior when:
  1. Weather, traffic, or roadway conditions make the pursuit unsafe;
  2. It becomes apparent that the immediacy of the apprehension is outweighed by a clear and present danger to the officer or others;
  3. The pursuit is actively assumed by another agency and University Police Officers continue along the pursuit route to as-

4. The identity of the violator is known to pursuing officers and immediate apprehension is not necessary to ensure the safety of the general public; or
  5. Agency vehicles become involved in accidents.
    - a. If suspect vehicles continue to flee, pursuits may continue with supervisory or administrative permission.
    - b. In this event, the vehicles involved in accidents will be checked by secondary units.
  6. Vehicle Pursuits do not meet the criteria of 2.145.10.
- B. Pursuing officers are considered to be no longer involved in the pursuit when:
1. Overheads and sirens have been turned off; and
  2. The operation of the vehicle is in compliance with the Transportation Articles as a non-emergency vehicle.
- C. If, after a superior issues an order to discontinue a pursuit and the pursuit is continued because of facts known to the pursuing officers but not able to be communicated to a supervisor, the officers involved must be able to subsequently justify the disobedience of the order.

#### **2.145.55 Post Pursuit Discipline**

Officers will maintain post pursuit discipline once the stop is made. No other units will respond to the termination point unless requested by the pursuing officer or supervisor. The supervisor will clear any units that are no longer needed at the scene.

#### **2.145.60 Roadblocks & Forced Stopping**

- A. Roadblocks or forced stopping may be authorized:
  1. Only by supervisory or administrative ranked officers after considering facts known to them at the time decisions are made;
  2. Only when no other means are available to stop pursued vehicles; and
  3. When the continuation of pursuits outweighs the potential hazards of utilizing roadblocks or forced stopping.
- B. Facts to be considered when requesting or authorizing roadblocks or forced stopping include, but are not limited to:
  1. Types of incidents;
  2. Presence of hostages;
  3. The likelihood of injuries resulting from roadblocks or forced stopping;
  4. Hazards to the public and agency personnel if the pursuit is continued; and
  5. Traffic conditions.
- C. Sworn agency personnel will be trained in the use of agency-authorized roadblocks and forced stopping techniques.
- D. **Cordon roadblocks** allow vehicles to be checked for proper identification. They permit non-suspect vehicles to continue. Cordon roadblocks could be utilized in hostage situations that do not involve pursuits.
- E. **Rolling roadblocks** utilize agency vehicles to surround and stop suspect vehicles by slowing to a halt or forcing suspect vehicles off the road. Rolling roadblocks are preferred in pursuit situations because fleeing vehicles are often able to find ways to avoid barrier roadblocks.
- F. **Barrier roadblocks** seal off roadways utilizing only police vehicles to stop or apprehend suspect vehicles. Barrier roadblocks are the choice of last resort because of a high potential of damage or personal injury. Barrier roadblocks will not be utilized if hostages are involved.

#### **2.145.62 Tire Deflation Devices**

- A. The agency may utilize tire deflation devices for stopping or preventing vehicle pursuits.
  1. The University of Maryland Department of Public Safety currently uses the Stop Stick and the Terminator tire defla-

- tion devices, which are manufactured by the company Stop Stick, Ltd.
2. The Stop Stick is designed for use in vehicle pursuit situations, and is designed to puncture tires in motion. The unit is Omni-directional allowing it to function regardless of which surface is impacted by a tire in motion.
  3. The Terminator is a pursuit prevention device and is designed to prevent a pursuit before it occurs. Terminators are designed to bring added control to Checkpoints, and High Risk Situations, such as Felony Stops, Surveillance, Search Warrants, and DUI Stops.
- B. Tire deflation devices will only be used after other reasonable means of apprehension have failed, and all provisions of the pursuit policy are adhered to.
1. The use of tire deflation devices will be governed by sound professional judgment and the procedures stated herein. The following criteria shall be met prior to the use of tire deflation devices:
    - a. Only those members trained in the use of tire deflation devices will be authorized to use them.
    - b. There is reasonable cause to believe the suspect has committed an offense justifying arrest of the suspect.
    - c. The member attempting to apprehend the suspect has given notice of command to stop to the suspect by means of both emergency lights and siren.
    - d. The suspect ignores the efforts and warnings that would be obvious and visible to a reasonable person in the suspect's position.
    - e. Except in extenuating circumstances, members shall obtain authorization from the on duty supervisor prior to deployment of a tire deflation device in a vehicle pursuit situation.
    - f. Terminators may be used on a stopped vehicle when the officer in his/her judgment feels the suspect may attempt to flee. The suspect's actions will determine whether the device is deployed or not.
  2. Tire deflation devices shall not be deployed to stop the following vehicles unless continued movement of the vehicle would present an extraordinary hazard:
    - a. Any vehicle known to be transporting hazardous materials.
    - b. Any passenger bus known to be transporting passengers
    - c. Any two or three wheel vehicle such as motorcycles, mopeds or all terrain vehicles (ATV).
    - d. Any vehicle that would pose an unusual hazard to innocent parties.
- C. Should other local, state or federal agencies request UMDPS to utilize tire deflation devices, members of the Department are permitted to do so only after meeting the requirements contained in this policy, and obtaining approval from the on duty supervisor.
- D. Procedural Usage
1. When determining device placement, members involved in using tire deflation devices will consider the following prior to placing this equipment.
    - a. Deployment locations should have reasonably good sight distances. This will enable the member deploying the devices to observe the pursuit and other traffic as it approaches.
    - b. The member deploying the tire deflation device should, when possible, choose a location, which will provide a degree of concealment and safety such as roadways, overpasses, guardrails or shrubbery.
    - c. The tire deflation device shall not be used at intersections or in locations where geographic configurations (such as curves and steep embankments) increase the risk of injury to the suspect or occupants of other vehicles. Tire deflation devices will not be placed in the roadway near an exit ramp.
    - d. Tire deflation devices will not be used in areas of road construction or heavy traffic.
  2. Provisions for close coordination between pursuing vehicles and the member deploying the device.
    - a. When the decision is made to deploy the device, the on duty supervisor will designate the member responsible for placement and deployment of the device. This member will be given as much advance notice as possible that the use of the device is required.
    - b. Prior to utilization of the device, all pursuing vehicles involved in the pursuit will be alerted as to the intended use of the device, to include the location of the anticipated deployment.
  3. Prior to deployment of tire deflation device:
    - a. The deploying member shall deploy the tire deflation device as trained.
    - b. The member deploying the device will be in a safe and predetermined location in sufficient time for proper deployment. All pursuing members shall be notified when the device(s) is in place.
    - c. The on duty supervisor will ensure communication to all affected law enforcement agencies concerning the use of tire deflation devices.
    - d. The deploying member will communicate directly with the appropriate emergency operations center regarding the location of the intended deployment.
    - e. The EOC dispatcher and the on duty supervisor must inform the pursuing member(s), via radio transmission, that the tire deflation device will be deployed. Every attempt should be made by the pursuing member(s) to acknowledge receipt of this communication prior to deployment of the tire deflation device.
  4. Deployment of tire deflation device
    - a. Members pursuing the suspect must retreat a sufficient distance so that their vehicles are not disabled by the tire deflation device; for the purpose of having sufficient time to react to sudden speed decreases, evasive action, or unpredictable maneuvers on the part of the suspect vehicle coming in contact with the tire deflation device. Pursuing members should not attempt to pass a pursued vehicle that is traveling in excess of the posted speed limit for the purpose of deploying a tire deflation device.
    - b. The deploying member will be responsible for the removal of the device from the roadway prior to the arrival of the pursuing vehicles and shall secure the device.
    - c. The member removing the device will be in position at a predetermined location in sufficient time for proper removal.
    - d. The deploying member will communicate directly with the appropriate emergency operations center. The EOC dispatcher and the on duty supervisor must inform the pursuing member(s), via radio transmission, that the tire deflation device has been removed from the roadway.
  5. Any use of Stop Stick or Terminator should be properly documented within an incident report to include, but not limited to:
    - a. Whether the tire deflation device punctured any tires.

- b. Any property damage or injuries resulting from deployment.
  - c. Pictures of any damage or injuries sustained as a result of deployment.
- E. Other requirements
- 1. Sworn employees will be trained in the use of Stop Stick and the Terminator tire deflation devices.
  - 2. Use of the tire deflation devices will be reviewed consistent with **2.835 Reporting Use of Force**.

#### **2.145.65 Administrative Review & Analysis of Pursuits**

- A. All pursuits and forced stopping will be documented, reviewed, and analyzed consistent with **2.835 Reporting Use of Force**.
- B. Reviews are made in order to:
  - 1. Determine if the pursuit was carried out within existing directives;
  - 2. Reexamine the pursuit directive in light of a specific incident;
  - 3. See the need for additional training, or to revise training for officers and supervisors; and
  - 4. Provide data necessary to establish and maintain a management information system for pursuit driving.
- C. A documented analysis of pursuits, including policies and reporting procedures will be conducted annually and approved by the Chief of Police.

#### **2.145.70 Post-Pursuit Maintenance**

- A. Supervisory personnel will inspect all agency vehicles involved in pursuits in order to determine road-worthiness and/or pursuit related maintenance needs.
- B. Vehicles requiring post-pursuit maintenance will be placed out of service. Replacement vehicles will be assigned depending on availability.

#### **2.150 MOBILE DIGITAL VIDEO RECORDING SYSTEM**

- A. The UMDPS purpose and organization philosophy on the use of the Mobile Digital Video Recording Systems is to enhance police services to the community by accurately documenting events, actions, conditions, and statements made during citizen contacts, traffic stops, arrests, searches, and other incidents.
- B. In addition to these general services, there are also specific purposes as outlined below:
  - 1. To capture crimes in progress irrespective of whether they are perpetrated against officers or the community;
  - 2. To aid in the documentation of crime scenes or accident scenes, the discovery of evidence, and the actions of police personnel;
  - 3. To aid in the documentation of statements made by victims, witnesses, suspects, and/or accused individuals;
  - 4. To document advice of rights when applicable;
  - 5. To promote officer safety by recording actions on traffic stops and other citizen contacts;
  - 6. To reduce unreasonable and false complaints made against officers during the course of their duties and to enable the swift resolution of such complaints if they are received;
  - 7. To facilitate training to ensure the courtesy and professionalism of all UMDPS police personnel; and
  - 8. To enhance the department's levels of professionalism, service and community policing objectives.
- C. The agency's vehicle mounted mobile digital video recording systems (MDVRS) will be utilized to record activities during the conduct of certain routine and critical tasks.
  - 1. The MDVRS consists of:
    - a. Digital video recorder with removable hard drive;
    - b. Digital video camera;
    - c. Ceiling mounted console/control unit; and
    - d. Two channel audio recording system with remote portable microphone.

- 2. The video recording function is automatically activated:
    - a. Manually, by pressing the "record" button;
    - b. Automatically, by turning on the vehicle emergency lights; and
    - c. Remotely, by turning on the wireless microphone transmitter.
  - 3. The recording function can be turned off pressing the "stop" button.
  - 4. Only officers trained and certified by MDVRS technical staff will be permitted to operate vehicles with MDVRS.
- D. Consistent with the provisions of CJ 10-402, officers will ensure the recording function is activated:
- 1. For all traffic stops;
  - 2. For all field interviews conducted within camera range and capabilities;
  - 3. When transporting detainees;
  - 4. When encountering hostile or disorderly groups or crowds within camera range and capabilities;
  - 5. For other criminal investigations conducted within camera range and capabilities; and
  - 6. For vehicular pursuits.
- E. Officers may activate the video recording function during any other officer - citizen contact wherein such recording may have prosecutorial merit or serve the best interests of officers, the agency, or the university so long as the audio recording function is not activated without informing third parties during initial contacts.
- F. Officers driving vehicles equipped with an MDVRS will wear the remote microphone on their uniform, and have it on when the video system is recording.
- G. Officers are responsible for informing citizens, on a timely basis, that they are being audio and video taped.
- 1. Officers will take reasonable and prudent steps to ensure citizen notifications are recorded.
  - 2. Officers do not have to obtain the permission of citizens to initiate or continue audio and video taping.
- H. Patrol squad supervisory personnel are responsible for:
- 1. Ensuring that officers who are assigned vehicles equipped with MDVRS equipment use the equipment according to this policy;
  - 2. Reviewing MDVRS video recordings consistent with **1.440.15 Performance Counseling**;
  - 3. Ensuring that officers assigned vehicles equipped with MDVRS equipment are responsible for the proper care of the equipment.
  - 3. Supervisors will make two copies of the in-car mobile digital video footage for each vehicle involved whenever an officer in their command makes an arrest. One copy will be submitted to the Records Unit for discovery along with a completed business record certification form, the second copy will be submitted to the Logistics Unit as evidence on a property receipt to track the chain of custody. Only the provided in-car disks will be used to make the copies. Footage from each vehicle will be submitted on separate disks. Supervisors will follow the video downloading and exporting guidelines provided by the IT Unit. Evidence submissions will be in accordance with **2.506.10**.
- I. Video files are official agency records and will not be removed, altered, degaussed, tampered with, or accessed contrary to directives in this Manual or the Communications Manual.
- 1. Video files are automatically downloaded to the MDVRS servers located in the Information Systems server room after recording;
  - 2. The video files are kept in a secure, limited access area in the IT Server room;
  - 3. When retention of a video file is required, it will be copied to a disk (CD, DVD); and

4. Video files will be retained for 90 days from date of recording.
- J. Requests to obtain video files must be submitted by requesting employees to patrol administrative personnel or directly to the program administrator.
1. Officers may request video files for use in:
    - a. Administrative, civil, or criminal investigations;
    - b. Court or hearings; and
    - c. Training purposes.
  2. Video files retained or taken from circulation may be copied by requesting employees within the scope of original requests.
- K. Data management is performed by the authority of the patrol administration.
1. Only patrol commanders and personnel designated by the Chief have the authority to download video files for official agency needs;
  2. No agency employee will operate the system for personal use.
- L. Vehicle video system malfunctions will be reported immediately to the on-duty patrol squad commander and via e-mail to the **PATROL ADMINISTRATORS** mail group and to MDVRS technical staff.
- M. Extreme weather conditions may have an adverse effect on the MDVRS.
1. Absent exigent circumstances, after leaving a police vehicle unattended in extremely cold conditions (temperatures below 32 degrees Fahrenheit) for eight hours or more, officers should allow the vehicle to have a warming period of approximately 30 minutes.
  2. Periods of extremely hot weather may also affect equipment operations. If cold or hot weather consistently affects the operation of the equipment, a supervisor will be notified and arrangements for repairs made through the program administrator.
- N. Administrative Responsibilities include:
1. Ensuring video files upload to servers from vehicles;
  2. Troubleshooting MDVRS problems and recording issues to ensure files are recorded; and
  3. Ensuring the system is maintained and operationally ready.