

Harveysburg Police Department

Policy Number:	Revision Date:	Effective Date:	Distribution:
103	June 10, 2009	June 10, 2009	ALL HPD Officers
Referenced CALEA Standards:		Policy Title:	
41.2.1, 81.2.7a		Emergency Response	

103.001	Policy	103.30	Notifications
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103.001 Policy -Harveysburg police officers shall engage in emergency vehicular response only as authorized by law and by this written directive. Although exempted from obedience to most traffic laws while engaged in emergency vehicular response, officers shall at all times operate their vehicles with due regard for the safety of other persons and property on the roadway. Furthermore, it is the policy of this department that officers shall not drive the wrong way on a divided highway unless oncoming is effectively blocked by traffic emergency personnel and equipment. When not engaged in an authorized emergency vehicular response, all personnel shall comply with all traffic laws and drive defensively in a safe and courteous manner.

103.002 Standard of Care—Wherever these guidelines may be more restrictive than existing statutes or case law, they are not intended to establish a

higher legal standard of care for the department and its employees with regard to criminal or civil liability. Rather, they are offered in an excess of caution in accordance with the philosophy of the department as well as operational and tactical considerations.

103.003 Definitions - The following definitions are used in this written directive:

1. *Emergency vehicular response* is the operation of a police vehicle with emergency lights and siren activated to alert other vehicles and pedestrians of the approach of a public safety vehicle and to gain the right of way while responding to an emergency call. It does not include the use of lights and siren to alert a driver for a routine traffic stop or to overtake a vehicle prior to initiating a traffic stop. It also does not include the brief use of lights and siren to maneuver

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around traffic while approaching a crash scene, traffic obstruction, or other hazard.

2. *Emergency call* is a call of duty from a dispatcher, citizen, or personal observation of an inherently dangerous situation that demands the immediate response of a police officer.
3. *Reasonable belief* is based on a set of articulable facts and circumstances that would warrant a police officer of average caution in believing that a particular offense has been or is being committed, or that a particular emergency situation exists. It can be based on an officer's observations, training and experience, or information received from credible outside sources or third parties.
4. *Divided Highway* is any traffic-way that consists of separate roadways divided by a physical barrier, such as a grass or concrete median or guardrail, with one-way traffic on either side of the barrier, whether or not there is controlled access.

103.10 Duty to Respond Promptly and Safely – The duties of the police to enforce the criminal and traffic laws and to otherwise serve and protect the public require prompt response to crimes-in-progress and other emergencies. However, involvement of a police officer in a traffic crash while responding to an emergency may result in injury and damage, delay response to the initial emergency, and diminish the

resources available to handle the emergency or other calls for service. Therefore, the intent of this written directive is not to avoid the responsibility to respond quickly but rather to provide guidelines that will help ensure fulfillment of that responsibility within acceptable limits of safety for the general public and for our officers.

103.11 Purpose and Effectiveness of Lights and Siren– the purpose of emergency lights and siren is to minimize traffic delays such as might be occasioned at intersections or other points of conflict and by traffic signs and signals. However, the effectiveness of lights and siren to obtain immediate use of the roadway is significantly diminished by such factors as the directional sound output of the siren, background traffic noise, heavily insulated vehicles, loud car stereos, physical barriers to sight and sound, flashing lights on other vehicles and signs, and the inattention of other drivers. Furthermore, higher speeds not only may cause officers to out-drive the audible range of their sirens, but also may make control of the officers' vehicles more difficult and reduce the opportunity for other traffic to recognize the approaching public safety vehicles and react appropriately.

103.12 Relevant Statutes – The following statutes govern emergency vehicular response:

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1. ORC 2744.01 Emergency Call
2. ORC 4511.03 Emergency vehicles to proceed cautiously past red or stop signal
3. ORC 4511.041 Exemption for public safety and emergency vehicles
4. ORC 4511.24 Emergency vehicles excepted from speed limitation
5. ORC 4511.45 Right-of-way of public safety vehicles
6. ORC 4511.452 Pedestrians; public safety vehicle
7. ORC 4513.21 Horns, sirens, and warning devices

103.13 Legal Requirements—The Ohio Revised Code imposes the following requirements on officers in the emergency operation of public safety vehicles:

1. By law, officers who are engaged in emergency vehicular response must operate their vehicles with due regard for the safety of all persons and property on the roadway.
2. By law, officers are exempted from speed limits and other traffic laws and gain the right of way from other vehicles and pedestrians only when they are operating both emergency lights and siren.
3. When essential for tactical stealth in approaching a scene, officers responding to emergency calls may proceed through red lights or stop signs without lights and siren, but only after first slowing or stopping, and then only with due regard for

the safety of all persons and property. Officers cannot expect other vehicles to yield the right of way unless operating with both lights and siren.

103.20 Authorized Emergency Response – Emergency vehicular response is permitted only when:

1. There is reasonable belief that any person is in imminent danger of death or serious physical injury and that immediate police response is necessary to reduce the risk to the safety of the person in imminent danger (includes an officer's urgent request for assistance); or
2. There is reasonable belief that any person has suffered death or serious physical injury, and immediate police response is necessary to obtain medical attention for the victim, secure key witnesses, and/or protect vital physical evidence at the crime scene, or is likely to result in the apprehension of the suspect at or near the scene; or
3. There is reasonable belief that a criminal suspect is present whose continuance at large poses a serious threat to public safety and that immediate police response is necessary to apprehend the suspect; or
4. There is reasonable belief that a robbery or a burglary to a residence or business is in progress or has just occurred (activation of a holdup or burglar alarm, in the absence of other corroborating information, is not sufficient), and immediate police response is

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likely to result in the apprehension of the suspect at or near the scene; or

5. An officer already on the scene calls for urgent backup because of the possibility of trouble (“Signal 10 or Code 44”); or
6. The officer is otherwise authorized by a supervisor.

103.21 Only those officers dispatched or assigned to an emergency call shall engage in emergency vehicular response. Generally, no more than two cars shall be dispatched or assigned with authorization for emergency vehicular response to any event unless:

1. Available information on the emergency call indicates the need for emergency vehicular response by additional officers (such as a K-9 unit to track a fleeing suspect, or units to be sent to multiple scenes or to establish a perimeter around a fleeing suspect); or
2. An officer calls for emergency assistance/officer in trouble (“Code 44”); or
3. Supervisory authorization is obtained for emergency vehicular response by additional officers.

103.22 The following factors should be considered by officers who are engaged in emergency vehicular response:

1. Seriousness of the emergency to which they are responding;

2. Elapsed time since the crime or incident occurred;
3. Likelihood that a suspect is still at or near the scene;
4. Other public safety vehicles that are or may be responding to the scene;
5. Weather, road, and traffic conditions along the response route;
6. Alternative routes to the scene;
7. Their own capabilities and the capabilities of their equipment; and
8. The tactical need for stealth in approaching the scene.

103.23 Discontinuing Emergency Response – Officers shall immediately discontinue emergency response when:

1. New information is received that reasonably establishes that the circumstances justifying such response no longer exist, or
2. Equipment malfunction or failure prevents continuation of emergency response in a safe and lawful manner; or
3. Road, weather, traffic, or other conditions make continuation of emergency response unreasonably hazardous; or
4. Otherwise ordered to discontinue by a supervisor.

103.30 **Notification** – All officers must advise the dispatcher by radio when they engage in

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emergency vehicular response (“Signal 27”), along with their unit number and current location. If not in response to a dispatched call, they must also advise their destination and the nature of the emergency.

- 103.31 The supervisor on duty shall acknowledge the initiation of emergency vehicular response and shall order it to be discontinued (“Routine Response”) if it is inappropriate under the known circumstances, or reduce or increase the number of officers responding “Signal 27” in accordance with the known circumstances.
- 103.32 Officers arriving on the scene shall assess the situation and advise as soon as possible whether any other assigned units should continue or discontinue emergency vehicular response, or whether emergency vehicular response by additional units is needed.
- 103.33 Officers shall immediately notify the dispatcher when they have discontinued emergency vehicular response.
- 103.40 Training**—Officers shall receive annual training in emergency vehicular response, to include the following topics:
1. Applicable laws
 2. The policy and procedure set forth in this written directive.
 3. Techniques of emergency/public safety vehicle operation.

103.50 Supervision—Supervisors shall strictly monitor compliance with this policy and take appropriate counseling or disciplinary action whenever violations are observed. Serious or recurring violations shall be reported to the Chief of Police.