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### **1000.1 Authority**

Although several sections in this Article are adapted from California Statutes, the Department recognizes that it must adopt further regulations and policies designed to meet the needs and safety of the University community.

### **1000.2 Vehicles, General**

After moving an assigned vehicle, an employee will be responsible for all equipment assigned to that vehicle, for reporting all mechanical difficulties and all body damage. Upon discovery of any damage, missing articles, or mechanical problems, the employee will notify the on-duty supervisor and make an applicable report.

**1000.2.1** Police officers assigned to police vehicles will be responsible when determining when a vehicle is safe to operate as an emergency vehicle. Any conditions that will compromise the safe operation of the vehicle will be reported immediately to the supervisor. Once a police vehicle has been rendered unsafe for emergency operation, it will be parked and taken out of service until repairs have been made.

**1000.2.2** After the employee has finished the assigned tour of duty in an assigned vehicle, it will be the employee's responsibility to see that the vehicle is properly serviced and all logs and reports have been completed.

**1000.2.3** Employees are responsible for care, cleaning and upkeep of the vehicle and its equipment. At any time, a Department vehicle is parked and beyond the control of the Department, the keys shall be removed, the windows fully closed doors and tailgates locked.

**1000.2.4** Under emergency circumstances, civilian personnel may operate a Department vehicle as an emergency vehicle when in the course of rescue efforts.

**1000.2.5** No State vehicle, whether Departmentally owned or on loan from another department or agency, shall be used for other than official business.

**1000.2.6** Department vehicles are to have a "Vehicle Inspection Checklist," completed each week. This "check list" is to be followed to assure that each inspection is consistent. The vehicle checks will be commensurate with but not limited to oil and fluid checks, and auxiliary equipment checks. This document will be provided to the Department fleet manager or his/her designee. These "Vehicle Inspection Checklists," should be completed on Sunday's of each week unless circumstances dictate that they may not. These "vehicle inspection checklists," are subject to audit.

### **1000.3 Vehicle Assignments**

Vehicle assignments are made based on a Unit need basis. Except as provided below, vehicles are not to be taken to employee's homes or used for personal business.

**1000.3.1 At the discretion of the Chief,** The following personnel/functions are authorized to take and keep State vehicles at their residence:

- (a) Chief
- (b) Captain
- (c) Lieutenant
- (d) On-call detective
- (e) K-9 Handler
- (f) Any employee who has demonstrated extraordinary need.

#### **1000.4 Transporting People**

Except for Department employees, police officers transporting passengers will radio their destination and current odometer reading on the vehicle. When arriving at the destination, police officers will radio their arrival and advise the new odometer reading.

#### **1000.5 Unauthorized Transportation**

Police vehicles shall not be used to transport unauthorized personnel. Personal security escorts, especially during late night/early morning hours, shall be deemed authorized transportation.

**1000.5.1** When requests are received which are beyond the scope of pre-established procedure, employees will make the shift supervisor aware of the request and it will be the supervisor's responsibility to ensure that this service is reasonably provided and not abused. Supervisors should make every attempt to provide this service to the University community, keeping in mind the following considerations:

- (a) Availability of Departmental personnel
- (b) Availability of other transportation
- (c) Determination of distances involved in the request
- (d) Totality of circumstances involved in the request

#### **1000.6 Accidents**

All accidents or incidents involving a Departmental vehicle or the equipment or contents of such a vehicle, or any accident or incident in which a Department vehicle causes damage to another vehicle, property or person, will be reported immediately to the on-duty supervisor.

**1000.6.1** Any employee failing to notify the supervisor of such an accident or incident becomes subject to disciplinary action.

#### **1000.7 Accident Investigation Procedures**

All accidents will require a written report on the appropriate form. An additional report may be required for the State's insurance company.

**1000.7.1** The accident/incident will be reviewed by the on-duty supervisor, regardless of what other investigations may be made.

- (a) Additional parties not involved in the accident in any capacity (as driver, passenger or witness) may be assigned as part of an Accident Review Board at the discretion of the Chief or his designee.

**1000.7.2** If the on-duty supervisor is involved in the accident/incident, the CHP, Long Beach PD or another CSU campus may be called to investigate the accident.

**1000.7.3** The immediate supervisor will review all accidents/incidents involving their employees and/or vehicles and make additional investigations as deemed necessary. Any recommendations will then be made to the Field Services Division Commander.

### **1000.8 Patrolling - Outside University Property**

As a general policy, CSULB Police will not patrol or respond to calls outside the established patrol boundaries. Exceptions to this policy are:

- (a) Cases of extreme emergency (accidents, etc.)
- (b) Request for assistance from other law enforcement agencies.
- (c) Pursuit or apprehension of violators or known criminals, where contact was initiated within established campus boundaries.
- (d) Observance of crimes in progress or citizens in distress.
- (e) Movement from one area of the University to another.
- (f) Assignment by a supervisor or other proper authority.

**1000.8.1** Police officers wishing to patrol beyond established campus boundaries for specific purposes shall first request permission from their supervisor.

**1000.8.2** The supervisor should feel free to dispatch police to cover situations outside established campus boundaries if, in the supervisor's judgment, this act is required to provide law enforcement to the public in general, and particularly the University community.

### **1000.9 Required Obedience to Traffic Laws**

The provisions of the state traffic laws and municipal traffic ordinances applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the State of California, CSULB, or specifically this Department; subject to such exceptions as are set forth in these laws and ordinances.

### **1000.10 Authorized Emergency Vehicle**

The driver of any authorized emergency vehicle, when in the pursuit of an actual or suspected violator of the law, or when responding to, but not upon returning from an emergency, may exercise the privileges set forth in this Article, but subject to the conditions herein stated.

**1000.10.1** The driver of an authorized emergency vehicle may, under conditions set above:

- (a) Park or stand irrespective of the laws, municipal ordinances, or the CSULB parking regulations.
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down, or stopping, as may be necessary for safe operations.

- (c) Exceed the maximum speed limits so long as the action does not endanger life or property.
- (d) Disregard regulations governing direction of movement or turning in specified directions.

**1000.10.2** The exemptions herein granted to an authorized emergency vehicle shall apply **ONLY** when such vehicle is making use of a siren and/or flashing lights as specified by law.

**1000.10.3** These provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the reckless disregard for the safety of others.

### **1000.11 Code 3 Policy**

Responding Code-3 involves the use of emergency lights and siren. A Code-3 response is only justified when an emergency is imminent or exists and the officer must arrive as quickly as possible in order to protect life or render the necessary police service. Operating a vehicle in a Code-3 response does not relieve the driver from the duty to drive with regard for the safety of all persons and property (California Vehicle Code 21807).

**1000.11.1** The decision to authorize a Code-3 response will be made by the dispatcher who receives the emergency call for service or by the supervisor on duty. Officers who become involved in pursuits may initiate a Code-3 response, but the supervisor may terminate the pursuit if deemed appropriate (See also Section 1000.10 and 1000.12 of this manual).

#### **1000.11.2 Initiating a Code 3 Response**

A Code-3 response may not be initiated unless imminent danger or emergency circumstances exist that demonstrate the need to risk the possibility of injury to the officer(s) or members of the public.

- (a) **Code-3 Calls** - The following are examples of calls for service which justify an officer responding Code-3:
  - (1) Accident with injuries or unknown injuries
  - (2) An assault in progress or fight in progress
  - (3) Requests for medical assistance with life threatening injuries (not non-emergency medical transports)
  - (4) Person with a deadly weapon displayed
  - (5) Robbery or burglary in progress
  - (6) Fire calls
  - (7) A specific request from an officer for a back-up, "Code-3"

#### **1000.11.3 Canceling a Code-3 Response**

Several factors may lead to the cancellation of a Code-3 response:

- (a) A Code-3 response may be canceled by the supervisor or command personnel when deemed inappropriate or no longer necessary.

- (b) Officers who are responding Code-3 may cancel the response if weather, road or traffic conditions make the response too hazardous.
- (c) The first officer arriving at the scene of a Code-3 call will assess the situation and cancel further Code-3 responses by other units if deemed appropriate.
- (d) Communications personnel may receive additional information about the call which would indicate that a Code-3 response is no longer necessary.

### **1000.12 Route to Emergency Calls**

Authorized emergency vehicles, in responding to an emergency, shall use the most direct route where conditions will permit avoiding congested streets as much as possible, unless no other route is practical.

### **1000.13 Police Pursuits**

California Vehicle Code §17004.7 Liability of public agency employing peace officers conducting vehicular pursuits.

- (a) The immunity provided by this section is in addition to any other immunity provided by law. The adoption of a policy by a public agency pursuant to this section is discretionary.
- (b) A public agency employing peace officers which adopts a written policy on vehicular pursuits complying with subdivision (c) is immune from liability for civil damages for personal injury or death of any person or damage to property resulting from the collision of a vehicle being operated by an actual or suspected violator of the law who is being, has been or believes he or she is being or has been pursued by a peace officer employed by the public entity in a motor vehicle.
- (c) If the public entity has adopted a policy for the safe conduct of vehicular pursuits by peace officer, it shall meet all of the following minimum standards:
  - 1. It provides that, if available, there be supervisory control of the pursuit.
  - 2. It provides procedures for designating the primary pursuit vehicle and for determining the total number of vehicles to be permitted to participate at one time in the pursuit.
  - 3. It provides procedures for coordinating operations with other jurisdictions.
  - 4. It provides guidelines for determining when the interests of public safety and effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be initiated or should be terminated.
- (d) A determination of whether a policy adopted pursuant to subdivision (c) complies with that subdivision is a question of law for the court.

It is generally accepted that police pursuits can present extremely hazardous conditions and police officers of this Department should pursue only in the most extreme, justifiable situations. The police officer must maintain an awareness of the potential for danger and carefully judge the worth of continuing a pursuit. The police officer may, at personal discretion, discontinue the pursuit at any time, without consequence.

**1000.13.1** Initiation of a Pursuit

A pursuit should be initiated only when a law violator clearly exhibits an intention to avoid apprehension by using a vehicle to flee or when a suspected law violator refuses to stop. The police officer must have a reasonable suspicion that the suspected violator committed a crime. In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle shall, when practical, be within close proximity to the vehicle when attempting the stop.

**1000.13.2** The following factors should be considered when determining whether a pursuit should be initiated, continued or terminated:

- (a) The seriousness of the originating crime and its relationship to community safety;
- (b) Safety of the public in the area of the pursuit;
- (c) Safety of the pursuing officer(s);
- (d) Volume of vehicular traffic;
- (e) Volume of pedestrian traffic;
- (f) Location of pursuit;
- (g) Speeds involved;
- (h) Time of day;
- (i) Weather conditions;
- (j) Road conditions;
- (k) Familiarity of the officer and supervisor with the area of the pursuit;
- (l) Quality of radio communications between the pursuing unit(s) and the dispatcher and the supervisor; and
- (m) The capability of the police vehicle(s) involved.

**1000.13.3** Control of the Pursuit

(a) Number of Police Units Participating

The initial pursuing unit (primary unit) and back-up police unit (secondary unit), shall be the only units to pursue the suspect vehicle "code 3". Officers in other units shall stay clear of the pursuit, but remain alert to its progress and location. The one exception to this is that the supervisor may request additional units to join the pursuit if it appears that the officers in the vehicles involved would not be sufficient to safely effect the arrest of the suspect(s). If the unit initiating the pursuit cannot continue as the primary unit, the secondary unit shall become the primary unit.

(b) Primary Unit's Responsibilities

If an officer becomes involved in a pursuit, the dispatcher will be immediately notified of the location, speed and direction of travel, description of the vehicle and the reason for the pursuit. The officer will continue con-



tact with the dispatcher throughout the pursuit, advising of any change in direction of travel and any change in the status of the pursuit.

The responsibility of the officer in the primary unit is the apprehension of the suspect(s) without unreasonably endangering themselves or others. Unless relieved by a supervisor, the primary unit shall be responsible for controlling the pursuit tactics. The primary unit's responsibility also includes the decision to become involved in a pursuit and whether the pursuit should be abandoned.

(c) Secondary Unit's Responsibilities

The secondary unit, upon joining the pursuit, shall immediately notify dispatch that there are two units engaged in the pursuit. The secondary unit shall be responsible for assisting the primary unit and broadcasting pertinent information at the termination of the pursuit. If the suspect(s) attempts to flee on foot, the secondary unit shall assist and coordinate efforts of the apprehension.

(d) Supervisory Responsibilities

It shall be the policy of this Department that appropriate supervisory control shall be exercised over any pursuit. The supervisor shall monitor the pursuit and continuously assess the situation and ensure that the pursuit is conducted within established Department guidelines. If necessary, the supervisor shall assert control by directing specific units out of the pursuit, reassigning the primary or secondary units, requesting assistance from other jurisdictions or terminating the pursuit.

(e) Dispatcher Responsibilities

The dispatcher will be the central coordinating point for all pursuit radio traffic and will immediately notify the on-duty supervisor of the pursuit. The dispatcher will clear all radio traffic (all applicable frequencies) for emergency use only until such time as the police officer ceases the pursuit or has the vehicle stopped. At the direction of the supervisor, the dispatcher will notify surrounding jurisdictions, i.e., Long Beach, of the direction of travel of the pursuit and applicable charges on the driver being pursued.

**1000.13.4 Pursuit Vehicle Operations and Tactics**

Offensive tactics are prohibited unless use of deadly force is justified.

Prohibited actions include:

- (a) Passing or pulling beside or in front of the violator's vehicle or other police vehicles;
- (b) Ramming or nudging the violator's vehicle or following too closely;
- (c) Road blocks; and
- (d) Duplicating reckless or hazardous driving maneuvers performed by the pursued vehicle.

**1000.13.5 Unmarked Units**

Unmarked vehicles may engage in a pursuit only when the fleeing vehicle presents an immediate threat to life. When officers in an unmarked unit become aware that a marked police unit has arrived and can assume the pursuit, the unmarked unit must disengage.

**1000.13.6 Inter-jurisdictional Pursuits**

Notification by another jurisdiction of a pursuit in progress shall not be construed as a request to join the pursuit. Officers shall not assist the outside jurisdiction unless they are specifically requested to do so and are authorized by a supervisor. Officers may not “caravan” or become an active part of the other agency’s chase.

When a pursuit has been initiated by an officer from this Department and it enters another jurisdiction, the primary unit may, due to such factors as the officer being unfamiliar with the streets in the other jurisdiction, request that the neighboring jurisdiction take over the pursuit. If this occurs, the initiating officer will respond to the termination point of the pursuit to provide probable cause for the arresting officers. The neighboring jurisdiction may, at their discretion, terminate the pursuit, if warranted.

**1000.13.7 Termination**

Officers involved in a pursuit must continually assess whether the seriousness of the crime justifies continuing the pursuit. The primary unit shall terminate the pursuit at the point traffic conditions create a significant danger to the officer or the public or if the actions of the violator are being made more hazardous by the act of pursuit.

The on-duty supervisor may, with discretion, order a pursuit terminated. When so ordered, the pursuing officer will immediately terminate the pursuit.

Pursuits shall be terminated immediately if:

- (a) In the opinion of the primary officer or supervisor, there is a clear and unreasonable danger to the officer and other users of the streets that outweighs the necessity for immediate apprehension.
- (b) The suspect’s identity has been established to the point that later apprehension can be accomplished and there is no longer any need for immediate apprehension or the vehicle’s tag number has been obtained and the offense is an infraction, misdemeanor or non-serious felony.
- (c) The prevailing traffic, roadway and environmental conditions indicate the futility of continued hot pursuit.
- (d) The pursued vehicle’s location is no longer known (i.e., the officer no longer has visual contact with the vehicle).
- (e) The officer knows, or is reasonably certain, that the vehicle is operated by a juvenile and the offense is an infraction, misdemeanor or non-serious felony.

**1000.13.8 Post Pursuit Reporting Procedures**

The Watch Commander shall comply with California Vehicle Code §14602.1 by completing a CHP 187 Pursuit Report, and shall ensure that the primary officer completes all applicable Department paperwork. The Watch Commander shall also submit a memorandum to the Division Commander of Field Operations summarizing the pursuit, before the end of watch. The memorandum should contain the following information:

- (a) Date and time of the pursuit;
- (b) Length of time of the pursuit;
- (c) Involved units and officers;
- (d) Initial reason for the pursuit;
- (e) Starting and termination points;
- (f) Disposition (arrest, citation, etc.) and arrestee information, if applicable;
- (g) Other jurisdictions involved or assistance requested; and
- (h) Injuries, medical treatment and/or property damage, if any.

**1000.13.9 Administrative Review**

The Division Commander of Field Operations will conduct an administrative review of the pursuit to ensure that the pursuit was conducted in compliance with Department policies. The administrative review should include a critique of the incident and utilization of the critique as a training tool.

**1000.14 Logs and Credit Cards**

It shall be the driver's responsibility to complete all required vehicle logs and reports.

**1000.13.1** Gas credit cards will be used only for Department vehicles and only when other, non-chargeable resources are unavailable or impractical.

**1000.13.2** A receipt is always to be obtained when non-university services are received. Receipts will be submitted to the Chief's office. Department charge cards cannot be used with personal vehicles, even if on official business.

**1000.15 Obtaining Food**

Use of State vehicles for purposes of obtaining food will be limited to those establishments on or within the proximate area of the campus.

**1000.15.1** There are no guarantees that a State vehicle can be used for this purpose and may be prohibited by the on-duty supervisor.

**1000.15.2** Using a State vehicle for obtaining food is intended to continue an officer's availability for duty, official luncheons, or to acquire food for personnel on special assignments who can not leave.

**1000.15.3** Use of a State vehicle is not intended to "ferry" employees for their convenience.

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