

EMERGENCY RESPONSE DRIVING

EVERETT POLICE DEPARTMENT POLICY & PROCEDURE NO. 1.04A	ISSUE DATE: 19 April 2011
	EFFECTIVE DATE: 19 April 2011
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.2.2; 41.2.3	REVISION DATE: 9/23/15 Reviewed: 11/15/19

I. GENERAL CONSIDERATIONS AND GUIDELINES

Reference: Everett Police Department Policy & Procedure No. 1.04 Vehicular Pursuit.

Emergency operation is often necessary to effectuate the enforcement of criminal and motor vehicle laws. Driving to an emergency call may be inherently dangerous and, therefore, create some risk of injury to the responding officer(s), and the public at large.

The primary purpose of this policy is to secure a balance between the need to protect the lives of the public and the obligation of police officers to enforce laws and apprehend violators.

II. POLICY

It is the policy of this department that emergency operation is authorized when there is a need to respond to an actual or perceived emergency, when an officer is either dispatched or self-initiates police action.

III. DEFINITIONS

- A. *Authorized Police Vehicle*: A police department motor vehicle equipped with operable audible and visual emergency warning equipment.
- B. *Primary Unit*: An authorized police vehicle that is the first vehicle dispatched or initiating a police response.

- C. *Secondary Unit*: An authorized police vehicle that is actively involved in the assisting primary unit as backup.
- D. *Supervisor*: The officer-in-charge or other person-in-charge.
- E. *Emergency Operation*: The operation, or parking of an authorized emergency vehicle as defined by MGL c89 s7b, when such vehicle is engaged in transporting a sick or injured person, transporting prisoners, pursuing an actual or suspected violator of the law, or responding to, working, or assisting at the scene of an accident, disaster, police call, fire, actual or potential release of hazardous material, terrorist incident or other emergency. Emergency operation shall not include returning from such service.
- F. *Emergency Response*: When an officer responds to a request to a possible life-threatening situation or serious crime in progress or an unusual incident/event that requires an immediate response by a staff member
- G. *Densely Populated Area*: An established area of a city or town that is thickly settled and/or composed of a business district marked by compactness, with pedestrian and vehicular traffic.

IV. PROCEDURE

A. Prohibited

1. The wagon will not respond to a scene in emergency response mode unless requested by an officer or supervisor on scene.
2. The wagon will not return to the station or to court in emergency response mode.
3. Non-sworn employees will not engage in emergency response operation.
4. No members will engage in emergency response operation while transporting non-department persons or non-sworn employees unless it is necessary to preserve life when a timely ambulance transport is not available.
5. Unmarked police vehicles not equipped with emergency equipment (i.e. alternating headlights, siren, blue lights, etc..) shall not engage in emergency response. If dispatched to a high priority incident, they shall respond in obedience to all traffic laws.

B. General Information

1. When engaged in emergency operation, officers shall exercise due care for the safety of the public and shall comply with all of the provisions of M.G.L. c. 89, §7B (Operation of Emergency Vehicles), as follows:
 - a. The driver of any police department vehicle shall be subject to the provisions of any statute, rule, regulation, ordinance or bylaw relating to the operation or parking of vehicles, including stopping for a school bus with red lights flashing which has stopped to allow passengers to alight or board, except:
 1. The driver may exceed the speed limit if [s]he exercises caution and due regard under the circumstances for the safety of persons and property; and
 2. The driver may drive through an intersection contrary to traffic signs or signals if [s]he first brings the vehicle to a full stop and then proceeds with caution and due regard for the safety of persons and property.
 - b. Upon engaging in a emergency response, the unit shall activate emergency warning equipment.
 - c. No officer will drive with reckless disregard for the safety of other road users.
2. ENVIRONMENTAL FACTORS: Officers should consider the following in deciding whether to initiate or continue a vehicle pursuit:[41.2.2]
 1. Population density (including volume of pedestrian traffic);
 2. Nature of the area (residential, commercial, school zone, and the volume type, speed and direction of vehicular traffic);
 3. Officer's familiarity with the area;
 4. Road and weather conditions;
 5. Time of day;
 6. Speeds involved;
 7. Driving skills of the officer and the performance capabilities of the pursuit vehicle and the vehicle being pursued;
 8. Operational status of emergency warning equipment; and
 9. Quality of radio communications.

B. Emergency Driving Operations

1. POLICE VEHICLES [41.2.2(D)]
 1. Any authorized police vehicle may initiate emergency response.
 2. Unmarked vehicles must relinquish emergency response to marked vehicles when such marked vehicles approach.
 3. It is likely that a pursuit will continue into a neighboring jurisdiction.

2. EMERGENCY RESPONSE TO ASSIGNMENTS
 1. The responding units and backup units shall have the discretion, based on the nature of the assignments, and the criteria in section B2 (above) to respond to a call in emergency response mode.
 2. Distance to the location of incident alone shall not be a determining factor to engage in emergency response.

3. ESCORTS
 1. Any routine, planned escort (over-sized vehicles, dignitaries, funerals, etc.) shall be coordinated with the shift OIC.
 2. In emergency circumstances, when the need for immediate escort is apparent, members will be allowed to escort civilian vehicles **ONLY** after notification has been made to the Officer-in-Charge, and when no other means of appropriate transport is immediately available.