Roanoke County Police Department
Occupant Protection Departmental Policies

The Roanoke County Police Department does have policies specifically related to the expectations of officers when contacting unrestrained occupants as well as the use of seat belts by Department personnel.

Traffic Enforcement **6**
18.2.8

(3) reckless driving, and
(4) hit and run.

d. The officer is encouraged to consult with property owners, if available, when deciding whether to warn or charge a violator with trespassing.

6. Equipment Violations

a. Officers should evaluate the significance of the violation in deciding whether to place charges.

b. The Department does not prohibit the placement of a minor equipment violation (e.g. tail light inoperable), but expects officers to use good judgment when determining if a verbal warning would be appropriate.

7. Occupant Safety Restraint Violations

a. The Department places a high priority on the safety of the motoring public within the County of Roanoke and officers are encouraged to enforce seatbelt and child safety seat violations when observed in the scope of the COV.

The Department has a written policy mandating the use of seat belts by officers. Additionally, supervisors are tasked with the occasional review of in-car cameras and if non-compliance of the seat belt policy is noted the supervisor will handle accordingly.

Type of Directive	Number	Page
GENERAL ORDER	10.3.8	1 - 17
Subject EMERGENCY VEHICLE OPERATION		Date 12/2013
Amends	Rescinds 10.3.7	
CALEA References 41.2.2, 41.2.3, 41.3.3, 42.2.1		
Authorized by: Howard B. Hall, Chief of Police		

This policy is for Department use only and shall not apply in any criminal or civil proceedings. The Department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will be the basis for Department administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

I. PURPOSE

The purpose of this General Order is to establish policy ensuring the safe operation of Department vehicles. Special attention will be given to the safe operation of Department vehicles when responding to emergency calls for service and in situations involving vehicular pursuits.

II. POLICY

It will be the policy of the Department that all members operate Department vehicles in the safest manner possible. While operating Department vehicles employees will obey the traffic laws of the Commonwealth of Virginia, and operate the vehicle with due regard for safety of others.

Officers of the Department may have occasion to pursue known and wanted criminals and traffic violators who fail to stop after being given proper notice. The apprehension of a fleeing subject will be secondary in importance to the safety of the public, the alleged violator, and the members of the Department.

III. PROCEDURE

A. Definitions

Pursuit - An active attempt by an officer in an authorized emergency vehicle to apprehend a suspect, who is fleeing or evading apprehension, provided the officer reasonably believes that the suspect is refusing to stop and is willfully fleeing capture by high-speed driving or other evasive maneuvers. Pursuits shall be conducted only with activated emergency equipment as defined in §§ 46.2-920 and -1022 and under circumstances outlined in this order. An attempt to stop a vehicle that is not fleeing, or attempts to stop a vehicle that is

refusing to stop while still obeying traffic control devices and not exceeding the speed limit by more than ten miles per hour is not a pursuit.

Monitoring - Keeping abreast of continual changes during the course of a pursuit so as to be in close proximity to the pursuit. Officers monitoring a pursuit will operate their vehicles in a non-emergency mode and in conformance to all traffic laws.

Overtaking - The process of catching up to a vehicle with the intent to stop the vehicle for an offense that has already occurred. Officers that must violate any traffic law in their efforts to overtake a violator will activate all emergency equipment as soon as practical.

Pacing - Verification that a violation is occurring by following a vehicle at a fixed distance over a period of time with a calibrated vehicle.

Emergency Vehicle – (COV § 46.2-920) Any law-enforcement vehicle operated by or under the direction of a federal, state, or local law enforcement officer in the pursuit or apprehension of violators of the law or persons charged with or suspected of any such violation or in response to an emergency call.

Terminate – When a decision or direction to terminate a pursuit is given, the officer(s) must shut off any emergency equipment that is being used, slow or stop the police vehicle when safe to do so, and not attempt to apprehend the vehicle or continue to follow the vehicle. Terminology similar to safely following or rolling surveillance (or any similar terms) will be considered as a continuation of the pursuit and is not permitted.

B. General

1. Department vehicles will be driven in a safe and proper manner, with the driver remaining in control of the vehicle at all times, and acting in full compliance with all traffic laws and regulations.

2. Seat belts and shoulder straps shall be worn by all personnel or ride-alongs during vehicle operation. Prisoners shall be strapped in with seat belts unless extenuating circumstances exist (Example, combative prisoners).

    a. Exception: When approaching an incident scene or a call for service where the officer believes that a rapid exit from the vehicle may be required, the officer may release the seat belt. This exception will only be considered when the officer has marked "on scene".

Type of Directive	Number	Page
GENERAL ORDER	3.1.9	1 - 5
Subject TAKE-HOME VEHICLES		Date 08/2013
Amends	Rescinds 3.1.8	
CALEA References 22.2.5 & 41.3.3		
Authorized by: Howard B. Hall, Chief of Police		

This policy is for Department use only and shall not apply in any criminal or civil proceedings. The Department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will be the basis for Department administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

I. PURPOSE

The purpose of this General Order is to outline procedures concerning Department take-home vehicles.

II. POLICY

The Department retains the right, as owner, to determine how vehicles are used, the personnel authorized to operate, maintenance, and the manner in which vehicles are assigned. In addition the Department reserves the right to inspect any vehicle and its content at any time.

III. PROCEDURE

A. Eligibility and Issuance

1. Officers may be assigned a take-home vehicle when they have successfully completed the Field Training and Evaluation Program. Assignment of a vehicle is a privilege and not a bona-fide employee benefit and specific conditions will be placed on all employees regarding the use, issuance and retention of Department owned vehicles.

2. Vehicle assignment is at the discretion of the Assistant Chief or their designee.

3. Unless currently "grandfathered", in order to be eligible for an assigned take home vehicle, Officers must demonstrate that their primary residence is within a fifteen (15) statute mile radius of the geographic center, or within the boundaries, of Roanoke County.

4. An officer's primary residence will be determined by a specific numerical and street address and the place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.

5. Employees seeking to reside outside the fifteen (15) mile radius will request written authorization from the Chief of Police. The Chief of Police retains the final authority in determining an acceptable response time for personnel who request to live outside the fifteen (15) mile radius.

B. Utilization

1. The use of police vehicles off-duty is intended to provide an increased visible law enforcement presence and additional resources within the County of Roanoke. While operating those vehicles, employees will avoid actions which could be perceived as improper or unsafe. Vehicles will be operated according to all applicable state laws.

2. Officers are expected to maintain a high professional standard while operating vehicles off-duty and will use discretion in the clothing worn while operating any police vehicle. Off-duty dress, while operating a Department vehicle will be appropriate to effectively perform a police function while at the same time presenting a favorable image to the public.

3. Officers may utilize the take-home vehicle to conduct personal business within the geographic boundaries of the County of Roanoke during off-duty hours. Prudent discretion is advised while conducting these activities.

4. Officers residing outside of the geographic boundaries of the County of Roanoke may utilize the take-home vehicle for traveling to and from official police related employment. No personal use of the vehicle is permitted.

5. Officers may use the take-home vehicle to travel to and from off-duty police related employment. Officers will obtain approval from their supervisor when the vehicle will be used in other than a fixed-post capacity during any non-Department scheduled activity.

6. Officers are prohibited from utilizing the take-home vehicle to travel to and from any secondary non-law enforcement employment, or to facilitate any non-enforcement secondary employment.

7. When operating the take-home vehicle, officers will monitor the appropriate police radio channel and will notify the Emergency Communications Center when responding to a call for service or when conducting police business.

8. Officers and passengers will wear a safety belt at all times while vehicles are in operation.

9. While operating a vehicle off-duty, at a minimum, officers will carry the following equipment to answer critical calls for service:

   a. Department issued handgun,
   b. official police identification and credentials,
   c. handcuffs,
   d. flashlight,
   e. Department issued ballistic vest must be accessible,
   f. portable radio, and
   g. current traffic summons and applicable forms.