



*Office Of The Sheriff*  
**Allegany County**  
**Maryland**

GENERAL ORDER NO: **3-300.00**

TO: All Patrol and Judicial Personnel

RE: **EMERGENCY VEHICLE OPERATIONS**

PURPOSE: To establish procedures for response to emergency situations and high speed pursuits of violators of criminal and traffic law.

EFFECTIVE DATE: 2004

REVISION DATE: 3/1/2016

**3-301.00      Definitions**

.01      Emergency Vehicles: For the purpose of this Order, an “Emergency Vehicle” is a vehicle of the Allegany County Sheriff’s Office, a local law enforcement agency enumerated in Transportation Article 11-118, and equipped as specified in Transportation Article 22-218 and 22-401.

.02      High Speed Vehicle Operations: “High Speed Vehicle Operations” depend upon the vehicle in use, the skills of its driver, and the prevailing road condition. The following are all components making up a definition of “High Speed Vehicle Operations”:

A.      Limitations upon the vehicle:

1.      Type and condition of tires and ambient temperature.
2.      Brakes related to the known characteristics of fading under severe use.
3.      The limit of the suspension system to support the vehicle at maximum side thrust.

B.      Driver’s Limitations: Every driver has a limit to his ability to safely operate a vehicle at high speeds on a given roadway. Some of the limiting factors are:

1. Experience/training in high-speed operations.
2. Degree of familiarity with road being traveled.
3. Degree of understanding of the handling characteristics of vehicle being used.
4. Visibility and illumination availability to the operator in the area.
5. Obstacles, present and potential, that must be avoided.

C. Roadway Limitations: Every roadway has a maximum speed at which a particular vehicle may be operated safely. Some of the limiting factors include:

1. Condition and type of roadway surface
2. Presence of rain, snow, ice, loose gravel, or other foreign substance on the road surface.
3. Presence of intersection(s) that could allow other vehicles to suddenly and unexpectedly obstruct the roadway.

When the speed of a patrol car nears 100 percent of the maximum of any one of the preceding limits or conditions, that speed is defined as high speed regardless of the actual indicated miles-per-hour. There is little or no margin for error when a driver approaches 100 percent of an absolute maximum.

.04      Vehicle Pursuit: Vehicle Pursuit is the active attempt by a deputy, in an authorized emergency vehicle, to apprehend fleeing suspects who are attempting to avoid apprehension through evasive tactics and/or a refusal to yield to the pursuing deputy's authority.

**3-302.00      Emergency Vehicle Operations (General)**

.01 Deputies, in the course of their duties, are often required to initiate emergency vehicle operations in response to calls for assistance, crimes in progress, pursuit of traffic or criminal law violators, or other emergencies which place the life/well being of themselves or others in jeopardy. Drivers of authorized emergency vehicles are granted exemptions from obeying certain traffic laws while in the performance of official duties. Exemptions to certain laws granted in the Transportation Code (21-106) are granted with the caveat in 21-106(d). “This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons”. Exemptions granted in 21-106 are as follows:

- A. May park or stand vehicle without regard to the other provisions in the Transportation Code.
- B. May pass through a red light or other stop signal, stop or yield sign, but only after slowing down and checking for other traffic in the intersection.
- C. May exceed any maximum speed limit, as long as life or property is not endangered.
- D. May disregard any traffic control device or regulation governing direction of movement or turning in a specified direction.

.02 The driver of an emergency vehicle may exercise those exemptions to the traffic code in the following situations:

- A. Responding to a crime in progress
- B. Responding to any situation presenting a clear and present danger to oneself or others.

.03 The driver of an authorized law enforcement vehicle may exercise the previous exemptions, at a minimum when an audible signal, as specified in Transportation Article 22-218 is being activated. The siren must be capable of emitting sound that is audible, under normal conditions, from a distance of not less than 500 feet, and be approved by the Motor Vehicle Administration as specified in 22-401.

HOWEVER:

- A. Allegany County Sheriff’s Office emergency vehicles will utilize bar lights or magnetic mounted roof lights, flashers, grill lights, and siren when in pursuit of a vehicle or when otherwise operating in an emergency vehicle mode.

.04 The law permits necessary escalation of reasonable force to effect apprehension. The escalation of force must be balanced, however, against the threat that is being presented. For example: If a subject is being arrested for misdemeanor theft but resists, it would not be appropriate to escalate the force level to that of deadly force if the suspect was not displaying a weapon or other means that could be life threatening. This same guideline must also be used in vehicular pursuit of a suspect, as well as other emergency vehicle operations. The law will not condone actions while operating an emergency vehicle that places the lives or safety of innocent parties in jeopardy. If such actions result in death or injury, the deputy could well be faced with a huge civil suit, possible criminal negligence, and agency charges. Deputies found to be operating agency vehicles in a negligent manner are in violation of this order and will be disciplined accordingly. The duty to protect the safety and lives of innocent parties is superior to that of pursuit or emergency response. The necessity for emergency vehicle operations, therefore, must be balanced against the possibility of serious injury or death as a result of the operation.

.05 It is difficult, if not impossible, to describe exactly how emergency vehicle operations should be conducted; except to say it must be done legally and with relative safety to innocent cohabiters of the roadway. Each instance of emergency vehicle operations will have unique aspects. The deputy operating the vehicle and his shift supervisor must, in a short period of time, use their best judgment, training, experience, and guidance from agency policies to make a decision whether the emergency operation is justified and can be performed in relative safety, especially to innocent parties. If the pursuit or emergency response places the deputy, innocent parties, or the suspect in danger not commensurate with the severity of the crime or incident, the emergency operation will not be initiated, or will be terminated. Agency personnel will be held accountable for the consequences of disregard for safety of others and preservation of property, with appropriate discipline forthcoming.

.06 It must be remembered at all times that operating a vehicle in an emergency mode does not guarantee total right of way. It does require other vehicles to yield but it also requires the deputy to operate the vehicle with due regard for the safety of all persons on the road. Other vehicles must yield, but they must be given the opportunity to yield. The utilization of an emergency vehicle does not demand the right of way, but rather requests it.

### **3-303.00      Levels of Response to Emergency Situations**

.01 “CODE 1” Responses: “CODE 1” Responses will be the exception and not the rule. CODE 1 operations entails the utilization of the emergency bar/magnetic lights, grill lights, flashers, and siren in order to reduce travel time in response to some emergency situation.

The use of the emergency audio and visual equipment coupled with increased speed increases the possibility for an accident while en-route to the incident. Therefore, only situations that are life or safety threatening should be responded to in a “CODE 1” mode. The intensity of a “CODE 1” Response will be influenced by road condition, traffic density, nature of incident and any other applicable circumstances.

The use of the siren may be discontinued on approached to crimes in progress that do not involve ongoing or imminent violence, to enhance the chances for suspect apprehension. Nonuse of the emergency audible equipment however removes the exemption for abeyance to certain traffic laws as enumerated in the Transportation Article and 21-031.01 of this Order. “CODE 1” operation will be utilized in the following instances:

- A. Pursuit of traffic or criminal law violators operating a vehicle.
- B. Crimes known to be in progress, (excluding automatic burglar alarms unless visual confirmation has been made that a crime is in progress.)
- C. Any situation, which presents a clear and present danger to deputies or public.
- D. As may be ordered by higher authority.

- .01 “CODE 1” Operations will not be initiated with prisoners or any non-agency personnel in the vehicle unless their safety, health, or security is in question. If a deputy has any non-agency personnel in the vehicle, the non-office personnel will be placed in a safe environment, prior to initiating a “CODE 1” Response.
- .02 “CODE 2” Operations: “CODE 2” Operations entails the use of Emergency lights, allowing the deputy to notify other vehicles on the roadway that they are responding to a call for service. “CODE 2” is used when it is necessary that a deputy responds to a situation in a quick manner but that life and property may not be in danger at that time. Deputies will be abeyance to all traffic laws. Audible equipment will be engaged to precede thru traffic control devises.
- .03 Members will operate agency vehicles in a careful and prudent manner, and will not, through negligent or careless operation, incur or cause damage to be incurred to agency property or to the property of another. Employees will obey all laws of the State of Maryland and all local ordinances, and to conform to all agency procedures and regulations pertaining to operation and maintenance of any agency vehicle assigned to them on a permanent or temporary basis.

An employee will, at all times, set a proper example for other persons by his operation of a vehicle.

**3-304.00      Pursuits - General Policy Statement**

Few events occur with as much suddenness and potential danger as the high-speed pursuit. Pursuits may start on the mere whim of a driver, because of a minor traffic violation, or in an attempt to conceal a crime. All pursuits are dangerous and require careful consideration.

Because the pursuing deputy cannot foresee routes the pursuit will travel, or the intent of the fleeing operator, specific steps must be taken to determine if the continued pursuit is in the public's best interest.

Under no circumstances should a deputy be drawn into a high-speed pursuit, which has become a personal challenge or an ego saving adventure. Because of the serious complications involved, deputies must realize that it is not a disgrace to stop a pursuit that has become dangerous. Such action is PROPER POLICE PROCEDURE.

The decision to initiate the pursuit rests with the deputy, based upon immediate, apparent events. The Shift Supervisor, however, must be immediately notified of the pursuit. The Shift Supervisor will then assume control of the pursuit and coordinate the operation. The Shift Supervisor and the Pursuing Deputy will weigh the following statement against perceived facts and existing conditions:

When the continued action of pursuing will potentially harm the public more than the failure to apprehend the fleeing operator, the pursuit will be discontinued.

Most high-speed chases are not worth the inherent risks, but will be allowed when guidelines set forth in this Order are strictly followed. It will be the responsibility of the Pursuing Deputy, in conjunction with the Shift Supervisor, to arrive at a decision that will remove or reduce the Office's liability.

**.01      Pursuit Operations**

It is the policy of this office to minimize the danger involved in emergency response/pursuit driving, while maintaining the option for such operations when necessary. Pursuit operations are appropriate in the following instances:

- A. When a deputy has probable cause to believe that a suspect has committed or attempted to commit a felony.
- B. When a suspect has committed a criminal misdemeanor in the presence of the deputy. The intensity of the pursuit in such circumstances must always be weighed against the gravity of the crime.
- C. Apprehension of motor vehicle law violators who have committed infractions in the deputy's presence. Again, the intensity of the pursuit must be measured by the gravity of the offense.

.02 Only agency vehicles, equipped with a functional siren, portable flashing and/or bar lights, (visible from 500 feet in sunlight), will engage in pursuits or other emergency type responses.

It is the responsibility of the vehicle operator to check emergency audio/visual equipment before operating the vehicle when commencing tour of duty.

.03 The pursuing/responding deputy has the prerogative and responsibility to terminate emergency operations at any time if the risks of the operator outweigh the gravity of the offense/incident or if innocent lives are unduly threatened by the operation. Other instances, (but not limited to), in which a pursuit will be terminated are as follows:

- A. If environmental conditions indicate the futility of continual pursuit.
- B. When the capability of the pursued vehicle or driver indicates the chances of apprehension to be low.
- C. When the identity of the suspect is known and immediate arrest is not necessary.
- D. When the pursuing deputy knows or has reason to believe that the fleeing vehicle is operated by a juvenile who has committed a misdemeanor or non-violent felony and the safety factors involved are obviously greater than a juvenile can cope with.
- E. If the pursuit of a misdemeanor suspect crosses a State line.
- F. If the pursuing deputy receives an order from the Shift Supervisor to terminate the pursuit. In such instances, the pursuing deputy will acknowledge the order and discontinue the pursuit immediately.

- .04 A pursuing deputy will not use an agency vehicle to ram or physically force off the road a pursued vehicle excepting in cases where deadly force would otherwise be justified.
- .05 The Shift Supervisor will be notified immediately of a pursuit and the following information given and updated during the pursuit by the pursuing unit(s).
  - A. Unit identification
  - B. Direction of travel, location, and speed.
  - C. Description of pursued vehicle, if possible, with tag number.
  - D. Reason for pursuit
  - E. Number of visible occupants in the vehicle.
  - F. Any other pertinent information.
- .06 Once a pursuit has been initiated, other units will enter the pursuit only as directed by the Shift Supervisor. Active pursuit will be limited to two vehicles, one acting as the primary chase vehicle, and the other as a communications vehicle, thereby allowing the primary unit to fully concentrate on the pursuit. The Shift Supervisor, may, with good cause, authorize more than two units in the close pursuit. Units involved in the pursuit will allow a safe distance between themselves and the pursued vehicle for emergency stopping or turning. The Shift Supervisor will coordinate other units to act as covering units, paralleling the pursuit or following the pursuit at a safe distance.
- .07 The Shift Supervisor will monitor the progress of all vehicle pursuits involving personnel from this agency. The Shift Supervisor will determine if a tire deflating device **“Stop Sticks”** will be used based on road and traffic conditions at the time of the pursuit, information provided by the pursuing officer, and after consulting the Shift Supervisor of another law enforcement agency, if they are the lead vehicle in the pursuit.
  - A. All sworn deputies, from this agency, from the rank of Lieutenant and below, shall receive training, approved by this agency, in the use and deployment of tire deflating devices, **“Stop Sticks”**. Only those personnel who successfully complete the training shall be permitted to use or deploy tire deflation devices.

- B. When “**Stop Sticks**” are used, apply the procedures used for fixed roadblock under “21-304.15” of this Order. A police vehicle may be used to block a portion of the roadway prior to placing “**Stop Sticks**” in the roadway; however, a police vehicle will not be used to block an entire roadway. If a police vehicle is used to block a portion of the roadway, it should be positioned in such a manner that it will afford the deputy protection from the vehicle being pursued.
- C. Measures should be taken to divert other traffic from the area to prevent damage to other vehicles. The exact location, to include lane, of the “**Stop Sticks**” will be communicated to all pursuing vehicles. This will allow the pursuing vehicles time to reduce speed and permit the removal of the device from the roadway once it has been struck by the violator’s vehicle. The pursuing deputies should be aware that the suspect’s vehicle should begin to reduce speed as the tire or tires, which struck the device, slowly deflate.
- D. When the “**Stop Sticks**” are used on a roadway with more than one lane in each direction, consideration must be given to unsuspecting motorists who may attempt to avoid the device or stop in the roadway.
- E. On interstate highways, the “**Stop Sticks**” should not be placed in the roadway near an exit ramp. This could cause the violator to try and avoid the device by exiting the highway at a high speed and further endangering unsuspecting motorists.
- F. At no time will a “**Stop Sticks**” be used when a pursuit involves a motorcycle or other vehicle having only one front and one rear tire.
- G. The “**Stop Sticks**” will not be used as a hand weapon at any time.

.08 The following procedure shall be utilized when department issued “**Stop Sticks**” are deployed.

- A. The “**Stop Sticks**” will be pre-loaded in the black nylon sleeve with the cord real attached in the storage position inside the trunk.
- B. If possible radio pursuing units that the “**Stop Sticks**” are being deployed.
- C. Remove the “**Stop Sticks**” unit along with the attached cord real from the trunk and close the trunk, time permitting. The trunk should be closed so as to not block the visibility of the emergency lights.

- D. Time permitting place the “**Stop Sticks**” perpendicular to the roadway on the shoulder and un-real the cord across the roadway to a position of safety. **DO NOT** attach the real to yourself or wrap the line around your hand. If time does not permit the above toss the “**Stop Sticks**” in front of the suspect vehicle.
- E. Time permitting the officer should pull the “**Stop Sticks**” into the position after the last vehicle prior to the suspect has driven over the cord.
- F. Immediately after the suspect has run over the “**Stop Sticks**”, if possible, the officer should pull the sticks out of the way of the following police units.
- G. After the successful use of the “**Stop Sticks**”, the **STOP STICK PURSUIT FORM** will be completed.

.09 Agency Policy (GENERAL ORDER NO: 3-400.00) regarding the use of deadly force will be adhered to when firing upon a pursued vehicle. Deputies will not discharge a firearm at or from a moving vehicle except as a measure of self-defense or in defense of others when the actions of the suspect make the use of deadly force appropriate. Deputies will also be guided by the following regarding use of firearms in pursuits:

- A. Deputies may fire at a pursued vehicle if fired upon, but only if the lives of innocent parties are not threatened as a result of the action.
- B. Firing to disable a pursued vehicle will be as a last resort measure and only when not doing so would, with a high degree of probability, result in injury or death to others, and all other attempts to stop the pursued vehicle has failed.
- C. Deputies will not fire at a pursued vehicle for any reason if innocent parties are in a position that may result in injury from the gunfire.

.10 If two or more vehicles from another law enforcement agency are involved in a pursuit, units of this office will follow at a safe distance and act as cover units. If one vehicle from another office is involved in a pursuit, one unit from this office may assist as a communications vehicle, while others parallel the pursuit or act as covering units. Vehicles from this office will not engage in caravanning during a pursuit; i.e., more than two vehicles tightly bunched together in the pursuit.

- .11 When a pursuit is concluded or terminated, the pursuing deputy will immediately notify the Shift Supervisor along with any pertinent information such as location, tag, description, occupants, need for assistance, etc.
- .12 The Shift Supervisor will be notified before a pursuit continues into another jurisdiction. The Shift Supervisor will ensure that the appropriate law enforcement agencies in that jurisdiction are advised of the pursuit. Pursuits will not be continued across State lines while attempting apprehension on a misdemeanor charge. Deputies pursuing felony suspect across State Lines and effecting apprehensions will strictly adhere to the laws of the State in which the capture took place.
- .13 Deputies operating unmarked vehicles may engage in pursuit if the vehicle (agency) is equipped with a functional siren and portable flashing light. Whenever a marked vehicle becomes available to take up the pursuit, the unmarked vehicle will withdraw from the pursuit and assume a covering role, or act as a communications vehicle.
- .14 Deputies will not initiate pursuits onto interstates or other one-way roads against the flow of traffic. Every effort will be made to stop the flow of traffic at some point ahead of the suspect and use roadblocks or whatever means necessary to stop the vehicle before the injury or death occurs to innocent parties.
- .15 The use of a roadblock must be authorized by the Shift Supervisor. The use of a roadblock must be justified by the seriousness of the crime, or the actions for which the suspect is wanted or by the threat that he is posing to others on the road by the method of vehicle operations the roadblock must be established in a position that will be clearly visible to the suspect within a minimum of one half mile, if at all feasible. When a roadblock is established, all emergency lights and siren of the blocking vehicle (s) will be activated. A flare pattern or traffic ones will be placed in front of the blocking vehicle(s) to further enhance visibility, if time permits.

No occupants will be inside a vehicle being utilized for a roadblock. No civilian vehicles will be used in a roadblock.

**3-305.00      Responsibility of the Shift Supervisor During Pursuit/Emergency Vehicle Operations**

.01      Initially, the responsibility for pursuit/emergency response operations lies with the deputy operating the vehicle. He/She is operating the vehicle in the field, and has a first hand view of the situation. In the time continuum of the pursuit/emergency response, the Shift Supervisor begins to share responsibility. The Shift Supervisor must view the entire operation with an objective perspective and interject coordination, control, and termination of the operation if the risks to the deputy or the suspects are no commensurate with the crime or incident, of if innocent lives are obviously in jeopardy. In addition, the Shift Supervisor will ensure the following:

- A.      The number of vehicles involved in the actual pursuit is in accordance with this Order, and to coordinate the efforts of support vehicles
- B.      Aerial assistance, if needed, has been requested.
- C.      The Shift Supervisor will approve necessary alternative tactics such as roadblocks or use of firearms to stop the vehicle.
- D.      The Shift Supervisor, at the time of the initial pursuit, will ensure the deputy involved in the pursuit submits details of the pursuit in the proper Incident Report.

**3-306.00      Nothing in this Order Prohibits Pursuits or Emergency Responses When Necessary and Appropriate**

Nothing in the law prohibits pursuits or emergency responses; indeed it recognizes that suspects will, at times, attempt to evade arrest and must be pursued. Pursuits/emergency responses per se, do not result in lawsuits, criminal negligence and administrative charges. Operating an emergency vehicle, during these instances, in a negligent manner that endangers others on the road, can and often does, result in these things.

**3-307.00      Responsibilities of Police Communications Operator in a Pursuit Situation**

- .01      The Police Communications Operator (PCO) at EOC will record all incoming information concerning the pursuit.
- .02      The PCO @ EOC will immediately notify the Shift Supervisor of any pursuit.
- .03      The PCO @ EOC will clear the radio channel of all routine traffic and advise other units that a pursuit is in progress along with pertinent information.
- .04      The PCO @ EOC will perform relevant record and motor vehicle checks.
- .05      The PCO @ EOC will assist in coordination of needed assistance under the direction of the Shift Supervisor.
- .06      The PCO @ EOC will continue to monitor the pursuit until it is terminated.

By Order Of:

Craig A. Robertson, Sheriff