

RESOLUTION NO. 117

RESOLUTION ADOPTING AMENDMENT TO
POLICE DEPARTMENT POLICIES AND
PROCEDURES MANUAL

NOW THEREFORE BE IT RESOLVED, by the Board of Mayor and Alderman
as follows:

Section 1. That the attached Amendment to the Police Department Policies and Procedures Manual shall be and is hereby adopted as the official policy in regard to all matters contained therein;

Section 2. All police officers, whether full-time, part-time, regular, auxillary, or otherwise shall be issued a numbered copy of the attached Amendment to the Police Department Policies and Procedures Manual. Said manual is to be considered property of the department and upon the severance of ties between said officer and the department the manual is to be returned to the department as departmental property;

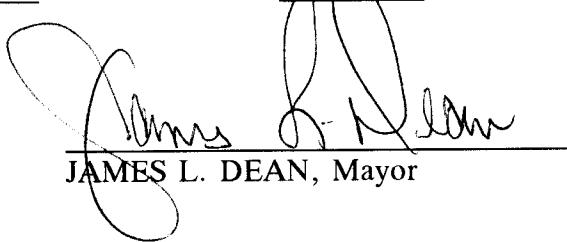
Section 3. All of the matters contained in the attached Amendment to the Police Department Policies and Procedures Manual is considered to be proprietary and unless dissemination of a specific portion to the public is called for each officer should consider the information therein as proprietary and should protect the Town's interest from same.

ADOPTED this 26th day of January, 1995.

AYES 4

NAYES 3

OTHER 0


JAMES L. DEAN, Mayor

ATTESTED:


NANCY CARTER, Recorder

APPROVED AS TO FORM:

LAW OFFICES OF FAULK & MAY

BY: City Attorneys



Mt. Carmel Police Department

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BOB BENNETT
Chief

JEFF JACKSON
Assistant Chief

Mount Carmel Police Department

Policy Regarding Civilian "Ride Along" Programs

REFERENCE: Mount Carmel Police Department Civilian "Ride Along" Programs

GENERAL ORDER: The purpose of this order is to establish policy and procedure for departmental "Ride Along" programs for the Mount Carmel Police Department.

**Law Enforcement
CIVILIAN "RIDE ALONG" PROGRAMS**

- A. When developing departmental Standard Operating Procedures (S.O.P's) regarding the "Ride Along" Program, departments should make every effort to "sanitize" the program. In other words, the civilian ride-along participant should be kept in the observer position**
- B. A background check should be conducted on each applicant, and this must be documented and retained on file.**
- C. Each participant must be at least 21 years of age. (For BSA Explorer Posts and others, see section "N".)**
- D. Each participant shall be required to wear seat belts at all times while in the police unit.**
- E. Each participant shall be instructed not to carry weapons. This will be confirmed immediately before entering the police unit at each shift.**
- F. A documented safety orientation session must be conducted by the Chief of Police for each participant prior to actually riding in the police unit. The participant must sign that they have attended the orientation and understand the information presented.**
- G. The participant should not be allowed to specify with which officer he/she prefers to ride. The shift commander or other supervisor will make that determination. Each participant will be limited in the number of times they may ride to a maximum of 2 rides per week of each month. (Unless otherwise approved by the Chief of Police.)**
- H. Each participant must complete and sign the department's waiver of liability/hold-harmless agreement.**

- I. The "Ride Along" Program participants should not be allowed to ride during late-night shifts, or "3rd shift". The participants should not be allowed to ride on weekends. The program should be limited to Monday through Friday, First and Second Shifts (meaning 7:00 a.m. until 11:00 p.m.). Unless prior approved is made by the Chief of Police.
- J. The Dispatcher shall be notified which units are being operated with a "Ride Along" passenger. Those units should not be given domestic violence or assault calls if other units are available.
- K. Ride Along participants will not assist in any arrests or exercise any force or authority, except that is lawful for any member of the general public. Any strange or dangerous behavior on the part of the participant (per the opinion and discretion of the officer) will be reported in writing, and the participant will be disallowed from riding in the future.
- L. In critical emergency situations, officers with "Ride Along" passengers will respond to the scene, park the vehicle in a place he/she reasonably deems to be safe, and:
 - 1. Insist the "Ride Along" remain in the vehicle.
 - 2. Notify a supervisor, so the "Ride Along" participant can be removed from the vicinity of the call.
- M. Officers accompanied by "Ride Along" participants will not engage in pursuits of offenders. This must strictly enforced.
- N. In "Ride Along" Programs promoted by national organizations which provide personal liability and medical insurance coverage for its members (for example, Boy Scouts of America's Explorer Post programs), persons in the age groups provided for in those national programs may be followed. For example, BSA Explorer Post program. ages 14-20 may participate. These ages may be further restricted by departmental policy. In Interim programs provided through a local college or university curriculum, those students working in criminal justice curriculum may participate when at least 18 years of age.
- O. In all of these programs, however, a certificate of insurance should be named on the policy as an additional insured. For Explorer Post participants under the age of 18, the written permission of both parents, or legal guardian (s), shall be obtained, and a release shall be signed by both parents, or the legal guardian (s).

P. A complete incident report must be filed by the program coordinator, and the officer with whom the participant was riding, following any accident or injury to a program participant or a member of the general public occurring during the course of participation in the "Ride Along" Program.

This documentation should include: (1) the date of accident/injury; (2) the time of day; (3) the injured person's name, address, and phone number (s); (4) the name of the injured person's parent or guardian, if a minor child; (5) the names of and phone number (s) of any witness; and (6) a complete description of the events and circumstances surrounding the accident or injury. Note: Injury means bodily injury and/or property damage. These incident reports should be retained on file.

R. The Chief of Police may, at his discretion, make changes (temporary or permanent) to this policy for the welfare of the department.

CHAPTER 16 GENERAL ORDER

USE OF VEHICLES OWNED BY THE MOUNT CARMEL POLICE DEPARTMENT

16.00 The purpose of this order is to establish policy and procedure for the most efficient use of motor vehicles of the Mount Carmel Police Department.

16.01 ASSIGNMENT

A. Individual

1. Vehicles will be assigned in a manner which will insure maximum utilization toward the achievement of the Police Department goals.
2. Vehicles will be assigned to individuals for full time retention and use only on the approval of the Police Chief and only if the officer lives inside the city limits or within a 20 mile radius of the city limits.
3. Assignment of vehicles to individuals will be considered as a privilege to be enjoyed as long as all rules and regulations are obeyed.
4. Vehicles shall be assigned to each officer individually and shall not be utilized by any other officer unless approved by the Police Chief.

B. Police Department Vehicles must at all times display the issued authorized license tag. Unmarked vehicles will display government tags unless otherwise authorized by the Police Chief.

16.02 DRIVER'S RESPONSIBILITIES

- A. No member shall operate a department vehicle without a valid Tennessee Driver's License issued to said member and on their person at the time of operation.
- B. All employees and/or passengers occupying the front seat of a Police Department Vehicle will wear a seat belt at all times, whether on or off duty, while the vehicle is in operation.

C. Driver's will not leave vehicles unattended with keys in the ignition, nor leave the motor idling for extended periods, as it is damaging to engines. It is also the responsibility of each driver to insure the following methods for reducing fuel consumption are strictly adhered to :

1. Strict observation of the speed limit.
2. Reduce unnecessary idling of vehicles.
3. Avoid over-acceleration of starting of vehicles.
4. Reduce the use of the car whenever possible for other than police business.

D. Officers using Police Department vehicles will be responsible for the following:

1. Reporting all deficiencies promptly to the Police Chief, via the established chain of command. Deficiencies will be reported on a standardized maintenance form.
2. Keeping a detailed maintenance log on their assigned vehicle.

16.03 ACCIDENTS

A. Reporting

1. All accidents involving vehicles must be reported immediately, and a supervisory officer called to the scene.
2. All accidents involving Police Department vehicles will be worked by Tennessee Highway Patrol or the Sheriff's Department. All accidents will be reported as soon as possible to the Chief. This notification will be the responsibility of the operator of the vehicle.
3. All accident reports must include a statement of the facts from the driver of the vehicle and supervisory officer called to the scene.
4. It will be the responsibility of the driver involved in the accident to submit, through the proper channels to the Police Chief, all reports pertaining to any damage to the vehicle.

B. Arrest

1. Personnel involved in accidents with a Department vehicle will not issue a summons or make an arrest of the driver of the vehicle for a traffic violation. This will be the responsibility of the investigating officer.
2. In cases where the driver of the Department vehicle actually observes the other driver commit a traffic violation, which causes the accident, the driver of the Department vehicle shall appear in court and testify.
3. Make no statements, except to authorized persons.

16.04 VEHICLE TRAFFIC REGULATIONS

- A. Police Department vehicles will be parked in designated areas only.
- B. Operators of vehicles shall use utmost care, be on the lookout for, and yield the right-of-way to pedestrians.
- C. The operator will adhere to all traffic laws and regulations.

16.05 PERSONAL VEHICLE PROGRAM

A. Goals

1. Promote the security of the citizens of Mount Carmel by greater visibility and presence of vehicles on the streets and highways.
2. Increase police/community relations through mutual understanding of Police Departments objectives by increased personal contacts and services performed by the members.
3. Deter crime by limiting the opportunity of criminals to commit an act by the presence of more vehicles.
4. Provide quicker response time to certain types of calls and therefore increase the opportunity to apprehend criminals.
5. Reduce the yearly mileage on each vehicle, therefore increasing vehicle life.
6. Reduce maintenance cost on each vehicle in the fleet.
7. Provide quicker response of off-duty personnel when called back to duty because of an emergency.

8. Provide increased incentive and morale of officers participating in the program.
9. Maintain vehicles in top condition through preventive maintenance and personalized assignment.

B. Police

1. Vehicles are assigned to an officer on a regular basis. A vehicle shall mean any automobile or motor driven wheeled conveyance of the M.C.P.D.
2. The use of the vehicles while off duty shall be considered a privilege and not an automatic fringe benefit or employment right.
3. Unmarked vehicles will be used only for transportation to and from work and official business.
4. Marked vehicles may be driven when an officer is off duty if he is in uniform and WHEN NOT IN UNIFORM, FOR OFFICIAL DEPARTMENT BUSINESS ONLY. (Examples: Maintenance, court appearances, etc.)

C. General regulations, vehicle operation, and maintenance regulations

1. General regulations
 - a. Officer will not presume any special privileges with a vehicle while off duty.
 - b. Unattended vehicles of off duty officers must be locked at all times, and weapons, portable radios, and other valuables will be removed from the vehicle or locked in the trunk. The above items will be removed from the vehicle if it is left at the garage for repair.
 - c. General orders pertaining to officer on duty will also apply to officers off duty when driving a Police Department vehicle.
 - d. Vehicle will be used outside of Mount Carmel city limits ONLY on official business.
 - e. Vehicle will not be utilized for carrying heavy or excessive loads and will not have objects protruding from the trunk or windows.

- f. Officers participating in the program are subject to call outs.
- g. The Chief of Police may add, delete, or revise vehicle rules/regulations as needed to provide current policy to cover situations regarding needs of the Department.

2. Vehicle operation regulations

- a. All officers assigned vehicles on a personal basis shall exercise good judgment in utilizing them and shall not drive, use, or park vehicles in such a manner that will cause unfavorable comment or reflect discredit upon the department.
- b. Officer operating vehicles off duty on official business should be appropriately attired to effectively perform a police function while at the same time presenting a favorable public image.
- c. Only authorized personnel are permitted to operate vehicles.
- d. Off duty officers will monitor the frequency of the Police Department while they are traveling at all times and restrict radio communications to Departmental business only.
- e. Officers using vehicles off duty are required to check in or out of service and must advise the dispatcher when they are near an emergency, call for service.
- f. Passenger safety rests solely with the officer operating the vehicle.
- g. If responding to a felony call with non-sworn personnel as passengers the officers will first deposit the passenger at a convenient location and then respond to the call consistent with Department regulations. In all such cases, the officer will notify headquarters that he is responding. (See Chapter 15)
- h. Emergency runs will not be made while the vehicle is occupied by passengers. (this does not apply when other sworn members of the Department or injured or ill persons are riding as passenger while said vehicle operator is making an emergency run to protect life and property)

- i. When responding to a call involving a felony while off duty, officers may be required to handle the call in order to best preserve and/or handle evidence and maintain continuity.
- j. Off duty units are responsible for handling or referring to an on duty car, all incidents coming to their attention and, if the incident is referred, for the rendering of any aid necessary until on duty units arrive.

3. Maintenance regulations

- a. Before any adjustments or maintenance are made the Police Chief must be contacted.
- b. Receipt for repairs made should be turned in directly to the Police Chief.
- c. Officers assigned vehicles shall be fully responsible for the general maintenance and proper care of the vehicle. They shall refrain from:
 1. Making anything but minor adjustments.
 2. Altering the body, general design, appearance, markings, or mechanical or electrical systems.
 3. Making any repairs or having any repairs made to the vehicle other than at the authorized garage.
 4. Using fuel, oil, lubricant, or other liquid additives in the vehicle other than those authorized by the Department.
 5. Removing, altering, or repositioning equipment supplied within and outside the vehicle.
 6. Adding equipment which is not Department owned or supplied (i.e. extra radio receivers, gun mounts, speakers, antennas, and other add on equipment), unless approved by the Police Chief.

- d. Officers will be responsible for the appearance and cleanliness of vehicles, both interior and exterior. The vehicle will be kept clean at all times.
- e. Officers with take home vehicles:
 - 1. Will wash and wax vehicles at their own expense during off duty time or may have vehicle washed at the Police Department. All vehicles shall be kept as clean as possible. (inside and outside).
 - 2. Are required to have all maintenance, service or repairs done during off-duty time or on day shift. Work should be scheduled with the garage prior to taking vehicles in for service, if possible.
- f. Officers shall at all times drive vehicles with reasonable prudence in order to maintain them at the highest degree of operating efficiency.
- g. Damage of any type to vehicles caused by negligence of officers will be cause for disciplinary action.
- h. Damage to any vehicle for which the officer is not at fault will be handled by the Department at no expense to the Police Officer.
- i. Willful negligence on the part of officers in the care or operation of vehicles or failure to follow rules and regulations will be cause for taking away vehicle assignment privileges.