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6/014.00      VEHICULAR PURSUIT  
A.S. 1.3.1, 1.3.2, 12.2.2, 41.2.2

**I.      DEFINITIONS**

Pursuit	An active attempt by an officer in an authorized emergency vehicle as defined by NRS 484B.700, using emergency equipment (red lights and sirens), to apprehend a suspect who is failing to yield after due notice or is attempting to avoid apprehension, and whose driving presents a clear and immediate danger.
Bubble Tactic	A non-code moving containment of the suspect vehicle at a safe distance to aid in the apprehension of the suspect.
Discontinuance of Pursuit	The complete cessation of a pursuit by the decision of pursuing officers or supervisors - to include the discontinuance of visual contact of the pursued vehicle via turning at the first reasonable turn off of the primary street - and the return to routine operations.
Paralleling	Additional police units travelling on adjacent streets using emergency equipment to keep pace with a pursuit. There will be no Code 3 caravanning or paralleling of units or other attempts to join the pursuit without authorization from a supervisor. If a supervisor authorizes a unit to parallel a pursuit, the unit will adhere to the Code 3 emergency response driving policy.
Surveillance Mode	A tactic wherein the air unit provides ground units the direction of travel, cross traffic, hazards, etc., for ground units to be aware of suspect's actions.
Termination of Pursuit	The finality of a vehicular pursuit due to either suspect apprehension, the crashing of the suspect's vehicle or suspect lost/evaded pursuing unit(s), and return to routine operation.

**II.     AUTHORIZATION**

Pursuit driving is authorized in Section 2. The rule that limits Code 3 driving to a maximum of 20 mph over the posted speed limit does not apply to pursuit driving. However, NRS 484B.700, Subsection 4 remains in effect at all times.

NRS 484B.700, Subsection 4: "The provisions of this section do not relieve the driver from the duty to drive with due regard for the safety of all persons and do not protect the driver from consequences of his reckless disregard for the safety of others."

**III.    GENERAL**

A vehicular pursuit may be initiated based on a pursuing officer's conclusion that the pursuit is the best available options at the time. Understandably, the decision to pursue is often made under difficult, unpredictable, and rapidly changing circumstances. For those reasons, the requirement for immediate supervisory authorization for a pursuit and on-going supervisory control of a pursuit is the cornerstone of the department's pursuit philosophy. Considering the totality of circumstances, sometimes the best course of action may be to not pursue or to discontinue a pursuit already in progress.

All pursuits will be thoroughly investigated for adherence to procedures and tactics. The results of these investigations, as well as other related analyses, will be the foundation for updating procedures and training.

**IV.    PURSUIT CRITERIA**

Vehicle pursuits will be conducted in strict compliance with Nevada Revised Statute 484B.700, Authorized Emergency Vehicles, and Section 2 of this policy, Emergency Response Driving (excluding the rule limiting Code 3 driving to a maximum of 20 mph over the posted speed limit). Pursuing officers will operate Code 3 using both emergency lights and siren, and exercise reasonable care for persons and property. Vehicles not equipped with siren and authorized emergency lights (visible from the front, back, and both sides) will not be permitted to take part in a vehicular pursuit under any circumstances.

The pursuit will consist of the initial (primary) unit and secondary unit. The primary unit may request the field supervisor to authorize additional units to join the pursuit, if necessary.

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When initiated by an officer operating a motorcycle, unmarked unit (with appropriate emergency lights and siren), or marked sport utility vehicle (SUV) other than a Community Policing or Tourist Safety Division marked Ford Explorer SUV, that officer will relinquish the primary position to the first standard marked patrol unit joining the pursuit, and will leave the pursuit when a second standard marked patrol unit joins the pursuit as the secondary unit. The relieved officer will proceed to the end point of the pursuit.

Supervisors should also relinquish the primary position to the first standard marked patrol unit joining the pursuit to enable the supervisor to maintain control and objectivity of continuing the pursuit or determining if it should be discontinued.

There will be NO Code 3 caravanning or paralleling of units, or other attempts to join the pursuit without authorization from a supervisor.

The LVMPD engages in vehicular pursuits to arrest offenders when necessary to protect people, rights, and property in our community. Vehicle pursuits are hazardous, and may result in death or injury to innocent bystanders, officers, or suspects. A pursuit will be conducted only for a violent felony or if the suspect presents a clear and immediate danger to the public. A pursuit will not be engaged for a property crime, minor traffic infraction or an occupied stolen vehicle unless the suspect presents the aforementioned clear and immediate danger to the public. If an officer articulates that a subject presents a clear and immediate danger to the public, the monitoring sergeant, area lieutenant, or watch commander must verbally approve the pursuit over the radio and can direct officers to continue in the pursuit. In addition, officers who initiate vehicle pursuits, and field supervisors who allow pursuits to continue, must consider the following initiation and evaluation factors:

10. Whether the need for immediate apprehension of the suspect(s) outweighs the dangers created by the pursuit itself;
11. Whether the suspect is known to officers and/or can be apprehended at a later time;
12. Vehicular and pedestrian traffic, and road conditions;
13. Nature of the area of the pursuit: residential, commercial, or rural;
14. Weather conditions such as rain, fog, snow, etc., time of day, and visibility which create an unreasonable risk of injury to the public or the pursuing officers;
15. Alternatives to pursuit, including the availability of the air unit, the use of PIT, Stop Sticks, or arrest at a later time.

All decisions by officers and supervisors to conduct vehicle pursuits will be made with the primary goal of assuring the safety of innocent citizens, officers, and whenever possible, those attempting to flee.

Prior to conducting a felony car stop for a stolen vehicle, officers will request the air unit and allow it adequate time to arrive on scene before activating emergency lights and siren.■

#### V. PURSUIT NOTIFICATIONS AND UPDATES

Officers must notify Communications under the following circumstances:

16. When a pursuit is initiated and completed;
17. When a pursuit is canceled prior to completion;
18. When a situation is observed that could result in a pursuit, but the pursuit did not meet the criteria for pursuing (a CAD event must be created or updated in this situation).

Upon notification, the dispatcher will update the CAD event with the appropriate code using the Modify Circumstance (MC) identifier. Codes are as follows:

19. PS - Pursuit initiated and completed.
20. PC - Pursuit initiated but canceled prior to completion.
21. PO - Potential pursuit situation observed but situation did not meet criteria.

#### VI. CONTROL OF THE PURSUIT

Primary Unit will:

1. Assume responsibility for controlling pursuit tactics.
2. Notify Communications immediately that a pursuit is underway with the following information:
  - a. The nature of the original offense;

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- b. Location, speed, and direction of travel of the fleeing vehicle;
- c. Description and license plate number of the vehicle if known;
- d. Number of occupants in the vehicle, and descriptions, where possible.
3. Broadcast the intent to use PIT if circumstances permit. Otherwise, notification will be made after the fact.
4. Broadcast the progress of the pursuit until relieved by secondary unit;
5. Constantly reevaluate conditions and discontinue the pursuit when the dangers of the pursuit outweigh the need to apprehend the suspect, or when so ordered by a supervisor;
6. Cease emergency operations (lights and siren) reduce speed, and discontinue visual contact with the suspect vehicle if the air unit takes over the pursuit, unless otherwise directed by a supervisor;
7. Confirm, via the radio, the discontinuance of visual contact;

Secondary Unit will:

8. Whenever feasible, assume responsibility for broadcasting progress of the pursuit until relieved by the air unit;
9. Become the primary unit, if the primary unit cannot continue the pursuit;
10. Coordinate activities should the primary unit become involved in a foot pursuit;
11. Cease emergency operations (lights and siren) reduce speed, and discontinue visual contact with the suspect vehicle if the air unit takes over the pursuit, unless otherwise directed by a supervisor;
12. Confirms, via the radio, discontinuance of visual contact;

Communications Area Dispatcher will:

13. Initiate a Code Red and ensure that all channels receive the Code Red and pursuit information;
14. Request and dispatch the air unit to the pursuit whenever possible;
15. Notify the officer's supervisor immediately of the pursuit. Communications will designate a supervisor if the officer's supervisor is not available;

Monitoring Communications Supervisor will:

16. Notify, via cell phone, the area lieutenant and Watch Commander immediately of the pursuit;
17. Advise other dispatchers when the pursuit is headed toward adjacent areas;
18. Advise neighboring jurisdictions when the pursuit is headed in their direction, giving direction, status, description of the vehicle, and call-sign of the monitoring supervisor;
19. Contact other agencies when LVMPD officers request assistance, describing the circumstances and specific assistance requested and remain in contact unless a common radio frequency is available to both agencies;

Field Supervisor will:

20. Immediately acknowledge notification over the radio, and assume responsibility for controlling pursuit tactics and continuing the pursuit;
21. Order discontinuation of the pursuit when the necessity for apprehension is outweighed by the dangers of the pursuit;
22. Consider use of PIT and/or Stop Sticks;

Area Lieutenant (Watch Commander in area lieutenant's absence) will:

23. Monitor the pursuit and is responsible for ensuring that the pursuit is conducted according to department policies and procedures;
24. Order discontinuance of the pursuit when the dangers of the pursuit outweigh the need to apprehend the suspect;

Air Unit will:

25. Respond to the pursuit scene when dispatched;
26. Arrive on the scene of the pursuit and assume primary radio responsibilities when visual contact of the suspect vehicle is made;
27. Assume a surveillance mode, continuing to advise the ground units of the vehicle's location, traffic congestion, road hazards, that might endanger the ground units or others;
28. Broadcast information to aid ground units if the pursued vehicle is lost or the suspect flees on foot;

Ground Units will:

29. Cease emergency operation (lights and siren), reduce speed, and discontinue visual contact with the suspect

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- vehicle once the air unit advises they have arrived and are in surveillance mode, unless otherwise directed by a supervisor;
30. Consider using the "Bubble Tactic" based on information being provided by the primary and secondary pursuit units, or the air unit when it takes over the pursuit in surveillance mode.
  31. During surveillance mode, will:
    - a. Discontinue visual contact of the suspect vehicle;
    - b. Utilize the non-code Bubble Tactic to contain suspect vehicle;
    - c. If the suspect flees on foot from the vehicle, primary pursuing unit will respond to the termination point to apprehend the suspect(s).

## VII. RULES GOVERNING INTER-JURISDICTIONAL PURSUITS

- A. Inter-Jurisdictional Pursuits Initiated by the LVMPD
  1. Pursuits will be discontinued when leaving Clark County unless the decision to continue is approved by the LVMPD on-duty Watch Commander or field lieutenant.
  2. When a pursuit leaves Clark County, officers and supervisors shall re-evaluate the pursuit to include consideration of the following factors:
    - a. How long pursuit has lasted;
    - b. Whether assistance is needed from another agency;
    - c. Whether communication can be maintained;
    - d. All the factors set forth in the policy as to whether the pursuit can be conducted in reasonable safety and in compliance with state law and policy.
  3. The pursuing officer or a supervisor may request assistance from another agency. If such a request is made, officers or the supervisors shall not request an officer from another agency to actively join in the pursuit; however, other appropriate forms of assistance may be requested.
- B. Inter-Jurisdictional Pursuits Initiated by Outside Agencies
  1. Officers are prohibited from entering into pursuits that were initiated by another jurisdiction or law enforcement agency unless assigned to the pursuit by a supervisor. A supervisor shall not assign officers to participate in such pursuits unless assistance is requested by the initiating agency, and they provide sufficient information, including the crime the suspects are believed to have committed, in order that a supervisor can determine if the pursuit is in compliance with the provisions of this policy. If insufficient information is received and/or if the outside initiated pursuit is not in compliance with this policy, the pursuit shall not be joined by LVMPD police officers. However, a supervisor may authorize officer(s) to drive in routine operation toward the area of the pursuit to be in a relatively good position to render back up and other aid once the pursuit vehicle is stopped.
  2. Authorized officers operating as secondary units in pursuits involving a lone primary unit from another agency will be subject to all department procedures governing primary pursuit units, including as a priority the responsibility to discontinue the LVMPD role in the pursuit immediately whenever:
    - a. An additional unit from the originating agency joins the pursuit and is able to take over the secondary unit responsibilities;
    - b. The pursuit is not conducted to the standards of the LVMPD as outlined in this procedure;
    - c. Information is made available which indicates the dangers of the pursuit outweigh the need to apprehend the suspect;
    - d. An LVMPD supervisor orders the LVMPD role in the pursuit discontinued.
  3. LVMPD field supervisors will monitor and control the department's role in such pursuits exactly as they would any other pursuit.

## VIII. ADDITIONAL PURSUIT PREVENTION/TERMINATION TECHNIQUES

- A. Tire Deflation Devices (Stop Sticks)  
A.S. 41.2.2, 41.2.3
  1. When properly utilized, tire deflation devices offer an alternative to a pursuit or may bring about the safe resolution of police pursuits under controlled conditions. Only those trained in the proper deployment of the pursuit prevention device are authorized users.
  2. Pursuit Prevention Device
    - a. A tire deflating device can be used on stationary target vehicles to prevent a pursuit from occurring.

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The pursuit prevention device works in much the same manner as the pursuit termination device described above by deflating a target vehicle's tire, therefore, should a pursuit begin it will be brought to an end safely and quickly. Potential uses include situations when the target vehicle is stationary, such as warrant service, SWAT situations, and stakeout of a stolen vehicle or a felony vehicle.

- b. The deploying officer(s) shall:
    - 1) Consider the tactical feasibility of deployment; an officer must walk up to the vehicle and deploying the pursuit prevention device may not be a possibility given safety factors;
    - 2) Place at least one device (or two, if possible) approximately six inches in front of and/or behind the tire, which is least likely to be observed by the suspect approaching the vehicle;
    - 3) After deployment, attain position in a strategic location, which will allow for a rapid response in order to take the suspect into immediate custody.
  - c. Should the pursuit prevention device fail to deflate the target vehicle's tire, it is incumbent of the officer to follow the current department pursuit procedure to determine if a pursuit is warranted or should be discontinued. If an arrest follows the use of the device either immediately or after a pursuit, a notation should be made in the Arrest Report to indicate the device was used and under what circumstances.
  - d. The pursuit prevention device should be removed from the roadway once the situation is resolved. These devices must be repaired or replaced after deployment (similar to the pursuit termination device). (4/01, 3/03)
3. Pursuit Termination Device
- a. A tire deflation device causes the controlled release of air from the tires of the target vehicle, thus permitting the driver to remain in control and to bring the vehicle safely to a stop. The device is provided for use only by officers who successfully complete a department training program in use of the device.
  - b. Officer(s) deploying tire deflation devices must:
    - 1) Determine a suitable location estimated to be in the path of the suspect vehicle;
    - 2) Notify Communications and pursuing officers of the exact location the devices are going to be deployed. Pursuing officers approaching a known deployment location shall lower their speed as necessary to avoid driving over the tire deflation devices;
    - 3) Must position themselves where sight lines and distances are such that officers can properly observe the suspect vehicle as it approaches;
    - 4) Choose a location with some type of concealing barrier: buildings, natural barrier, patrol vehicles, or any other type of stationary object. These barriers will be used to conceal the deploying officer from the suspect's view and allow deployment of the device from a position of safety;
    - 5) Retract the tire deflation devices from the roadway surface in an attempt to avoid causing any unnecessary damages after a suspect vehicle has successfully driven over the tire deflation devices or driven by the device.
  - c. Officer(s) shall not deploy tire deflation devices:
    - 1) When transporting prisoners or other non-police personnel;
    - 2) When fleeing suspects have demonstrated a clear intent to injure officers using the fleeing vehicle or other deadly weapon, unless effective cover is available at the deployment location;
    - 3) Must not utilize tire deflation devices as a weapon or deployed on bridges, in roadway curves, in or around roadway construction, or any location where the deploying officer feels that it would be too dangerous because of vehicular or pedestrian movement;
    - 4) Must not use tire deflation devices to slow or stop any of the following vehicles, unless the use of deadly force would be justified:
      - a) Motorcycle, moped, or any other two- or three-wheeled vehicle;
      - b) ATV (All-Terrain Vehicle);
      - c) Any truck transporting explosives or other hazardous materials.
  - d. Damage to vehicles/equipment other than the suspect vehicle
    - 1) The proper use of a tire deflation device will minimize the risk of injury to persons and unintended damage to police vehicles and other vehicles not involved in the pursuit. Officers will make every attempt to immediately remove the tire deflation device from the roadway in order to avoid unintended damage to other vehicles. If a department vehicle is damaged, the officer responsible for the vehicle will request assistance and document the incident in accordance with department procedures;

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- 2) If a vehicle belonging to an uninvolved citizen is damaged, the Patrol Division Watch Commander will respond to:
  - a) Offer the citizen alternative transportation, if available and necessary;
  - b) Offer to tow the damaged vehicle at department expense, using the duty service, to an LVMPD contract repair facility, or if the citizen insists, to a facility of the citizen's choice, or repair/replacement at the earliest opportunity;
  - c) Inform the Risk Manager, via Communications, of the damage and location where the vehicle will be towed. (The Risk Manager will determine if a response is necessary);
  - d) Instruct the citizen to contact the Risk Manager the next work day to arrange reimbursement.
  
- B. Use of the Precision Intervention Technique (PIT)
  1. It is important that the PIT operates within the parameters of the law and department policies to ensure the safety of persons and property, while enforcing the law by bringing a fleeing vehicle to a stop and taking suspects into custody for their violations and/or criminal charges.
  2. Without the willful compliance of the fleeing suspects to voluntarily bring their vehicle to a stop, circumstances develop which may warrant a forcible stop. Primary and secondary units will consider other means of apprehension before attempting forcible stops and will use a reasonable amount of force which is consistent with the accomplishment of the mission. The use of a vehicle to stop or apprehend a suspect, such as ramming or the use of PIT may be considered a use of deadly force.
  3. Officers will be trained on the Precision Intervention Technique and when its use is permissible. Only commissioned personnel who maintain current certification may use this stopping technique.
  4. Members driving department SUV-type vehicles are not authorized to use PIT. (Exception: Community Policing Division or Tourist Safety Division marked Ford Explorer SUV)
  5. The use of PIT to stop a pursuit will be done only after the violator has clearly demonstrated the intention to avoid apprehension. Prior to initiating a PIT, officers will use their emergency equipment (red lights and sirens) and will give the operator of the suspect vehicle a reasonable opportunity to stop.
  6. Officers will broadcast the intent to use PIT if circumstances permit. Otherwise, notification will be made after the fact.
  7. PIT as non-deadly use of force:
    - a. PIT may be used to apprehend violators at speeds 40-mph and below, and does not meet the criteria for PIT as deadly force.
  8. PIT as deadly force:
    - a. PIT at a speed of over 40-mph;
    - b. PIT used on motorcycles;
    - c. PIT used on high center of gravity vehicles likely to roll over, such as vans, SUVs, and jeeps;
    - d. Circumstances create a substantial risk of death or serious bodily injury;
    - e. Circumstances warranting the use of PIT as deadly force are as follows:
      - 1) Continued movement of the pursued vehicle would place others in danger of bodily harm or death; and/or
      - 2) Apparent risk of harm, to other than the occupants of the pursued vehicle, is so great as to outweigh the risk of harm in making the forcible stop; and
      - 3) Other means of apprehension have been considered and rejected as impractical, i.e., continue to follow, stop sticks, call for the air unit.
  9. Locations and Hazards.
    - a. Officers will in all cases consider the safety of the public and suspects before executing this technique, evaluating the following locations and hazards:
      - 1) Areas with high concentrations of pedestrians;
      - 2) Other vehicle traffic;
      - 3) Parked vehicles;
      - 4) Telephone/utility poles;
      - 5) Bridges;
      - 6) Areas adjacent to paved roads with a large elevation change.
  10. Reporting PIT

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- a. PIT (successful uses, attempts and/or declared uses) and vehicle ramming are considered reportable force and must be reported by completing the Use of Force Report and Pursuit Report in Blue Team;
- b. Critical Incident Review Team (CIRT) will complete the appropriate reports for incidents where deadly force is used (PIT or ramming);
- c. If a vehicle belonging to an uninvolved citizen is damaged, the Watch Commander will respond to:
  - 1) Offer the citizen alternative transportation, if available and necessary;
  - 2) Offer to tow the damaged vehicle at department expense using the duty service to an LVMPD contract repair facility, or if the citizen insists, to a facility of the citizen's choice, or repair/replacement at the earliest opportunity;
  - 3) Inform the Risk Manager, via Communications, of the damage and location where the vehicle will be towed. The Risk Manager will determine if a response is necessary;
  - 4) Instruct the citizen to contact the Risk Manager the next work day to arrange reimbursement.

**IX. POST-PURSUIT REQUIREMENTS**

1. The primary officer(s) shall complete the appropriate reports in Blue Team and forward through the chain of command to the bureau/area commander.
  - a. In incidents where it was determined the PIT and /or ramming has been a use of deadly force, CIRT will complete the Use of Force Report and Pursuit Report in IAPro.
2. The field supervisors shall respond to the termination point and assume responsibility for the scene ensuring all applicable reports are completed and required notifications made.
3. The Communications supervisor shall notify a commissioned supervisor and a Traffic supervisor whenever PIT and/or vehicle ramming has been used to terminate a pursuit. They will advise a Traffic supervisor and the Risk Manager whenever a pursuit or the use of PIT and/or vehicle ramming results in property damage, injury, or death. The Traffic supervisor will respond, evaluate and determine Traffic's response whenever PIT has been used to terminate a pursuit. If it has been determined that the PIT and/or ramming has been a use of deadly force, the Fatal Detail, CIRT, and FIT will respond.
4. Traffic officers shall respond to assist with the traffic investigation whenever PIT has been used for pursuit intervention or termination. Since PIT is a planned enforcement technique, an accident report will not be required. In the event of third-party property damage, the responding traffic officer will complete the LVMPD 42, Vehicle Incident Report, or NHP-5, Accident Report, as appropriate.
5. The Communications Bureau Research Assistant will forward an event number listing of all pursuits to the Risk Management Section at the end of each month and will send a copy of the pursuit recording and event printout to the last primary officer's bureau/area command, the Office of Quality Assurance lieutenant, and the Risk Management Section. The Research Assistant will retain pursuit recordings for one year in the event copies are lost, or there are other requests for a recording.
6. The shift lieutenants shall review the Vehicle Pursuit Report, pursuit recording, and event printout to determine if pursuit procedures were followed, and attach the event printout and pursuit recording to the Blue Team Vehicle Pursuit Report. They will forward the report to the bureau/area captain for review, and initiate any necessary corrective actions.
7. The bureau/area commander will ensure that the necessary investigative and corrective actions have been followed. He or she will record the comments/actions on the Vehicle Pursuit Report and forward the original to the Internal Affairs Bureau, via Blue Team.
8. Vehicle Pursuit Reports are entered and maintained in Blue Team. The Office of Quality Assurance will prepare an annual analysis report of vehicular pursuits for the purpose of identifying patterns or trends, and will forward copies of the analysis report to the Executive Staff, the Risk Manager, and the Organizational Development Bureau Commander.
9. The Pursuit Review Committee, chaired by the Office of Quality Assurance lieutenant shall review the Vehicle Pursuit Reports and annual analysis report and, when appropriate, make recommendations for policy changes or modifications in the training curriculum. The Internal Affairs Bureau is the repository for the original forms and CAD event recall and tapes.
10. In the event that an officer is involved in a motor vehicle collision during the course of an emergency response or a pursuit the officer shall immediately discontinue that involvement and take proper action as is required by the NRS Transportation Code and all other departmental orders and directives unless:

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- a. No unit is available to assume the pursuit or respond for the unit involved; and
- b. Damage to the unit is minor and it can still be operated without danger; and
- c. There are no apparent injuries as a result of the accident.

At the conclusion of any vehicular pursuit, high-risk stop procedures shall be used by all officers present when practical.  
(5/15, 5/16)■



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5/207.00      DRIVING/VEHICLE PROCEDURES

- Section 1              Policy & General Rules
- Section 2              Emergency Response Driving (excluding Pursuits)
- Section 3              Pursuit Driving
- Section 4              Training
- Section 5              Department Vehicle Collisions & ARB
- Section 6              Administrative Procedures

CODE "3" DRIVING (5/207.02)  
See Critical Policies/Procedures 6/012.00

VEHICULAR PURSUIT (5/207.04)  
See Critical Policies/Procedures 6/014.00

**Section 1      Policy & General Rules**

POLICY

The Las Vegas Metropolitan Police Department must lead by example. Our driving expertise and our attitude toward road safety must be exemplary. We have an obligation to our community and to ourselves to ensure that we think and act with safety in mind while promoting a professional image. Emergency vehicles do not have absolute right of way and department members will operate police vehicles reasonably and always with due regard for the rights and safety of others at all times and regardless of circumstances. Police vehicle operation shall be within the law. Irresponsible, careless and reckless driving is prohibited.

DEFINITIONS

Code Red	A radio code used to inform units and dispatchers that an emergency exists and that only emergency radio traffic is authorized.
Department Vehicle	Any vehicle owned, leased, rented or borrowed by the department or its members for official use.
Emergency Response Driving	The operation of motor vehicle to respond to an emergency call for police service or to a location requiring immediate police presence or service. Emergency lights and siren are activated, Code 3, 20 mph over posted speed limit maximum, except for pursuits.
Primary Response Units	Officer(s) dispatched to an emergency call, or specifically authorized to respond to an emergency call by Communications or a supervisor.

GENERAL RULES

Law - Members shall follow all traffic laws set forth in the NRS, City and County codes and ordinances, and department policies while operating a department vehicle. The employee driving is responsible for operation and control of the vehicle.

NRS 484.261, Subsection 4/484B.700: "The provisions of this section do not relieve the driver from the duty to drive with due regard for the safety of all persons and do not protect the driver from consequences of his reckless disregard for the safety of others."

Seat Belts - All employees, citizens or arrestees occupying department vehicles will comply with NRS 484.641/484D.495 and wear seat belts while the vehicle is in motion. The only exemption to this rule is when the vehicle is traveling less than 15 miles per hour and the driver or passenger(s) is expecting to exit the vehicle and take immediate police action

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once the vehicle has stopped. The use of seatbelt extenders is prohibited. Seat belts will be used when transporting children of any age in vehicles. The use of a DOT approved child safety seat will be utilized in accordance with NRS 484.474/484B.157.

Use of Cellular Phone Device– Texting, e-mailing, or use of a cellular phone device without a hands-free mechanism while driving is prohibited while a vehicle is in motion. This does not include use of the MDT for police business purposes.

1. Cellular device use while operating a Department vehicle (on or off-duty) shall be limited to the “hands free” option (i.e. earpiece, speaker phone or Bluetooth). Earpiece and Bluetooth devices will be black, silver, or brown in color. If the cellular device is not equipped with a “hands free” option, the employee will pull over to a location where they can safely use the cellular device.
2. The use of a cellular device earpiece should never be allowed to interfere with effectively monitoring the radio or being attentive to the sounds of traffic or citizens. Conversations should be brief and will not interfere with the safe operation of the vehicle.
3. While engaged in a priority response or vehicle pursuit, Department employees are prohibited from using cellular devices in any capacity.
4. Text messaging or e-mailing while driving is prohibited. This includes reading messages and checking messages at stop signals.
5. Personal communications on cellular telephones while engaged in enforcement activity should be conducted out of the view of the public when feasible, unless exigent circumstances exist.
6. On-duty personnel shall not wear a cellular telephone earpiece at any time if a radio earpiece is worn. Employees using cellular devices while operating a Department vehicle shall use good judgment and discretion, constantly keeping in mind officer and public safety.

Maintenance - Prior to operating a vehicle, the operator shall check the vehicle and ensure it is in good working order. Only agency vehicles equipped with push bumpers should be used to push other vehicles. Department vehicles shall be returned to the station at the end of a trip/tour with a full tank of gas and with a clean interior.

Electronic Safety Aids – The Ford Utility patrol vehicles are equipped with electronic stability controls, traction controls, rear parking sensors and rear parking cameras. The safe operation of these vehicles is dependent upon the electronic aids being active and functioning. Disabling any of these aids is prohibited, with the lone exception being when officers are working in inclement conditions (i.e., snow or ice), suffer a total loss of traction and the ability to drive the vehicle is dependent upon the traction control aid being disabled temporarily.

Occupancy of Vehicles - No member of the department shall allow an unauthorized person to operate or occupy a department vehicle or have in his or her possession the keys to such vehicle.

Parking of Vehicles - Drivers shall park their vehicle in a practical manner and attempt to avoid parking where backing out may be required. All vehicles will be turned off and locked when unoccupied (K-9 vehicles with dogs inside are considered occupied and will remain running with proper air conditioning as long as the dog remains inside).

Intersections - During both Code 2 and Code 3 operations, officers shall come to a stop before entering an intersection against the traffic control device (red light, flashing red light, stop sign, etc.), as well as before entering any blind intersection, or any intersection where hazards are present and other drivers cannot see oncoming lanes of traffic. If needed, the officer may cross the intersection in stages, treating each lane as a separate intersection. If entering an intersection with right of way, officers will slow and ensure that the intersection is clear before proceeding. If the vehicle is equipped with an Opticom light cycler, the officer will not assume the traffic signal has cycled and will ensure each lane of traffic has stopped before proceeding through the intersection.

Stopped Buses - During both Code 2 and Code 3 operations, officers shall slow and ensure that they safely pass a stopped bus unloading passengers.

Stopped in Traffic - If an emergency vehicle becomes stopped by traffic (i.e., in a turn lane or at a red light), the officer may turn off the emergency lights and siren until traffic conditions allow for the safe movement of the vehicle. Once the vehicle returns to Code 3 operations, the emergency lights and siren must be reactivated.

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Entering Opposing Lanes - During Code 3 operations, officers driving into opposing traffic may do so at slow speeds and must ensure that no oncoming traffic is present in their lane before proceeding. Extreme caution must be exercised. (08/11, 11/13)■

**Section 2      Emergency Response Driving (excluding Pursuit)**

See Critical Policies/Procedures 6/012.00 CODE 3 DRIVING (Excluding Pursuit Driving)

**Section 3      Pursuit Driving**

See Critical Policies/Procedures 6/014.00 PURSUIT DRIVING

**Section 4      Driver's Training**

It is the policy of this department to increase awareness and understanding of safe driving practices through training provided by the LVMPD Training Section, so that all employees are appropriately certified to operate police vehicles in accordance with their responsibilities.

DRIVING INSTRUCTORS

Department driver training instructors are skilled in the theory and dynamics of vehicle operations. In the interest of safety to personnel and protection of equipment, instructors will have complete authority over trainees during the course of instruction.

To maintain an effective trainer-to-driver ratio, part-time instructors will be assigned when necessary to augment the driving instructor staff, such as during a recruit academy. When authorized by the Sheriff, part-time driving instructors will be relieved of their regular duties and assigned TDY to the Defensive/Pursuit Driving School.

EMERGENCY VEHICLE OPERATIONS COURSE (EVOC)

EVOC is mandatory as follows:

- Recruits - Academy EVOC;
- POs - EVOC in each of the first three years of service;
- POs with more than three years of service - Annual web-based EVOC and, for uniformed first-responding officers, biennial EVOC recertification;
- FTOs with more than three years of service/Sergeants/Lieutenants - Annual web-based Supervisor EVOC and biennial EVOC recertification (non-uniformed sergeants and lieutenants are exempt from the biennial recertification);
- COs, Civilian Employees, PSRs, Cadets - Initial certification.

Officers in the FTEP program will be required to complete a successful check ride and a Code 3 check ride prior to graduation from FTEP.

Each sergeant will conduct an initial check ride and document the outcome of the check ride on all newly assigned officers who will be operating department vehicles, with an exception for new FTEP graduates, within the first week of assignment. The results of the check ride will be documented in the officer's UMLV training record.

Each sergeant will conduct annual web-based emergency vehicle operations refresher training for all assigned officers who operate department vehicles, per the UMLV lesson plan created by the Training Section/EVOC.

All employees will attend under the following circumstances:

- ARB referral;
- Supervisory intervention;
- Self-registration;

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- Approved squad/specialty training.

**FAILURE TO ATTEND OR CERTIFY DURING EVOC**

Commissioned employees who fail to participate or certify in mandatory EVOC will be assigned duties that do not require the operation of an agency vehicle until they are properly certified. Regarding officers who are scheduled for recertification and fail to attend without proper notification, the EVOC section will immediately notify, in writing, the officer's chain of command that the employee has either failed to attend or certify.

Upon notification, the bureau/area commander will ensure that the officer immediately calls to reschedule and that the officer's agency driving privileges are suspended until the employee has successfully completed EVOC. Additionally, a Statement of Complaint will be filed against the officer, after the second missed attendance without proper notification, regarding the employee's inability to meet the essential requirements of a police officer. Employees, who are on light duty status or who have an active worker's compensation case and are not allowed to attend EVOC, per their physician, are exempt from qualifying requirements until released back to full duty. Once released, employees will be required to recertify prior to operating a department vehicle.

Motorcycle officers assigned to Traffic Bureau are exempt from attending EVOC recertification, as Traffic Bureau conducts its own drivers training.

Officers and supervisors assigned to EVOC are exempt from mandatory EVOC.

**EMERGENCY VEHICLE OPERATIONS COMMITTEE**

The committee is established to provide oversight and feedback to the agency as it relates to emergency vehicle operations. The committee will meet quarterly and review current collision data concerning emergency vehicle operations and make recommendations for improvements to training and oversight of agency emergency vehicle operations. The committee is composed of:

- Patrol Division Commander
- Support Operations Division Commander
- Training Section Lieutenant
- Support Operations Bureau Commander
- Traffic Bureau Commander
- EVOC Lieutenant
- EVOC Sergeant
- Field Training Lieutenant
- Field Training Sergeant

The committee chairperson will be determined by the Assistant Sheriff of Law Enforcement Operations.

**Section 5 Department Vehicle Collisions & ARB**

**I. DEFINITIONS**

Collision	Any occurrence in which a driver of vehicle collides with another vehicle, pedestrian, animal, bicycle, road debris, or other stationary object such as a tree, pole, or building. For LVMPD purposes, the terms "accident" and "incident" represent two separate categories of vehicle collisions.
Accident	A collision involving one or more vehicles in which a complaint of bodily injury to or the death of any person occurs and/or results in the total damage to any vehicle or item of property to an apparent extent of \$750 or more.

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Incident	Any non-injury collision of a minor nature when the collision does not meet the definition of an accident, as defined above.
Undercarriage	The internal mechanical parts of the vehicle required for operation. This includes the engine and attached parts, the engine compartment, the underside of the vehicle, the drive train, transmission, steering assembly, etc., and all underside mechanical parts to include the tires and rims. Bumpers, doors, door rails and posts, quarter panels, top or windows and any outside/exterior body part of the vehicle is not considered part of the undercarriage.
Excusable	A finding that a member involved in a collision may be at fault, but that the collision was unavoidable or excusable considering all of the circumstances.
Preventable	A finding that a member involved in a collision violated department policies, procedures, training standards, or traffic laws.
Non-Preventable	A finding that a member involved in a collision performed in accordance with department policies, procedures, training standards, and traffic laws.
Training Accident/Incident	Any collision, regardless of injury sustained or damage amount totals, occurring during training/in the training environment on closed course.
Closed Course	Includes, but is not limited to, a speedway, racetrack, or a prescribed and defined route of travel on or off a highway that is closed to all motor vehicles other than those of participants. A closed course is one which is not available at any time for vehicular access by the general public.

**II. REPORTING DEPARTMENT VEHICLE COLLISIONS**

All traffic collisions involving department vehicles will be thoroughly investigated by the traffic Bureau or a commissioned patrol supervisor and administratively reviewed by the Accident Review Board (ARB).

Department employees found to be at fault in collisions are subject to appropriate disciplinary action by the ARB.

**III. INVESTIGATION OF DEPARTMENT VEHICLE COLLISIONS**

1. All Department Members involved in a collision while in actual physical control of any motor vehicle (on-duty) or in any department vehicle (on or off-duty) shall:
  - a. Stop at the scene of the collision and render aid to any person injured;
  - b. Notify communications dispatcher and their immediate and/or on-duty supervisor, as soon as practical, except for training collisions on a closed course;
  - c. Notify a training instructor and/or training supervisor on all collisions that occur during training;
  - d. Prior to moving any vehicle involved in a collision, notify the responding supervisor and/or traffic unit;
  - e. Prior to the end of members shift, report the details of the collision via the Accident Report in Blue Team:
    - 1) Members without computer network access, submit inter-department memo through their chain of command to the Bureau/Area Commander, EVOC Staff, and Fleet Operations;
    - 2) Completed by the member's supervisor, if the member is incapacitated;
    - 3) Minor training incidents on a closed course are exempt.
  - f. Members will not investigate collisions in which they are involved.
2. The Communications Bureau shall:
  - a. Notify the involved officer's supervisor, if a commissioned department member is involved;
  - b. Notify the area patrol supervisor, if a civilian department member is involved;

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- c. Notify a traffic supervisor, if no other patrol area supervisor is available;
  - d. Dispatch a traffic unit on any collision that involves another citizen or meets the definition of an accident;
  - e. Notify the Risk Manager. The insurance adjuster will be called out at the request of the Risk Manager or commissioned/traffic supervisor;
  - f. Notify the Watch Commander, the Fatal Detail, the on-call Public Information Officer and the involved member(s) chain of command when death, serious injury, significant property damage occurs, or when requested by the traffic supervisor.
3. The Commissioned Supervisor shall:
- a. Respond and conduct preliminary investigation;
  - b. If the collision involves any other citizen's vehicle, significant private property damage, PIT, Blocking or Pinching requests a traffic unit to respond;
  - c. If the collision only rises to the level of an incident and no other citizen vehicle was involved (i.e., LVMPD property vs. LVMPD property damage under \$750, single vehicle damage on or off road (i.e., rim damage, oil pan, etc.), or single vehicle vs. private property (i.e., rock, pole, structure, etc. with minor or no apparent damage.), completes and submits Supervisor's Report of Department Vehicle Incident, LVMPD form 393, to the involved member's Bureau Area Commander;
  - d. Ensures that a Check Ride Report, LVMPD form 461, is completed on the involved member and forwards a copy to AOST for entry in the members UMLV training record.
    - 1) Motor officers assigned to the traffic Bureau will be required to complete a check ride with a certified motor instructor. Completion of this check ride will be documented in UMLV;
  - e. Ensure involved member completes an Accident Report in Blue Team or memo, as required;
  - f. Directs involved member to contact Risk Manager with any inquiries.
4. The Traffic Unit shall:
- a. Respond when requested and conduct a preliminary investigation;
  - b. Investigates collisions occurring within jurisdictional boundaries, including areas of concurrent jurisdiction with other police agencies;
  - c. May exercise primary investigative authority for collisions involving department members and/or department vehicles within in Clark County;
  - d. Notify the Communications Bureau as soon as possible on the extent of damage so Risk Management can determine if a response by the insurance adjuster is necessary;
  - e. Notify the traffic supervisor on all department involved collisions;
  - f. As soon as reasonably practicable, if the vehicle(s) are obstructing traffic and can be moved safely, move the vehicle(s) or cause the vehicle(s) to be moved to a location that does not obstruct traffic;
  - g. Complete appropriate accident/incident report:
    - 1) Accidents will be completed on a State of Nevada Traffic Accident Report, NHP form 5 (NRS 484E.110);
    - 2) Incidents will be completed on a Department Vehicle Incident Report, LVMPD form 42;
    - 3) See Policy 6/002.04 for reporting requirements on PIT, Blocking or Pinching uses of force with a vehicle.
  - h. With respect to all reports, include the words, "Self Insured Under NRS 41.038, 1/6/86 to Present Date." The Risk Manager's phone number, "702-828-3330," will be added in the insurance block;
  - i. Complete an accident diagram for all collisions involving department vehicles, unless it is of a minor nature and the traffic supervisor has approved a field sketch;
  - j. Completes an Officer's Report, when appropriate, to include information not contained on the accident report or diagram, indicating any contributing factors, violations of law, or other information determined from the results of the investigation;
  - k. Request a crime scene analyst for photographs on any injury or major property damage accident. May have minor scenes photographed by the traffic supervisor's camera or other department cameras, when available:
    - 1) Photograph or have the area photographed, to include the collision damage and any pertinent evidence (i.e., road position, view obstructions, work zone, surface conditions, etc.).

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1. Provide any non-member involved in a department vehicle collision with a copy of the electronic Driver's Exchange Form or Driver's Exchange Card, LVMPD form 83, and advise them to contact the Risk Manager when department liability is possible.
5. Traffic Supervisor will:
  - a. Respond to department collision scenes when requested, or when department liability is possible;
  - b. Notify Communications in the case of death, serious injury or significant property damage so they can notify the Traffic Fatal Detail, the Watch Commander, on-call Public Information Officer and involved member's chain of command:
    - 1) Fatal collisions involving a department a member must be conducted by a law enforcement agency other than the agency that employs the peace officer involved in the accident. However, the Traffic Fatal Detail may conduct parallel investigations with the other agency, NRS 289.095.
  - c. Determine whether a violation of a serious nature has occurred, i.e., reckless driving behavior, DUI or other policy violations. If so, immediately notify the members' chain of command, traffic Lieutenant and the Fatal Detail;
  - d. Complete a Supervisor's Report of Department Vehicle Incident, LVMPD form 393, when a commissioned supervisor is not available for the involved member or civilian;
  - e. Ensure that all appropriate reports are completed, evidence is documented, and diagrams are completed.
6. Training Supervisor will:
  - a. Respond to training accidents and conduct preliminary investigations. For example, any accident with damage to a vehicle, specialty vehicle, EVOC vehicle or motorcycle during training on a closed course which requires that vehicle to be taken out of service for repair;
  - b. Complete and submit a Supervisor's Report of Department Vehicle Incident, LVMPD form 393 unless the accident occurred on a public highway, involves any other citizens' vehicle, serious bodily injury or death, in which case request a traffic unit to respond, to their respective Bureau Commander:
    - 1) Minor training incidents on a closed course are exempt from any collision reporting requirements.
  - c. Document the causal factors for the damage and submit recommendations for the prevention of future incidents via interdepartmental memo to their respective bureau commander, for evaluation.
7. The Bureau/Area Commander/Director of the involved member will:
  - a. Review the Supervisor's Report of Department Vehicle Incident and forwards original to ARB and copies to EVOC, Risk Manager and Fleet Operations Bureau;
  - b. Ensures involved member completes a check ride is completed.
8. The Risk Manger will:
  - a. Notify the Fleet Operations Bureau each working day of any department vehicles damaged in accidents/incidents in the previous period.
9. The Fleet Operations Bureau will:
  - a. In conjunction with the Risk Manager, ensure repairs are made on vehicles damaged in accidents/incidents;
  - b. Place a copy of the Accident/Incident Report/memo in the vehicle's permanent file;
  - c. Fleet Operations Bureau will not begin vehicle repairs without an event number from the Accident/Incident Report and approval from the Risk Manager or ARB showing the accident damage has been documented and is on file.

Supervisor's Report of Vehicle Incident LVMPD 393	<ul style="list-style-type: none"> <li>• Commissioned Supervisor</li> <li>• Less than \$750 in damage</li> <li>• No injuries</li> <li>• No other citizen vehicle involved</li> <li>• Minor damage to private property</li> <li>• Training collisions</li> </ul>
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Department Vehicle Incident Report LVMPD 42	<ul style="list-style-type: none"> <li>• Traffic officer</li> <li>• Less than \$750 in damage</li> <li>• No injuries</li> </ul>
State of Nevada Traffic Accident Report NHP 5	<ul style="list-style-type: none"> <li>• Traffic officer</li> <li>• \$750 or more in damage</li> <li>• Injuries</li> </ul>

**IV. ACCIDENT REVIEW BOARD**

A.S. 26.1.4, 26.1.8

The Accident Review Board will evaluate the causes of accidents involving department vehicles. The board will determine if department policies, procedures, training standards, or traffic laws have been violated, and assess appropriate disciplinary action/training when warranted.

The Traffic Bureau will maintain both electronic and paper files and statistics on all department vehicles and department members involved in traffic accidents. In addition, the Accident Review Board Chairperson will submit an annual summary report to the Training Section, outlining the causes of department accidents, for their use in determining if additional driver training is needed. A copy of the annual summary will be sent to all captains/directors and above.

With the exception of the board chairperson, the members of the Accident Review Board will be recommended to the Tourist Safety Division Deputy Chief. Upon approval by the Tourist Safety Division Deputy Chief, the board will be composed of the following:

1. A Deputy Chief will serve as the board chairperson, appointed by the Sheriff, or designee;
2. The Traffic Bureau Commander will serve as vice-chairperson;
3. A Community Policing Division lieutenant;
4. An Investigative Services Division lieutenant;
5. A Tourist Safety Division lieutenant;
6. A civilian member in Pay Schedule 49 or higher;
7. A representative from the Office of General Counsel;
8. The Professional Standards Division lieutenant who supervises the Driver Training Section.

The board chairperson, the vice-chairperson, and the civilian member must be present for the Accident Review Board to meet. For each position on the board, alternates can be appointed by the Tourist Safety Division Deputy Chief.

The member's immediate supervisor will attend the Accident Review Board as indicated below; however, they will not be present during the voting process. Bureau/area commanders may, at their discretion, attend ARB hearings involving members under their command, and may provide recommendations to the board; however, will not be present during the voting process. Labor association representatives may also attend the ARB to represent a member; however, will not be present during the voting process.

The Accident Review Board will convene to determine the cause of department vehicle accidents/incidents, with findings that the actions of drivers were excusable, non-preventable, or preventable:

1. Minor or moderate damage to all property as a result of the accident/incidents (where discipline may result), the board will require the member to attend, as well as the member's FTO, if applicable;
2. Major damage to all property or minor injury as a result of the accident, the board will require an appearance by the member and will require the attendance of the member's immediate supervisor and next level of supervision as well as the member's FTO, if applicable;
3. Substantial bodily injury or death, as a result of the accident, the board (Alternate Board) will require an appearance by the member, the member's bureau/area commander, the member's immediate supervisor, the member's FTO, if applicable, and an member representative if the member so chooses.

Failure to appear before the Accident Review Board, when so directed, will subject the member to department discipline, and does not prevent the board from rendering a decision.



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A. Accident Review Board Procedure

1. The Accident Review Board Chairperson shall:
  - a. Obtain accident/incident reports from the Records Bureau and ARB file information;
  - b. Obtain information on vehicle accident costs (by member's name, event number, and vehicle number) from Risk Management. Although injury costs may not be available, the cost of the physical damage should be obtained prior to the ARB Chairperson scheduling the appointment for the member through the ARB;
  - c. Determine which collisions will be scheduled for mandatory or non-mandatory appearances at the ARB and whether the collisions reviewed can be found as non-negligent, requiring no appearance before the ARB. Whenever attendance is mandatory the hearing shall be recorded. The member /association will be provided a digital copy of the recorded hearing upon request;
  - d. Determine, with other board members, if there has been a possible violation relating to vehicle operation:
    - 1) When no violation is found, notify the member and the member's bureau/area commander that the accident is not in violation of department policies, procedures, training standards, or traffic laws;
    - 2) When a violation is suspected, establish an Accident Review Board hearing date and notify the board members:
      - a) Internal Affairs Bureau will be contacted to see if the member has an open complaint relating to the collision. If so, depending on the type of allegation ARB may handle both the collision and complaint or ARB will handle the collision and IAB will handle the complaint. In either case, there will be only one finding.
  - e. Notify the member, telephonically or in person, the member's immediate supervisor, and the member's bureau/area commander, in writing/e-mail, of the hearing date and time. The notification will also advise if attendance of the member's chain of command is also required. The ARB Chairperson will ensure that the member and the respective association receives notification of the ARB hearing date and time as well as those who will be in attendance a minimum of 48 hours prior to the scheduled date and time of the hearing. The member may bring witnesses and/or representation;
  - f. Complete required reports after the board hearing and forward them through the chain of command to the appropriate Division Deputy Chief/Director.
2. The Accident Review Board shall:
  - a. Ensure the "Garrity Warning" is read to the member whenever the member appears before the board;
  - b. Determine after the hearing, if there has been a possible violation of department procedures, training standards, or traffic laws relating to vehicle operation;
  - c. Assess disciplinary action, when appropriate, via the LVMPD PD 2E, Accident Review Board Adjudication, to the member's supervisor for implementation. Once signed, the adjudication will be returned to the ARB for verification and then forwarded Labor Relations. If the member is covered by the PMSA collective bargaining agreement and the recommended discipline is either 40 hours or termination, the supervisor will forward the adjudication through the chain of command to the appropriate Assistant Sheriff to request that a Discipline Board be convened to consider the matter:
    - 1) If there is a concurrent investigation with IAB, only one adjudication will be submitted. The adjudication will describe the outcome of the ARB hearing and recommended discipline based upon the accident/incident and the findings from IAB.
  - d. Wait at least 72 hours after the ARB hearing to notify the member of the decision of the board.
3. Alternate Accident Review Board:
  - a. When serious bodily injury (as defined in 6/002.00) or death occurs, and in cases involving captains and above, the alternate Accident Review Board will evaluate the cause of the accident and determine if disciplinary action is appropriate. In these instances, the board will require an appearance by the member, the member's immediate supervisor, and a member representative, if the employee so chooses;
  - b. The alternate board will be composed of three deputy chiefs, with the Assistant Sheriff of the Law Enforcement Operations Group, or his designee, serving as chairman;
  - c. The chairman of the primary board will serve as administrative liaison to the alternate board. Liaison duties will include making member notifications, providing information, and

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- maintaining reports.
4. Administrative Discipline:
    - a. In determining the appropriate discipline for members found in preventable department vehicle accidents, the Accident Review Board will consider the following factors:
      - 1) Severity and circumstances relating to the accident:
        - a) Injuries and/or property damage;
        - b) Private property vs. public roadway;
        - c) Single vehicle only vs. collision with another vehicle. The driving actions of member (i.e., reckless driving behavior, excessive speeds, policy violations, etc.), member behavior and performance immediately preceding and during the accident;
        - d) Routine patrol and/or driving vs. Code 3 or Vehicle Pursuit driving.
      - 2) Violation of state, county, and city traffic laws and regulations;
      - 3) Failure to comply with department policies, rules/regulations, procedures, and/or training standards;
      - 4) Driving history as established by current Contact Reports and/or disciplinary actions that are retained in the member's personnel file in accordance with 5/101.42 Purging of Disciplinary Files;
      - 5) Disciplinary guidelines set out in the Disciplinary Decision Guide contained within the Managing Member Performance & Conduct Handbook and Guide for Managers and Supervisors.
    - b. The following actions will be taken by the board, with consideration to any mitigating or aggravating circumstances presented during the administrative hearing, and other guidelines set out in subsection "D1", above:
      - 1) The first preventable collision will result in a contact or discipline up to and including termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion;
      - 2) A second preventable collision finding, where a member previously received a contact no longer than 12 months prior, will result in discipline ranging from a written reprimand to termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion;
      - 3) A third preventable collision finding, where a member previously received a written reprimand will result in discipline ranging from a minor suspension to termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion;
      - 4) A fourth or any subsequent preventable collision finding will result in discipline ranging from a major suspension to termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion.
  5. Incident Reporting and Record Keeping:
    - a. The ARB will maintain the vehicle accident/incident reports. Refer to department policy on "Reporting Vehicle Accidents," (Above; Section V. II.). These reports may only be used for determining corrective action when they are directly related to incidents reviewed by the ARB as set out in section "D. Administrative Discipline," above.
  6. Decisions on Recommended Administrative Discipline:
    - a. A member receiving discipline as the result of a department vehicle accident may file a grievance according to PPA, PMSA or PPACE, whichever is appropriate to the member being disciplined;
    - b. Prior to changing or reducing discipline which was administered by the ARB, bureau/area commanders may contact the ARB chairperson to receive input and an explanation as to why the discipline was given. Bureau/area commanders may review the members ARB file maintained at the Traffic Bureau;
    - c. If the member is covered by the PMSA collective bargaining agreement and the recommended discipline is either 40 hours or termination, the bureau/area commander will forward adjudication through the chain of command to the appropriate Assistant Sheriff to request that a Discipline Board be convened to consider the matter;
    - d. Once all grievances and/or disciplinary steps have been taken, copies of the final dispositions will be forwarded to the ARB for inclusion in the member's file. The ARB will report all disciplinary action to the Office of Labor Relations for tracking purposes.
  7. Purging of Accident History Information:
    - a. The purging of disciplinary records for on-duty department vehicle accidents/incidents will be

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accomplished in accordance with the guidelines provided in 5/101.42. (6/14, 11/15)

V. LVMPD INVOLVED MONTHLY REPORT

The Traffic Bureau will produce a monthly report detailing collisions involving the agency members and maintain a running count of accident rates by bureau/area command. The report will be distributed to all supervisors in the agency. Each bureau/area command will post the document in a visible location within the building and maintain the "ARRIVE ALIVE" safety tally display. (7/14, 3/15)■

**Section 6 Administrative Procedures**

A. New Vehicle Requisitions

A.S. 17.3.1, 17.5.2, 41.1.3, 41.3.2

The Vehicle Requisition, LVMPD 13, will be used when requesting additional or replacement vehicles (except those replaced during the normal budget cycle). The requester must provide a complete description, as well as justification for the vehicle, and submit the form through the chain of command and Office of Finance.

NOTE: SWAT, Resident Sections, Search and Rescue, K9, TAS, and Emergency Management Sections are exempt from the following requirements of this subsection on "General Provisions".

- a. Area commands, bureaus and sections are not authorized to maintain 4-wheel drive vehicles unless authorized by their respective Assistant Sheriff. Any exceptions are first reviewed by the Fleet Committee. Their recommendations are then discussed by the Chair of the Fleet committee with the respective Assistant Sheriff for final approval.
  - b. All SUVs will be mid-sized vehicles unless justification for full-sized SUVs is clearly established and reviewed by the Fleet Committee.
  - c. Mid-sized SUV type vehicles and pick-up trucks may account for no more than 20% of any budget or any bureau's total vehicle allotment. This does not include vehicles designated and approved for special circumstances, non-full time use (i.e. meth lab vans, SWAT tactical vehicles, surveillance platforms and other vehicles used for specific events only). Any allotments above the 20%, which are considered essential for operations, will be reviewed by the Fleet Committee and must be approved by the Assistant Sheriff within that bureau's chain of command.
  - d. All patrol vehicles will be ordered and equipped identically throughout all area commands (see Patrol Vehicles and Equipment; 5/207.06). Each area command may be assigned one full-size 2-wheel drive SUV for use as a watch commander vehicle.
2. To complete the form, the requester must:
    - a. Check the block beside the type of vehicle requested;
    - b. Write the vehicle engine size, if applicable to your operation;
    - c. Enter the bureau/area/section name and number;
    - d. Indicate the vehicle number of the vehicle being replaced if this is a replacement vehicle;
    - e. Write a justification of need for the additional vehicle being requested. If additional space is needed, attach a second page;
    - f. Check blocks below justification for additional equipment required and identify the source of funding for those required accessories.
  3. When the requisition is completed, the requestor must forward it through the appropriate chain of command for approvals. If Fleet Operations Bureau has a vehicle meeting the specifications available, they will note on the form and provide the appropriate cost figures. If the request is disapproved, the requisition should be returned to the originator without further advancement. Requests for seized vehicles must be approved by the Chief Financial Officer, Office of Finance, and the Communications and Technology Division Director in conjunction with the Division Deputy Chiefs requesting additional vehicles.
  4. The Fleet Operations Bureau will notify the requester of the final decision upon review by the Assistant Sheriff within that bureau's chain of command. (12/04, 12/10)

B. Patrol Vehicles and Equipment

A.S. 41.3.1, 41.3.2, 53.1.1

1. Vehicles used in routine and general police operations will be painted black and white. They will also be

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conspicuously marked so as to be visible. This will include the following markings in reflective-type material on vehicles:

- i. The LVMPD name and insignia on both sides;
  - ii. The word POLICE on both sides and rear;
  - iii. The EMERGENCY 9-1-1 number on both rear quarter panels;
  - iv. The non-emergency 3-1-1 number on the upper panels behind the rear doors;
  - v. The vehicle identification number on front, back and roof of the vehicle;
  - vi. The phrase, "Partners with the Community";
  - vii. The term, "Metro Police" on the top of the front push bumpers;
  - viii. The phrase, "CRIME STOPPERS 385-5555" on the rear door windows;
  - ix. The website address, "[www.lvmpd.com](http://www.lvmpd.com)" on rear of vehicle, driver's side of the trunk;
  - x. A decal of the Flag of the United States on the rear of the vehicle;
  - xi. A reflective warning stripe on the rear bumper.
2. All Patrol vehicles will be equipped with all communication and emergency equipment authorized by the Patrol Division. Officers will fill out a Vehicle Condition Report, LVMPD 47, at the beginning of each shift - recording any discrepancies such as safety problems, poor performance, damage, or missing items, according to the legend on the report. Officers will replenish depleted or damaged items by contacting the service aide or supervisor at their area command. If necessary, an explanation should be made in the space for comments. Vehicle Condition Reports will be turned in for supervisory review before the end of the shift.
  3. A vehicle with any condition that affects its safe operation will be immediately taken out of service and red-lined. A vehicle with defective emergency or communications equipment will have the item(s) immediately repaired or replaced, or the vehicle will be red lined.
  4. Patrol supervisors shall conduct periodic spot inspections of vehicles assigned to their personnel at least monthly. Any deficiencies and/or corrective actions taken noted will be recorded in a contact report. This will ensure the serviceability of vehicles and equipment, and the accountability of assigned items. (3/02, 12/04)

C. Department Take-Home Vehicles

A.S. 17.5.2, 41.1.3

1. Only qualified, specified employees may take LVMPD vehicles home when assignment warrants such a vehicle and they are authorized to do so by the respective chain of command, based on the following criteria. The use of such vehicles will be restricted to regular duty assignments, to and from duty, and for the unscheduled performance of official duties. Requests from all employees requiring a vehicle assigned 24-hours for operational purposes will be approved by the Division Commander.
2. Take-home vehicles are not intended to take the place of the employee's personal transportation and are assigned to the employee for official business purposes only. Unauthorized use will result in disciplinary action. Non-department employees are authorized in a department take-home vehicle only when required for the performance of duty, or necessary to transport the non-department employee to a location to facilitate the employee responding to a duty function in a timely manner (i.e., taking or picking up children to or from school on the employee's way to work).
3. Management personnel, including appointed personnel, Directors and above, who require frequent use of a vehicle for official business but do not qualify for a take-home vehicle, will be compensated with a vehicle allowance. This allowance will be established and approved by the Sheriff. The compensation will be reflected in the employee's W-2. Employee's receiving a vehicle allowance will not be authorized for a department take-home vehicle.
4. Newly assigned employees requesting a take-home vehicle for the first time in the new bureau will complete the Take-Home Initial Vehicle Request, LVMPD 358, submitted through their chain of command. Upon approval by the bureau/area commander, a Take-Home Initial Vehicle Request will be forwarded to the Division Commander for approval. Logistics Bureau will maintain a record of these documents.
5. Each department where a civilian employee utilizes a take-home vehicle is required to report this usage to the Payroll Section, Office of Finance, by the 5<sup>th</sup> of each month with the employee's name, P#, and how many days of the preceding month the employee used a department vehicle to commute to/from work. Payroll will post this benefit on the employee's paycheck.
6. Criteria for authorization:
  - a. Captains and above are exempt from the criteria as these positions qualify based on each position

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maintaining 24-hour operational responsibility, are required to respond at any hour due to certain OPC ON operational levels, are often responsible for operations and personnel at multiple locations, and are considered key operational personnel.

- b. Bureau/area commanders/directors will review and assess the take-home vehicle criteria balanced with each individual employee's need for a take-home vehicle. This will be based on the individual employee's job duties. Vehicles will not be assigned based solely on the employee's overall bureau operational requirements. An employee considered for a take-home vehicle must need that vehicle during the majority of the 40-hour work week for unscheduled duty. Bureau/area commanders will consider the use of vehicle sharing strategies (i.e., two employees normally working together sharing one vehicle) and part time take-home vehicle assignments where full-time, take-home vehicle requirements are not met for individual assignments and/or where operations permit.
  - c. Lieutenants and above assigned take-home vehicles will be assigned sedan-type vehicles. Those meeting the requirements for other specialized vehicles will be approved on a case-by-case basis through the take-home vehicle approval process (SWAT, Traffic, Search and Rescue, Resident areas, and Emergency Management are exempt from this sub-section).
  - d. The following requirements must be met for authorization of a 24-hour vehicle assignment:
    - 1) Employees assigned a take-home vehicle must reside within the urban jurisdiction of LVMPD. The urban area is considered a 25-mile radius of Clark County beginning at Sahara and Valley View. (This includes motorcycles, Resident officers are exempt);
    - 2) 24 hour operational responsibility;
    - 3) 24 hour on-call status based on the actual frequency of call outs;
    - 4) Required for regular unscheduled duty outside the normal hours and based on the actual frequency of such unscheduled duty. (Unscheduled duty can be compensated by pay, time off, or adjusted shifts in operations where the duty time fluctuates based on the type of activities);
    - 5) Responds to multiple locations while assigned;
    - 6) Responds to various locations throughout LVMPD's jurisdiction;
    - 7) Does not respond to normal work place when called out;
    - 8) Assignment requires specialized vehicles (not required);
    - 9) Assignment requires specialized equipment (not required).
7. Approved Use of Take-Home Vehicles
- a. Employees will not use alcohol during the operation of a department vehicle except as outlined in Department Manual Section 5/110.01. Employees will not operate department vehicles if intoxicated or impaired by the use of alcohol or drugs (i.e., medications). Employees found intoxicated or impaired operating a department vehicle and who have damaged property may be held financially responsible for all LVMPD costs incurred.

#### PROCEDURE

1. The bureau commander shall:
  - a. Perform annual internal audit each January (5/102.06), survey assignments and determine the need for take-home vehicles based upon criteria for assignment;
  - b. Upon review and approval by the bureau commander, prepare list as instructed by the Logistics Bureau and send final to the Logistics Bureau;
2. The Division Commander shall:
  - a. Recommend approval/denial of the Take-Home Vehicle Initial Request, LVMPD 358, adding comments if appropriate, and forward it to the Logistics Bureau or, if denied, return to the bureau;
3. Upon receipt of list from the bureau, the Logistics Bureau shall:
  - a. Maintain all completed Take-Home Vehicle forms and other forms associated with take-home vehicle requests and update the Fleet tracking system.

#### REVIEW AND REPORTING

4. The immediate supervisor shall:
  - a. Conduct a monthly review of any vehicles assigned as a take-home vehicle to ensure the proper use, care, mileage, fuel usage, and continuing need;
  - b. Report any changes or deficiencies to the bureau/area commander.

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- c. Complete the Take-Home Vehicle Change Authorization, LVMPD 136, if needed.
5. The bureau commander shall:
  - a. Ensure take-home vehicles are adequately maintained, and mileage and fuel usage is consistent with designated responsibilities;
  - b. Advises the Division Commander of any recommended changes concerning the assignment of take-home vehicles. Ensure the Take-Home Vehicle Change Authorization, LVMPD 135, is completed, if necessary.
6. The Logistics Bureau shall:
  - a. Maintain up-to-date take-home vehicle information using Fleet Systems software;
  - b. When requested by bureau commander or higher, provide active take-home vehicle lists for review;
  - c. Provide summary of information to Deputy Chiefs and Assistant Sheriffs each February, or upon request;
  - d. Provide bureau commanders instructions for completing annual reviews each January. (12/10, 6/15)

D. Use of Department Vehicle for Travel Outside of Nevada

Members will normally use commercial transportation when traveling on official business outside of Nevada. However, it is recognized that in some situations it is more practical to travel by vehicle. For that reason, members must obtain prior approval through their chain of command and the Director of Risk Management or designee to use a department vehicle for out-of-state travel requirements.

PROCEDURE

1. The member shall:
  - a. Obtain approval through their chain of command and from the Director of Risk Management or designee to drive a department vehicle for authorized out-of-state travel. The request for approval may be submitted in either a memorandum or e-mail and shall include the vehicle and license plate numbers, VIN, names of travelers, destination, reason for travel, and departure and return dates;
  - b. Attach the approval (memorandum/e-mail) for driving a Department vehicle out of state to a completed Travel/Training Request and process through the chain of command as required in policy 5/103.04;
  - c. Arrange for the use of an LVMPD vehicle;
  - d. Ensure there is a laminated self-insurance card in the vehicle, and the vehicle is properly serviced and equipped for the trip;
  - e. Return the vehicle fueled and in a clean condition following the trip.
2. The Risk Management Section shall:
  - a. Maintain a copy of the memo or e-mail containing the request for approval to drive a Department vehicle out of state three years. (6/02, 7/10)

E. Use of Privately Owned Vehicles on Police Business

A.S. 17.4.2

1. Members will not use their privately owned vehicle for operational law enforcement activities (i.e., serving search warrants, making arrests, transporting prisoners, etc.) without specific written authorization from their office or Division Commander. Members who require a vehicle for operational law enforcement activities should utilize bureau vehicles.
2. Members requiring a vehicle for business related activities (i.e., travel to meetings, court, etc.) should utilize available bureau vehicles. Members who are occasionally required to use their personal vehicle while on duty for such business matters will be compensated at the standard IRS acceptable rate by submitting a Mileage Reimbursement Request, LVMPD 359, through their chain of command (to the bureau/area command level) to Accounting. This form may be used for parking reimbursement and will be submitted monthly, there is a minimum reimbursement threshold of \$10. If the \$10 minimum reimbursement threshold is not met on a monthly basis, the form may be submitted quarterly. Mileage reimbursement requests must be turned in no later than 15 days after the end of any given quarter in which you had mileage expense. No reimbursements will be issued for prior fiscal years.
3. In the case of a vehicle accident involving a department member during on-duty use of their privately

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owned vehicle, the member's private vehicle insurance is considered primary. (11/07, 4/13)

F. Reporting Damage/Loss to Department Property and Equipment

1. Members shall promptly report to their immediate supervisor for further reporting through their chain of command, the occurrence of damage, or the discovery of damage, to department property that has been issued or assigned for their use. Officers shall report an incident using an Officer's Report, while civilian members shall report by memo prior to the end of their shift (completed by the member's supervisor if the member is incapacitated). This includes non-collision damage to department vehicles.
2. All reports of loss, damage, or unserviceable condition of department property or equipment should include:
  - a. A description of the property, including any serial numbers when appropriate;
  - b. The date, time, and location of occurrence or discovery;
  - c. A complete description of the damage, loss or defect;
  - d. A complete description of the incident, and surrounding circumstances if applicable.
3. Members will also forward copies of Officer's Reports/memos reporting non-collision damage to department vehicles to the Fleet Operations Bureau for placement in the vehicle's permanent file. (2/75, 8/95)

G. Maintaining Communications

A.S. 26.1.1, 81.2.4, 81.2.5

1. Members on duty, or officially on call, shall be directly available by normal communication or shall keep their office or supervisor informed of the means by which they may be reached. Members sent on a call shall, immediately upon completion of the task, notify the radio dispatcher or their supervisor of the nature of the call and the action taken.
2. Officers will broadcast by radio prior to leaving their vehicle during a traffic stop, and state their exact location and the license number of the stopped vehicle.
3. When an officer is absent from his vehicle for any reason, with or without portable radio, he will inform Communications of the reason for his absence, where he will be located, and how he may be contacted. (4/74, 12/76)

H. Law Enforcement Escorts

A.S. 61.3.3

1. This department will provide police escorts for the funeral processions of police, fire and military personnel killed in the line of duty. All non-emergency escorts must be approved by an Assistant Sheriff.
2. Routine (Non-Emergency) Escorts
  - a. A routine, non-emergency escort will be utilized for funeral processions of police, fire, and military personnel killed in the line of duty (active); visits from the President and/or Vice-President; and other limited circumstances as approved by a Division Deputy Chief.
  - b. Requests for escorts will be processed in advance by the Traffic Bureau Commander. If no law enforcement or official police presence would be required, the party requesting the escort will be advised to contact a private escort service.
3. Emergency Escorts
  - a. Emergency escorts will normally be received without prior notification through the Communications Bureau. The Communications supervisor will advise the Traffic Bureau lieutenant, if available, or a Traffic Bureau sergeant, providing the specific nature of the emergency.
  - b. The Traffic Bureau supervisor making the determination to provide an escort detail will assign personnel as appropriate. If the request is denied, the Traffic Bureau Commander will be advised and briefed of the circumstances on the next working day, as necessary. (2/89, 12/07)

J. Movement of Vehicles

1. When a vehicle is reassigned to another bureau by Fleet Operations it will be approved by the Fleet Manager or the Director of Logistics Bureau.
2. Fleet Operations will notify the gaining bureau commander and the Radio Systems Bureau Manager of the vehicle reassignment. Before the vehicle is physically moved to the new bureau it will be delivered to the Radio Systems Bureau to have the radio reprogrammed with the correct program and the police emergency

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- equipment will be inspected for operation and verification for the correct type of equipment for the new assignment.
3. If there is an additional vehicle given to a bureau or if there is a new section established, the approval for these vehicles will come from either the Director of Logistics or Executive Staff. Before the vehicle is physically assigned to the new bureau it will be delivered to the Radio Systems Bureau to have the radio reprogrammed with the correct program and the police emergency equipment will be inspected for operation and verification that it has the correct type of equipment for the new assignment. Additional and new vehicle funding will be approved by budget for vehicles and police emergency equipment.
  4. If a vehicle is moved to another section within a bureau, the bureau commander will notify Fleet Operations and the Radio Systems Bureau of the internal move. Prior to the vehicle being moved it will be delivered to the Radio Shop to have the mobile radio reprogrammed / programmed verified and to have any equipment added or removed for the new assignment of the vehicle. It is critical for officer safety and for equipment accountability that the correct program is in the radio and the vehicle has the correct emergency equipment.
- K. Recovery and Replacement of Emergency Equipment from Accident Vehicles
1. When a vehicle has been in an accident, Fleet Operations will attempt to cover the windows with a heavy duty plastic to protect the interior of the vehicle and emergency equipment from the weather.
  2. Radio Systems will remove the police radio and any other equipment if the vehicle has excessive damage, appears to be not immediately repairable and if LVMPD vehicles are involved in a vehicle accident with a privately owned vehicle. The radio will be returned to inventory for reissue after verification that it is still operational and no damage has incurred during the accident.
    - a. Excessive damage and not immediately repairable will be determined by the Fleet Operations Supervisor.
    - b. Equipment will be removed when LVMPD vehicles are involved in a vehicle accident with a privately owned vehicle.
    - c. If the equipment has been damaged during an accident the equipment will be listed on the repair quote for reimbursement by the insurance company or budgeted for replacement equipment by LVMPD Budget Section.
  3. If the vehicle is on legal hold or has been deemed a total loss, Fleet Operations will notify Radio Systems Bureau. Radio Systems Bureau Fleet Supervisor will contact Risk Management for approval to remove any and all equipment. No equipment will be removed without prior written approval from Risk Management for vehicles that are on legal hold.

END OF POLICY (10/10, 5/15)■

**5/207.10      CITIZEN OBSERVERS, RIDE-ALONGS/SIT-ALONGS**  
**A.S. 26.1.1**

Citizen observers shall be permitted only after the prospective observer has successfully completed the LVMPD screening process. LVMPD recognizes that the community benefits from allowing citizens to be exposed to law enforcement activities (i.e., Citizen Academy participants, potential employment, etc.). The presence of an observer must benefit the community and the department, rather than the personal gratification of the person riding in the unit. For procedures regarding tours and/or sit-alongs in the Clark County Detention Center, contact the North Tower Bureau Administrative Lieutenant.

**DEFINITIONS**

**Background Check:** For the purposes of this policy, all citizens desiring to participate in a Ride-Along will have submitted to a criminal history records check including, but not limited to, Triple I, SCOPE, DMV and a check for Gang Affiliation by contacting M.A.G.I.C (Metro Area Gang Intelligence Center) line.

**Observer/Requestor:** Any citizen or department member other than a department member acting in their normal course of duties, who observes a member perform law enforcement related work.

**Ride-Along:** When an observer accompanies a department member during their regular duties. For the purposes of this policy, the term "Ride-Along" will also incorporate a sit-along or fly-along.



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### APPLICABLE FORMS

- Agreement Assuming Risk of Injury or Damage, Waiver and Release of Claims and Indemnity Agreement, LVMPD 145.
- Citizen Observer Request, LVMPD 216;

### JUVENILES/OTHER AGENCY EXPLORERS

Juveniles are not permitted to participate in a Ride-Along unless the juvenile is currently in the LVMPD Explorer program or as directed by the Sheriff. Juveniles that are active Explorers with another law enforcement agency are permitted to participate in the citizen observer program only if referred by a LVMPD Explorer advisor. The juvenile still must go through the background check and have a parent or legal guardian sign the LVMPD 145 and LVMPD 216.

### CURRENT LVMPD EXPLORERS

Current LVMPD Explorers are required to complete a background check and sign liability waivers prior to starting the program. Therefore, a current LVMPD Explorer is not required to submit to an additional background check or fill out an additional liability waiver.

### CITIZENS ACADEMY MEMBERS

Current Citizen's Academy participants who have successfully completed a Background Check will be permitted to participate in a Ride-Along. Former Citizen's Academy alumni must re-submit to a Background Check prior to participating in a Ride-Along.

### NON-DEPARTMENT MEMBER LAW ENFORCEMENT OFFICERS AND/OR EMPLOYEES

Law enforcement personnel from any other law enforcement agency, whose employment has been verified, may be authorized to Ride-Along. Law enforcement members may be exempt from the conditions listed below upon approval of the appropriate patrol lieutenant or respective bureau/area commander.

Non-department Member Citizen Observer will:

1. Complete the LVMPD 145 and LVMPD 216 prior to the Ride-Along;
2. Provide photo identification at the time of the Ride-Along which corresponds with the identification listed on the Ride-Along form;
3. Dress professionally (no shorts, t-shirts, sandals will be allowed, etc.);
4. Not be in the possession of any weapon(s) during the Ride-Along;
5. Not be permitted to record/video any portion of the Ride-Along unless approved by the Public Information Office (PIO);
6. Be limited to two Ride-Alongs per calendar year. Additional requests will require Bureau/Area Commander/designee approval.

### PROCEDURES

Bureau/Area Command Personnel will:

1. Review LVMPD 216 for completeness and accuracy. Incomplete requests will be returned to the requestor for completion;
2. Conduct a Background Check;
3. Forward the completed LVMPD 216 and Background Check results to the appropriate shift lieutenant or manager for review and approval (if outside of Community Policing Division (CPD), Tourist Safety Division (TSD), or Criminalistics send to the Bureau Commander);
4. Maintain the LVMPD 216 and a copy of the completed LVMPD 145 for one year;

Bureau/Area Command Lieutenant (for Ride-Alongs with commissioned personnel), or Bureau Manager, or designee (for Ride-Alongs with civilian personnel) will:

5. Ensure a Background Check on the requestor was conducted;

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6. Requestors who fall into any of the following categories are disqualified:
  - a. Is in the United States illegally;
  - b. Has a felony conviction (including any crime that would be a felony if committed in Nevada);
  - c. Has a misdemeanor conviction in the past two years;
  - d. Has a conviction for Battery/Domestic Violence;
  - e. Is involved in a pending criminal case;
  - f. Is determined to have gang, subversive, or terrorist group affiliation;
  - g. Is under 18 years of age at the time of request, unless participating in the LVMPD Explorer program.
  - h. Is untruthful on the application.
  - i. Has had prior poor feedback from previous ride-alongs.

In the event that a requestor is denied due to criminal background, gang or terrorist affiliation, members are not to disseminate the information to the requestor.

7. For department member referrals, determine if a formal relationship exists with the member providing the referral. Formal relationship may include, but is not limited to: spouse, family member, dating relationship with observer, or personal friend. If so, observers will not be permitted to ride with a member with whom they have a formal relationship and, additionally, the observer must complete the Ride-Along on a different shift than the member with whom the observer has a relationship. Alternatively, the observer may be referred to a different bureau/area command for the Ride-Along. An exception maybe made by specialized units (Crime Scene investigation Unit, etc.) upon approval of the bureau commander or designee;
8. If the Ride-Along is approved, assign the Ride-Along to the appropriate sergeant and/or civilian supervisor;
9. For Ride-Along requests within a division other than the Community Policing Division (CPD), the Tourist Safety Division (TSD), and Criminalistics, forward the LVMPD Citizen Observer Request to the bureau commander for approval.

Bureau/Area Commander (If not within CPD, TSD or Criminalistics) will:

10. Upon receipt of the LVMPD 216 for their respective bureau, review the request to ensure the request is acceptable and is in the best interest of the community and LVMPD;
11. If approved, signs and returns the request to the shift lieutenant or civilian supervisor for assignment.

Public Information Office (PIO) will:

12. Review, approve, and coordinate all media and production company Ride-Along requests, as well as all high profile requests;
13. Complete the forms and Background Check on the media, production company personnel, or high profile citizen requesting Ride-Along. The media, production company personnel, or high profile citizen will complete the liability waiver at the time of the Ride-Along;
14. Upon approval of Ride-Along request, forwards the approved LVMPD 216 form to the appropriate bureau/area command.

Supervisor will:

15. Upon approval, contact the requestor to schedule a Ride-Along;
16. Assign the observer to an officer/member, notating the squad, member and date on the LVMPD 216;
17. Upon completion of the Ride-Along, forward the LVMPD 145 and the LVMPD 216 to the bureau/area command personnel responsible for entry into the department log.

Department Member (commissioned or civilian) Accommodating the Citizen Observer will:

18. Department members will use good judgment when hosting a citizen observer, and will represent the agency in the best light. The agency's values are to be adhered to and demonstrated fully during the Ride-Along;
19. Prior to commencement of Ride-Along, ensure the LVMPD 145 has been completed and the participant's information corresponds to the presented photo identification;
20. Sign the LVMPD 145 and also obtain the witness officer and supervisor's signature and initials;
21. Notify Communications that the member has a Ride-Along;
22. Not assist observers in obtaining permission to enter private property:
  - a. Observers remain subject to the same trespass and invasion of privacy laws that apply to all private citizens;
  - b. Observers approved to record/video may only record/video what any bystander would be able to observe;
  - c. When conducting vehicle stops, the interior of a vehicle to the extent it is not readily viewable is construed as a protection zone of interest and observers will not be permitted to view the contents during police contact/police search (i.e., police have cause to search an area inside of a vehicle such as a glove

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compartment or a trunk; observers will not be permitted to stand in a position to view the contents of the area searched and would only be allowed to view what a bystander would be able to see during police contact);

- d. Under no circumstances will observers be authorized to accompany officers during the actual execution of a search warrant on private property.
23. Upon completion of Ride-Along, the accommodating department member may leave feedback on the citizen's interaction throughout the shift;
24. Return the completed Citizen Request Packet to the supervisor who assigned it.

Bureau/Area Command Personnel will:

25. Forward the original LVMPD 145 to Risk Management;
26. Ensure all information has been entered into the Citizen Observer Request Log located in W-Drive; W:Public/Citizen Observer Department Log;
27. If the request is denied, document the reason for denial on the Citizen Observer Request Log. The reason should be vague as not to disseminate personal information. For example: If a person was denied due to a felony conviction, just put background as reason for denial. If a person was found to have gang affiliations, just put affiliation.

Risk Management will:

28. Maintain the *W:Public/Citizen Observer Department Log* drive and its contents;
29. Review the Ride-Along Log to ensure that the LVMPD 145 has been received and filed within Risk Management. Document the received LVMPD 216s on the Ride-Along Log;
30. Maintain the original LVMPD 145 for two years.

Quality Assurance can inspect Ride-Along files at any time to ensure compliance to these procedures. (1/11, 10/15)■

5/207.12 **WATCH YOUR CAR PROGRAM**  
A.S. 42.1.4, 45.1.1, 45.2.1(f)

The Watch Your Car (WCAR) program is an effective tool in combating auto theft and auto theft related crime in many jurisdictions. The basic premise of the program is that a large number of vehicles are stolen between 0100-0500 hours from driveways while owners are sleeping. Citizens who are not typically on the road during these hours can register their car with LVMPD. If their car is observed on the roadway during these hours an officer may, without additional reasonable suspicion, conduct a vehicle stop. Participating vehicles are identified by front/rear window stickers as well as entry into WVS.

PROCEDURE

Area Command Personnel will:

1. Upon request of a citizen and after ensuring they are a resident in the LVMPD jurisdiction, complete the WCAR Application, LVMPD 327 (available as a template on the network).
2. Complete a records check on the vehicle to include DMV, NCIC and CJIS.
3. Attach the stickers to the applicant's vehicle to ensure the stickers are attached to the correct vehicle and in the correct location.
  - a. There are two stickers per vehicle. The round sticker is attached to the REAR window on the driver's side (lower left corner). The rectangular sticker is attached to the FRONT windshield on the driver's side (lower left corner).
4. Enter the vehicle information into the MPWV-WCAR file and forwards all paperwork to the VIPER Detail for maintenance of records.
  - a. If the registered owner is hearing impaired, makes that notification in the MPWV-WCAR file and includes owner's fax number for notification purposes.

Officer will:

5. Upon observing a vehicle with WCAR stickers on the roadway between the hours of 0100 and 0500 may, without additional reasonable suspicion, conduct a vehicle stop.
  - a. MPWV status can be checked by running a records check on the plate or the VIN.

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- b. Uses care when conducting the car stop on WCAR participants as with all vehicle stops, but WILL NOT conduct a felony car stop unless additional articulable factors are present.
6. Attempt to determine the identity of the driver and occupants. If the registered owner is not present, investigates to determine if the occupant has permission to have the vehicle. The WCAR information will contain at least two telephone numbers, or a fax number if the owner is hearing impaired, where the owner can be reached. This information can be accessed through MPWV-WVS.
7. If permission from the owner has been granted for the occupant to be in possession of the vehicle, barring additional criminal information gained during the vehicle stop, allow the occupants to leave with the vehicle. Every attempt will be made to reach the registered owner, however, unless additional factors or additional probable cause are developed during the vehicle stop investigation, the occupants will be FI'd and the vehicle WILL be released to the driver if the registered owner(s) cannot be reached.

Communications will:

8. Receive an MPWV-WVS notification when an officer runs, through the MDT, plates of a WCAR participant and advises the unit of the program participation during the hours of 0100-0500. (Since the program is enforceable only between the hours of 0100-0500, notification during other hours is not necessary.)
9. When requested by a unit, attempt to make telephonic or fax contact with the registered owner via the telephone numbers listed on the MPWV-WCAR notification.
  - a. If unable to make contact with the registered owner, notifies the requesting officer of such.
  - b. The unit can request that an event be created for an officer to respond in person to attempt to contact the registered owner.

Area Command Personnel will:

10. If requested by a citizen to be removed from program participation, complete the WCAR Program Registration Deletion form, LVMPD 327a, and obtains signature of the registered owner.
  - a. Personally removes the stickers from the citizen's vehicle.
11. Enter the deletion information into the MPWV-WCAR file and forwards all paperwork to the VIPER Detail.

VIPER Detail will:

12. Maintain all original applications and deletions in the VIPER offices.

Police Records Personnel will:

13. If a Watch Your Car Program participant reports their vehicle stolen, the MPWV-WVS personnel print the WCAR entry and then delete it from WCAR.
14. Enter the stolen vehicle information into WVS, per department policy, with a notation that the WCAR entry was printed and deleted.
15. MPWV-WVS personnel print the entry, attach it to the WCAR entry and forward all paperwork to the VIPER Detail. (3/09, 7/15)■

# SAFE DRIVING POLICY

## F.A.Q.

Q: When do I have to wear my seatbelt?

A: At all times when the vehicle is in motion at speeds of 15 mph or more.

Q: What if I'm driving "slow patrol," under 15 mph, or coming to a stop where I'll need to exit my vehicle quickly?

A: In those circumstances, officers may remove the seatbelt.

Q: Can I use a seatbelt extender?

A: No. Seatbelt extenders are prohibited in LVMPD vehicles.

Q: If I'm responding Code 3 to an emergency call that is not a pursuit, how fast can I drive?

A: Officers in vehicles with emergency lights and siren may drive up to 20 mph higher than the posted speed limit to respond to Code 3 emergency calls that are not pursuits. Vehicles that do not possess emergency lights and sirens may not respond faster than the posted speed limit.

Q: When my emergency lights and siren are activated, by how much must I decrease speed before entering an intersection against a red traffic signal, or against a stop sign?

A: Officers shall come to a stop before entering an intersection against a red light or stop sign, as well as entering any blind intersection. If necessary, officers may cross the intersection in stages, stopping for each opposing lane before proceeding.

Q: What is Code 2?

A: Code 2 is non-emergency response, lights only may be used, no siren. Code 2 may be used to stop violators, to signal other motorists of a road hazard, when the use of a siren would alert suspects of the arrival of the officer(s), or when approved by a supervisor during an authorized motorcade.

Q: There's a lot of road construction in the valley that seems to change constantly, a lot of roads where we can get stuck in traffic. If I'm responding Code 3 and I get stuck in some sort of traffic delay, do I have to leave my emergency lights and siren on?

A: No. Officers may deactivate emergency lights and siren if stuck in a traffic delay and reactivate once the vehicle is free of the delay.

Q: Can I activate my emergency lights and siren to proceed through an intersection against a traffic signal if I'm responding to a non-emergency call?

A: No. The activation of lights and siren for the sole purpose of crossing an intersection while responding to a non-emergency call is prohibited.

Q: If I'm in a vehicle pursuit, am I limited to driving no more than 20 mph over the speed limit?

A: No. Vehicle pursuits are exempt from that rule. Although NRS 484.261, Subsection 4, applies at all times, which indicates that drivers of emergency vehicles are not relieved of their duty to drive with due regard for the safety of all persons, and do not protect the driver from the consequences for reckless disregard for the safety of others.

Q: Did the rest of our policy regarding pursuits change much?

A: No. The department's policy regarding pursuits is largely intact. There are a few post-pursuit reporting and notification requirements that have changed, but rules regarding the pursuit, itself, have not changed.

Q: Do officers have to take additional EVOC after the Academy?

A: Yes. Officers are now required to qualify annually with a full EVOC in each of their first three years of service. After three years of service, EVOC recertification is biennial (once every two years), although an annual web-based EVOC refresher is also required.

Q: What if I fail to qualify the EVOC?

A: Officers who fail to attend or qualify within the same quarter they were originally scheduled to qualify will be assigned duties that do not require the operation of an agency vehicle until they successfully qualify. In addition, a Statement of Complaint will be filed against employees who fail to attend or qualify.

Q: Will I be subject to disciplinary action if I get into a vehicle collision?

A: Possibly. There are several factors involved, which include: how many collisions the employee has previously been involved in, if the employee is at fault in the collision, the severity of the collision, etc.

Q: Can I be cited for a vehicle collision?

A: Again, possibly. Negligence and severity are, again, factors. Officers may also be cited for failure to wear a seatbelt, if applicable.

Q: Will I have to go to an ARB hearing?

A: If an ARB hearing is scheduled, then yes, attendance is mandatory for the employee involved in the collision and possibly for members in the employee's chain of command. The hearing notification will advise of those whose attendance is required.

**GENERAL  
ORDER**

*Las Vegas Metropolitan Police Department*

*Partners with the Community*

TO	: ALL PERSONNEL	Directive No. GO-012-10
SUBJECT	: SAFE DRIVING POLICY	Effective Date IMMEDIATELY
Additional Information	: Changes appear <i>high-lighted and in italics</i> ; deletions appear <del>high-lighted and struck-out</del> . These most recent changes occur in the ARB section of this draft (starting on page14). Initiated by the Special Operation Division to include minor modifications to improve efficiency & overall effectiveness.	
Accreditation Standards	:	Dept. Manual Reference:
Approval Signature	:	Douglas C. Gillespie, Sheriff Rod Jett, Undersheriff

**Section 1 Policy & General Rules**

POLICY

The Las Vegas Metropolitan Police Department must lead by example. Our driving expertise and our attitude toward road safety must be exemplary. We have an obligation to our community and to ourselves to ensure that we think and act with safety in mind while promoting a professional image. Emergency vehicles do not have absolute right of way and department members will operate police vehicles reasonably and always with due regard for the rights and safety of others at all times and regardless of circumstances. Police vehicle operation shall be within the law. Irresponsible, careless and reckless driving is prohibited.

DEFINITIONS

Code Red	A radio code used to inform units and dispatchers that an emergency exists and that only emergency radio traffic is authorized.
Department Vehicle	Any vehicle owned, leased, rented or borrowed by the department or its members for official use.
Emergency Response Driving	The operation of motor vehicle to respond to an emergency call for police service or to a location requiring immediate police presence or service. Emergency lights and siren are activated, Code 3, 20 mph over posted speed limit maximum, except for pursuits.
Primary Response Units	Officer(s) dispatched to an emergency call, or specifically authorized to respond to an emergency call by Communications or a supervisor.

GENERAL RULES

**Law** - Members shall follow all traffic laws set forth in the NRS, City and County codes and ordinances, and department policies while operating a department vehicle. The employee driving is responsible for operation and control of the vehicle.

NRS 484.261, Subsection 4/484B.700: "The provisions of this section do not relieve the driver from the duty to drive with due regard for the safety of all persons and do not protect the driver from consequences of his reckless disregard for the safety of others."

**Seat Belts** - All employees, citizens or arrestees occupying department vehicles will comply with NRS 484.641/484D.495 and wear seat belts while the vehicle is in motion. The only exemption to this rule is when the vehicle is traveling less than 15 miles per hour and the driver or passenger(s) is expecting to exit the vehicle and take immediate police action once the vehicle has stopped. The use of seatbelt extenders is prohibited. Seat belts will be used when transporting children of any age in vehicles. The use of a D.O.T. approved child safety seat will be utilized in accordance with NRS 484.474/484B.157.

**Texting/E-mailing** - Texting or e-mailing while driving is prohibited while a vehicle is in motion. This does not include use of the MDT for police business purposes.

**Maintenance** - Prior to operating a vehicle, the operator shall check the vehicle and ensure it is in good working order. Only agency vehicles equipped with push bumpers should be used to push other vehicles. Department vehicles shall be returned to the station at the end of a trip/tour with a full tank of gas and with a clean interior.

**Occupancy of Vehicles** - No member of the department shall allow an unauthorized person to operate or occupy a department vehicle or have in his or her possession the keys to such vehicle.

**Parking of Vehicles** - Drivers shall park their vehicle in a practical manner and attempt to avoid parking where backing out may be required. All vehicles will be turned off and locked when unoccupied (K-9 vehicles with dogs inside are considered occupied and will remain running with proper air conditioning as long as the dog remains inside).

**Intersections** - During both Code 2 and Code 3 operations, officers shall come to a stop before entering an intersection against the traffic control device (red light, flashing red light, stop sign, etc.), as well as before entering any blind intersection, or any intersection where hazards are present and other drivers cannot see oncoming lanes of traffic. If needed, the officer may cross the intersection in stages, treating each lane as a separate intersection. If entering an intersection with right of way, officers will slow and ensure that the intersection is clear before proceeding. If the vehicle is equipped with an Opticom light cycler, the officer will not assume the traffic signal has cycled and will ensure each lane of traffic has stopped before proceeding through the intersection.

**Stopped Buses** - During both Code 2 and Code 3 operations, officers shall slow and ensure that they safely pass a stopped bus unloading passengers.

**Stopped in Traffic** - If an emergency vehicle becomes stopped by traffic (i.e., in a turn lane or at a red light), the officer may turn off the emergency lights and siren until traffic conditions allow for the safe movement of the vehicle. Once the vehicle returns to Code 3 operations, the emergency lights and siren must be reactivated.

**Entering Opposing Lanes** - During Code 3 operations, officers driving into opposing traffic may do so at slow speeds and must ensure that no oncoming traffic is present in their lane before proceeding. Extreme caution must be exercised.



## ***Section 2      Emergency Response Driving (excluding Pursuit)***

Code 3 driving is a police tactic used in responding to an emergency. Good judgment, communication and coordination are important elements of a Code 3 response that ensure officers are maximizing safety while minimizing risks.

### CODES FOR EMERGENCY RESPONSE

- I.      **Code 1:** Normal response - Must obey all traffic laws and rules.
- II.     **Code 2:** Non-Emergency - Lights only, may be used:
  - A. To stop violators (consideration shall be given for immediate activation of emergency lights);
  - B. Upon arriving in an area where the use of the siren may signal suspects;
  - C. To signal other motorists of traffic hazards when an officer is moving at slow speed in traffic (i.e., pushing a stalled vehicle, moving at slow speed as a crime prevention tool, making unusual movement on the roadway). Officers must drive at the speed limit or below;
  - D. When approved by a sergeant (or higher) during an authorized motorcade;
  - E. Note: Officers responding to non-emergency calls will not use emergency lights and/or siren for the sole purpose of crossing intersections.
- III.    **Code 3:** Emergency lights and siren, emergency response driving, will not exceed posted speed limit by more than 20 mph. In regards to pursuit driving, the 20 mph over posted speed limit maximum rule is removed (see Section 3).

### AUTHORIZATION

**Code 3 Response** - Officers may respond Code 3 when:

- A. Imminent danger to citizens and the officer arrival might save lives;
- B. Another officer requires assistance to control a volatile situation;
- C. Reliable information exists of a felony in progress;
- D. Pursuits - see Section 3.

Only commissioned personnel are authorized to use Code 3. Typing of messages and use of a cell phone are prohibited during Code 3 response. Code 3 driving is prohibited in vehicles that are not equipped with emergency lights and siren.

Officers shall abide by the following procedure for Code 3 driving:

### PROCEDURE

Patrol Officer(s) shall:

- A. Determine the need for Code 3 response;

Primary Officer (or first officer to initiate Code 3 response) shall:

- B. Notify Communications via radio of Code 3 status;
- C. Activate, and continuously utilize, emergency lights and siren;
- D. Proceed in a safe manner;

First and Second Arriving Units shall:

- E. Broadcast arrival status via the radio;
- F. Determine the need for continued Code 3 response of additional units;
- G. Advise other units via radio to either continue or discontinue Code 3, as needed;

Additional Units shall:

- H. Prior to proceeding Code 3, utilize the MDT to advise of Code 3 response and, subsequently, arrival status. Do not break Code Red on a radio channel;

Field Supervisors shall:

- I. Monitor respective radio channels to ensure strict adherence to this policy, and will cancel or direct Code 3 responses, as warranted.

**Section 3 Pursuit Driving**

DEFINITIONS

Pursuit	An active attempt by an officer in an authorized emergency vehicle as defined by NRS 484.261/484B.700, to apprehend a suspect who is fleeing in a vehicle and attempting to avoid apprehension.
Bubble Tactic	A non-code moving containment of the suspect vehicle at a safe distance to aid in the apprehension of the suspect.
Discontinuance of Pursuit	The complete cessation of a pursuit by the decision of pursuing officers or supervisors - and the return to routine operations.
Paralleling	Additional police units moving in conjunction with authorized units but on parallel streets.
Termination of Pursuit	The finality of a vehicular pursuit due to either suspect apprehension, the crashing of the suspect's vehicle or suspect lost/evaded pursuing unit(s), and return to routine operation.

AUTHORIZATION

Pursuit driving is authorized in Section 2. The rule that limits Code 3 driving to a maximum of 20 mph over the posted speed limit does not apply to pursuit driving. However, NRS 484.261/484B.700, Subsection 4 remains in effect at all times.

NRS 484.261, Subsection 4/484B.700: "The provisions of this section do not relieve the driver from the duty to drive with due regard for the safety of all persons and do not protect the driver from consequences of his reckless disregard for the safety of others."

GENERAL

A vehicular pursuit may be initiated based on a pursuing officer's conclusion that the pursuit is the best of his or her available options at the time. Understandably, the decision to pursue is often made under difficult, unpredictable, and rapidly changing circumstances. For those reasons, the requirement for immediate supervisory authorization for a pursuit and on-going supervisory control of a pursuit is the cornerstone of the department's pursuit philosophy. Considering the totality of circumstances, sometimes the best course of action may be to not pursue or to discontinue a pursuit already in progress.

All pursuits will be thoroughly investigated for adherence to procedures and tactics. The results of these investigations, as well as other related analyses, will be the foundation for updating procedures and training.

PURSUIT CRITERIA

Vehicle pursuits will be conducted in strict compliance with Nevada Revised Statute 484.261/484B.700, Authorized Emergency Vehicles, and Section 2 of this policy, Emergency Response Driving (excluding the rule limiting Code 3 driving to a maximum of 20 mph over the posted speed limit). Pursuing officers will operate Code 3 using both emergency lights and siren, and exercise reasonable care for persons and property. Vehicles not equipped with siren and authorized emergency lights (visible from the front, back, and both sides) will not be permitted to take part in a vehicular pursuit under any circumstances.

The pursuit will consist of the initial (primary) unit and secondary unit. Under extraordinary circumstances, the primary unit may request the field supervisor to authorize additional units to join the pursuit. Other units will stay clear of the pursuit.

When initiated by an officer operating a motorcycle, unmarked unit (with appropriate emergency lights and siren), or marked sport utility vehicle (SUV), that officer will relinquish the primary position to the first standard marked patrol unit joining the pursuit, and will leave the pursuit when a second standard marked patrol unit joins the pursuit as the secondary unit. The relieved officer will proceed to the end point of the pursuit.

Supervisors should also relinquish the primary position to the first standard marked patrol unit joining the pursuit to enable the supervisor to maintain control and objectivity of continuing the pursuit or determining if it should be discontinued.

There will be NO Code 3 caravanning or paralleling of units, or other attempts to join the pursuit without authorization from a supervisor.

The LVMPD engages in vehicular pursuits to arrest offenders when necessary to protect people, rights, and property in our community. Vehicle pursuits are hazardous, and may result in death or injury to innocent bystanders, officers, or suspects. A pursuit will be conducted only for a violent felony or if the suspect presents a clear and immediate danger to the public. A pursuit will not be engaged for a property crime, minor traffic infraction or an occupied stolen vehicle unless the suspect presents the aforementioned clear and immediate danger to the public. In addition, officers who initiate vehicle pursuits, and field supervisors who allow pursuits to continue, must consider the following initiation and evaluation factors:

- A. Whether the need for immediate apprehension of the suspect(s) outweighs the dangers created by the pursuit itself;
- B. Whether the suspect is known to officers and/or can be apprehended at a later time;
- C. Vehicular and pedestrian traffic, and road conditions;
- D. Nature of the area of the pursuit: residential, commercial, or rural;
- E. Weather conditions such as rain, fog, snow, etc., time of day, and visibility which create an unreasonable risk of injury to the public or the pursuing officers;
- F. Alternatives to pursuit, including the availability of the air unit, the use of P.I.T. or Stop Sticks (see 5/207.10), or arrest at a later time.

All decisions by officers and supervisors to conduct vehicle pursuits will be made with the primary goal of assuring the safety of innocent citizens, officers, and whenever possible, those attempting to flee.

Prior to conducting a felony car stop for a stolen vehicle, officers will request the air unit and allow it adequate time to arrive on scene before activating emergency lights and siren.

## PURSUIT NOTIFICATIONS AND UPDATES

Officers **must notify Communications** under the following circumstances:

- A. When a pursuit is initiated and completed;
- B. When a pursuit is canceled prior to completion;
- C. When a situation is observed that could result in a pursuit, but the pursuit did not meet the criteria for pursuing (a CAD event must be created or updated in this situation).

Upon notification, the dispatcher will update the CAD event with the appropriate code using the Modify Circumstance (MC) identifier. Codes are as follows:

- A. PS - Pursuit initiated and completed.
- B. PC - Pursuit initiated but canceled prior to completion.
- C. PO - Potential pursuit situation observed but situation did not meet criteria.

## CONTROL OF THE PURSUIT

Primary Unit

- I. Assumes responsibility for controlling pursuit tactics.
- II. Notifies Communications immediately that a pursuit is underway with the following information:
  - A. The nature of the original offense;
  - B. Location, speed, and direction of travel of the fleeing vehicle;
  - C. Description and license plate number of the vehicle if known;
  - D. Number of occupants in the vehicle, and descriptions, where possible.
- III. Broadcasts the intent to use P.I.T. if circumstances permit. Otherwise, notification will be made after the fact.
- IV. Broadcasts the progress of the pursuit until relieved by secondary unit;
- V. Constantly reevaluates conditions and discontinues the pursuit when the dangers of the pursuit outweigh the need to apprehend the suspect, or when so ordered by a supervisor;
- VI. Ceases emergency operations (lights and siren) reduces speed, and discontinues visual contact with the suspect vehicle if the air unit takes over the pursuit, unless otherwise directed by a supervisor;

#### Secondary Unit

- VII. Whenever feasible, assumes responsibility for broadcasting progress of the pursuit until relieved by the air unit;
- VIII. Becomes the primary unit, if the primary unit cannot continue the pursuit;
- IX. Coordinates activities should the primary unit become involved in a foot pursuit;
- X. Ceases emergency operations (lights and siren) reduces speed, and discontinues visual contact with the suspect vehicle if the air unit takes over the pursuit, unless otherwise directed by a supervisor;

#### Communications Area Dispatcher

- XI. Initiates a Code Red and ensures that all channels receive the Code Red and pursuit information;
- XII. Requests and dispatches the air unit to the pursuit whenever possible;
- XIII. Notifies the officer's supervisor immediately of the pursuit. Communications will designate a supervisor if the officer's supervisor is not available;

#### Monitoring Communications Supervisor

- XIV. Notifies the area lieutenant and Watch Commander immediately of the pursuit, ~~or the Watch Commander if the area lieutenant is not logged on.~~
- XV. Advises other dispatchers when the pursuit is headed toward adjacent areas;
- XVI. Advises neighboring jurisdictions when the pursuit is headed in their direction, giving direction, status, and description of the vehicle;
- XVII. Contacts other agencies when LVMPD officers request assistance, describing the circumstances and specific assistance requested. Remains in contact unless a common radio frequency is available to both agencies;

#### Field Supervisor

- XVIII. Immediately acknowledges notification over the radio, and assumes responsibility for controlling pursuit tactics and continuing the pursuit;
- XIX. Orders discontinuation of the pursuit when the necessity for apprehension is outweighed by the dangers of the pursuit;
- XX. Considers use of P.I.T. and/or Stop Sticks, as appropriate;

#### Area Lieutenant (Watch Commander in area lieutenant's absence)

- XXI. Monitors the pursuit and is responsible for ensuring that the pursuit is conducted according to department policies and procedures;
- XXII. Orders discontinuance of the pursuit when the dangers of the pursuit outweigh the need to apprehend the

suspect;

#### Air Unit

- XXIII. Responds to the pursuit scene when dispatched;
- XXIV. Arrives on the scene of the pursuit and assumes primary radio responsibilities when visual contact of the suspect vehicle is made;
- XXV. Assumes a surveillance mode, continuing to advise the ground units of the vehicle's location, traffic congestion, road hazards, that might endanger the ground units or others;
- XXVI. Broadcasts information to aid ground units if the pursued vehicle is lost or the suspect flees on foot;

#### Ground Units

- XXVII. Ceases emergency operation (lights and siren), reduces speed, and terminates visual contact with the suspect vehicle once the air unit advises the suspect vehicle is in view, unless otherwise directed by a supervisor;
- XXVIII. Considers using the "Bubble Tactic" based on information being provided by the primary and secondary pursuit units, or the air unit when it takes over the pursuit.

### RULES GOVERNING INTER-JURISDICTIONAL PURSUITS

#### I. *Inter-Jurisdictional Pursuits Initiated by the LVMPD*

- A. Pursuits will be discontinued when leaving Clark County unless the decision to continue is approved by the LVMPD on-duty Watch Commander or field lieutenant.
- B. When a pursuit leaves Clark County, officers and supervisors shall re-evaluate the pursuit to include consideration of the following factors:
  - 1. How long pursuit has lasted;
  - 2. Whether assistance is needed from another agency;
  - 3. Whether communication can be maintained;
  - 4. All the factors set forth in the policy as to whether the pursuit can be conducted in reasonable safety and in compliance with state law and policy.
- C. The pursuing officer or a supervisor may request assistance from another agency. If such a request is made, officers or the supervisors shall not request an officer from another agency to actively join in the pursuit; however, other appropriate forms of assistance may be requested.

#### II. *Inter-Jurisdictional Pursuits Initiated by Outside Agencies*

- A. Officers are prohibited from entering into pursuits that were initiated by another jurisdiction or law enforcement agency unless assigned to the pursuit by a supervisor. A supervisor shall not assign officers to participate in such pursuits unless assistance is requested by the initiating agency, and they provide sufficient information, including the crime the suspects are believed to have committed, in order that a supervisor can determine if the pursuit is in compliance with the provisions of this policy. If insufficient information is received and/or if the outside initiated pursuit is not in compliance with this policy, the pursuit shall not be joined by LVMPD police officers. However, a supervisor may authorize officer(s) to drive in routine operation toward the area of the pursuit to be in a relatively good position to render back up and other aid once the pursuit vehicle is stopped.
- B. Authorized officers operating as secondary units in pursuits involving a lone primary unit from another agency will be subject to all department procedures governing primary pursuit units, including as a priority the responsibility to discontinue the LVMPD role in the pursuit immediately whenever:
  - 1. An additional unit from the originating agency joins the pursuit and is able to take over the secondary unit responsibilities;
  - 2. The pursuit is not conducted to the standards of the LVMPD as outlined in this procedure;

3. Information is made available which indicates the dangers of the pursuit outweigh the need to apprehend the suspect;
  4. An LVMPD supervisor orders the LVMPD role in the pursuit discontinued.
- C. LVMPD field supervisors will monitor and control the department's role in such pursuits exactly as they would any other pursuit.

#### ADDITIONAL PURSUIT PREVENTION/TERMINATION TECHNIQUES

##### I. **Tire Deflation Devices (Stop Sticks)** (5/207.10)

###### **A.S. 41.2.2, 41.2.3**

- A. When properly utilized, tire deflation devices offer an alternative to a pursuit or may bring about the safe resolution of police pursuits under controlled conditions. Only those trained in the proper deployment of the pursuit prevention device are authorized users.
- B. Pursuit Prevention Device
  1. A tire deflating device can be used on stationary target vehicles to prevent a pursuit from occurring. The pursuit prevention device works in much the same manner as the pursuit termination device described above by deflating a target vehicle's tire, therefore, should a pursuit begin it will be brought to an end safely and quickly. Potential uses include situations when the target vehicle is stationary, such as warrant service, SWAT situations, and stakeout of a stolen vehicle or a felony vehicle.
  2. The deploying officer(s) shall:
    - a. Consider the tactical feasibility of deployment; an officer must walk up to the vehicle and deploying the pursuit prevention device may not be a possibility given safety factors;
    - b. Place at least one device (or two, if possible) approximately six inches in front of and/or behind the tire, which is least likely to be observed by the suspect approaching the vehicle;
    - c. After deployment, attain position in a strategic location, which will allow for a rapid response in order to take the suspect into immediate custody.
  3. Should the pursuit prevention device fail to deflate the target vehicle's tire, it is incumbent of the officer to follow the current department pursuit procedure to determine if a pursuit is warranted or should be discontinued. If an arrest follows the use of the device either immediately or after a pursuit, a notation should be made in the Arrest Report to indicate the device was used and under what circumstances.
  4. The pursuit prevention device should be removed from the roadway once the situation is resolved. These devices must be repaired or replaced after deployment (similar to the pursuit termination device). (4/01, 3/03)
- C. Pursuit Termination Device
  1. A tire deflation device causes the controlled release of air from the tires of the target vehicle, thus permitting the driver to remain in control and to bring the vehicle safely to a stop. The device is provided for use only by officers who successfully complete a department training program in use of the device.
  2. Officer(s) deploying tire deflation devices must:
    - a. Determine a suitable location estimated to be in the path of the suspect vehicle;
    - b. Notify Communications and pursuing officers of the exact location the devices are going to be deployed. Pursuing officers approaching a known deployment location shall lower their speed as necessary to avoid driving over the tire deflation devices;
    - c. Must position themselves where sight lines and distances are such that officers can properly observe the suspect vehicle as it approaches;
    - d. Choose a location with some type of concealing barrier: buildings, natural barrier, patrol vehicles, or any other type of stationary object. These barriers will be used to conceal the deploying officer from the suspect's view and allow

- deployment of the device from a position of safety;
- e. Retract the tire deflation devices from the roadway surface in an attempt to avoid causing any unnecessary damages after a suspect vehicle has successfully driven over the tire deflation devices or driven by the device.
- 3. Officer(s) shall not deploy tire deflation devices:
  - a. When transporting prisoners or other non-police personnel;
  - b. When fleeing suspects have demonstrated a clear intent to injure officers using the fleeing vehicle or other deadly weapon, unless effective cover is available at the deployment location;
  - c. Must not utilize tire deflation devices as a weapon or deployed on bridges, in roadway curves, in or around roadway construction, or any location where the deploying officer feels that it would be too dangerous because of vehicular or pedestrian movement;
  - d. Must not use tire deflation devices to slow or stop any of the following vehicles, unless the use of deadly force would be justified:
    - 1) Motorcycle, moped, or any other two- or three-wheeled vehicle;
    - 2) ATV (All Terrain Vehicle);
    - 3) Any truck transporting explosives or other hazardous materials.
- 4. Damage to vehicles/equipment other than the suspect vehicle
  - a. The proper use of a tire deflation device will minimize the risk of injury to persons and unintended damage to police vehicles and other vehicles not involved in the pursuit. Officers will make every attempt to immediately remove the tire deflation device from the roadway in order to avoid unintended damage to other vehicles. If a department vehicle is damaged, the officer responsible for the vehicle will request assistance and document the incident in accordance with department procedures;
  - b. If a vehicle belonging to an uninvolved citizen is damaged, the Patrol Division Watch Commander will respond to:
    - 1) Offer the citizen alternative transportation, if available and necessary;
    - 2) Offer to tow the damaged vehicle at department expense, using the duty service, to an LVMPD contract repair facility, or if the citizen insists, to a facility of the citizen's choice, or repair/replacement at the earliest opportunity;
    - 3) Inform the Risk Manager, via Communications, of the damage and location where the vehicle will be towed. (The Risk Manager will determine if a response is necessary);
    - 4) Instruct the citizen to contact the Risk Manager the next work day to arrange reimbursement.

## II. ***Use of the Precision Intervention Technique (PIT)***

- A. The use of a vehicle to stop or apprehend a suspect by ramming or the use of PIT may be considered a use of deadly force under some circumstances. Officers will be trained on the Precision Intervention Technique and when its use is permissible. Only commissioned personnel who maintain current certification may use this stopping technique. PIT will not be used to stop a vehicle with deflated tires unless deadly force is authorized. Members driving department SUV-type vehicles are not authorized to use PIT. Note: ***PIT (successful uses, attempts and declared uses) and vehicle ramming*** is considered reportable force under Department Manual Section 6/002.00, and must be reported using the Use of Force Report, LVMPD 156.
- B. PIT as Use of Force
  - 1. PIT as Non-Deadly Force: PIT may be used as non-deadly force to apprehend violators at speeds 40 MPH and below after the violator has clearly demonstrated the intention to avoid arrest and if the circumstances do not create a substantial risk of death or serious bodily

injury.

**2. PIT as deadly force**

a. *PIT used on motorcycles;*

b. *PIT used on high center of gravity vehicles likely to roll over, such as vans, SUVs, and jeeps*

c. Circumstances warranting the use of PIT as deadly force are as follows:

- 1) Continued movement of the pursued vehicle would place others in danger of bodily harm or death; and/or
- 2) Apparent risk of harm, to other than the occupants of the pursued vehicle, is so great as to outweigh the risk of harm in making the forcible stop; and
- 3) All other means of apprehension have been considered and rejected as impractical, i.e., continue to follow, call for the air unit.

**3. Locations and Hazards**

a. Officers will in all cases consider the safety of the public and suspects before executing this technique, evaluating the following locations and hazards:

- 1) Areas with high concentrations of pedestrians;
- 2) Other vehicle traffic;
- 3) Parked vehicles;
- 4) Telephone/utility poles;
- 5) Bridges;
- 6) Areas adjacent to paved roads with a large elevation change.

b. Damage to vehicles/equipment other than the suspect vehicle

- 1) If a vehicle belonging to an uninvolved citizen is damaged, the Patrol Division Watch Commander will respond to:
  - a) Offer the citizen alternative transportation, if available and necessary;
  - b) Offer to tow the damaged vehicle at department expense, using the duty service, to an LVMPD contract repair facility, or if the citizen insists, to a facility of the citizen's choice, or repair/replacement at the earliest opportunity;
  - c) Inform the Risk Manager, via Communications, of the damage and location where the vehicle will be towed. The Risk Manager will determine if a response is necessary.

c. Instruct the citizen to contact the Risk Manager the next work day to arrange reimbursement.

**POST-PURSUIT REQUIREMENTS**

A. The primary officer(s) shall complete the appropriate reports in Blue Team and forward through the chain of command to the bureau/area commander, EVOC staff, and the Fleet Operations Bureau.

B. The field supervisors shall respond to the termination point and assume responsibility for the scene ensuring all applicable reports are completed and required notifications made.

**C.** The Communications supervisor shall notify a commissioned supervisor and a Traffic supervisor whenever PIT *and/or vehicle ramming* has been used to terminate a pursuit. They will advise a Traffic supervisor and the Risk Manager whenever a pursuit or the use of PIT *and/or vehicle ramming* results in property damage, injury, or death. The Traffic supervisor will respond, evaluate and determine Traffic's response whenever PIT has been used to terminate a pursuit. *If it has been determined that the PIT and/or ramming has been a use of deadly force, the Fatal Detail and PIT will respond.*

D. Traffic officers shall respond to assist with the traffic investigation whenever PIT has been used for pursuit intervention or termination. Since PIT is a planned enforcement technique, an accident report will not be required. In the event of third-party property damage, the responding traffic officer will



complete the LVMPD 42, Vehicle Incident Report, or NHP-5, Accident Report, as appropriate.

- E. The Communications Bureau Research Assistant will forward an event number listing of all pursuits to the Risk Management Section at the end of each month and will send a copy of the pursuit recording and event printout to the last primary officer's bureau/area command and Risk Management Section. The Research Assistant will retain pursuit recordings for one year in the event copies are lost, or there are other requests for a recording.
- F. The shift lieutenants shall review the Vehicle Pursuit Report, pursuit recording, and event printout to determine if pursuit procedures were followed, and they will forward the report to the bureau/area captain for review, and initiate any necessary corrective actions.
- G. The bureau/area commander will ensure that the necessary investigative and corrective actions have been followed. He or she will record the comments/actions on the Vehicle Pursuit Report and forward the original to the Office of Internal Affairs, with copies to the Training Bureau Commander, the Risk Management Section, and the Division Deputy Chief.
- H. Vehicle Pursuit Reports are entered and maintained in Blue Team. The Office of Internal Affairs will prepare an annual analysis report of vehicular pursuits for the purpose of identifying patterns or trends. They will forward copies of the analysis report to the Executive Staff, the Risk Manager, and the Training Bureau Commander.
- I. The Risk Manager/Training Bureau Commander shall review the Vehicle Pursuit Reports and annual analysis report and, when appropriate, make recommendations for policy changes or modifications in the training curriculum. The Office of Internal Affairs is the repository for the original forms and CAD event recall and tapes.
- J. In the event that an officer is involved in a motor vehicle collision during the course of an emergency response or a pursuit the officer shall immediately discontinue that involvement and take proper action as is required by the NRS Transportation Code and all other departmental orders and directives unless:
  - 1. No unit is available to assume the pursuit or respond for the unit involved; and
  - 2. Damage to the unit is minor and it can still be operated without danger; and
  - 3. There are no apparent injuries as a result of the accident.

At the conclusion of any vehicular pursuit, high-risk stop procedures shall be used by all officers present when practical. Prior to conducting a high-risk stop for a stolen vehicle, officers will request the air unit and allow it adequate time to arrive on scene before activating emergency lights and siren.

## ***Section 4 Training***

It is the policy of this department to increase awareness and understanding of safe driving practices through training provided by the LVMPD Training Bureau, so that all employees are appropriately certified to operate police vehicles in accordance with their responsibilities.

### ***EMERGENCY VEHICLE OPERATIONS COURSE (EVOC)***

EVOC is mandatory as follows:

- Recruits - Academy EVOC;
- POs - EVOC in each of the first three years of service;
- POs with more than three years of service - Annual web-based EVOC and, for uniformed first-responding officers, biennial EVOC recertification;
- FTOs with more than three years of service/Sergeants/Lieutenants - Annual web-based Supervisor EVOC and biennial EVOC recertification (non-uniformed sergeants and lieutenants are exempt from the biennial recertification);
- COs, Civilian Employees, PSRs, Cadets - Initial certification.

Officers in the FTEP program will be required to complete a successful road test and a Code 3 road test prior to graduation from FTEP.

Each sergeant will conduct an initial road test and document the outcome of the road test on all newly assigned officers who will be operating department vehicles, with an exception for new FTEP graduates, within the first week of assignment. The results of the road test will be documented in the officer's UMLV training record.

Each sergeant will conduct annual web-based emergency vehicle operations refresher training for all assigned officers who operate department vehicles, per the UMLV lesson plan created by the Training Bureau/EVOC.

All employees will attend under the following circumstances:

- ARB referral;
- Supervisory intervention;
- Self registration;
- Approved squad/specialty training.

### ***FAILURE TO ATTEND OR QUALIFY DURING EVOC***

Commissioned employees who fail to participate or qualify in mandatory EVOC will be assigned duties that do not require the operation of an agency vehicle until they are properly certified. At the end of each quarter EVOC will notify, in writing, an employee's chain of command that the employee has either failed to attend or qualify.

Upon notification, the bureau/area commander will ensure that the employee's agency driving privileges are suspended until the employee has successfully completed EVOC. Additionally, a Statement of Complaint will be filed regarding the employee's inability to meet the essential requirements of a police officer. Employees who are on light duty status or who have an active worker's compensation case and are not allowed to drive are exempt from qualifying requirements until released back to full duty. Once released, employees will be required to recertify prior to operating a department vehicle.

Motorcycle officers assigned to Traffic Bureau are exempt from attending EVOC recertification, as Traffic Bureau conducts its own drivers training.

Officers and supervisors assigned to EVOG are exempt from mandatory EVOG.

***EMERGENCY VEHICLE OPERATIONS COMMITTEE***

The committee is established to provide oversight and feedback to the agency as it relates to emergency vehicle operations. The committee will meet quarterly and review current collision data concerning emergency vehicle operations and make recommendations for improvements to training and oversight of agency emergency vehicle operations. The committee is composed of:

- Both Patrol Division Deputy Chiefs
- Training Bureau Commander
- Patrol Services Bureau Commander
- Traffic Bureau Commander
- EVOG Lieutenant
- EVOG Sergeant
- Field Training Lieutenant
- Field Training Sergeant

The committee chairperson will be determined by the Assistant Sheriff of Law Enforcement Operations.

**Section 5 Department Vehicle Collisions**

DEFINITIONS

Collision	A collision is any occurrence in which a department vehicle strikes another vehicle(s) person(s), object(s), or structure(s). For LVMPD purposes, the terms "accident" and "incident" represent two separate categories of vehicle collisions.
Accident	A collision involving one or more vehicles in which an injury occurs and/or results in the total damage to the involved vehicle(s) of \$750 or more.
Incident	A non-injury collision of a minor nature and/or when the collision does not meet the statutory requirements of an accident, and/or meets any of the following criteria: <ul style="list-style-type: none"> <li>• Results in the total damage to involved vehicle(s) of less than \$750 (only Traffic officers are authorized to complete an incident report involving citizen's vehicles);</li> <li>• Involves LVMPD property vs. LVMPD property (minor to moderate damage);</li> <li>• Damage occurred on private property or in a police or LVMPD owned/operated parking lot and does not involve a citizen's vehicle. Note: if reckless driving or DUI is involved, the officer will be subject to additional charges under the appropriate state law(s), county or city ordinance(s);</li> <li>• Involves single vehicle damage on or off a main roadway (i.e., rim damage from curb, broken oil pan from bottoming out, etc.);</li> <li>• Involves single vehicle damage vs. a structure (a structure consists of anything other than a vehicle) with no apparent damage or minor damage (i.e., pole, large rock, etc.).</li> <li>• <i>Training incidents (see below)</i></li> </ul>
Undercarriage	The internal mechanical parts of the vehicle required for operation. This includes the engine and attached parts, the engine compartment, the underside of the vehicle, the drive train, transmission, steering assembly, etc., and all underside mechanical parts to include the tires and rims. Bumpers, doors, door rails and posts, quarter panels, top or windows and any outside/exterior body part of the vehicle is not considered part of the undercarriage.
Excusable	A finding that an employee involved in a collision may be at fault, but that the accident was unavoidable or excusable considering all of the circumstances.
Preventable	A finding that an employee involved in a collision violated department policies, procedures, training standards, or traffic laws.
Non-Preventable	A finding that an employee involved in a collision performed in accordance with department policies, procedures, training standards, and traffic laws.
<i>Training Incident</i>	<i>Any collision, regardless of injury sustained or damage amount totals, occurring during training/in the training environment on private property</i>

**REPORTING DEPARTMENT VEHICLE COLLISIONS (5/103.29)  
A.S. 61.2.1, 61.2.2, 61.2.3**

All traffic accidents involving department vehicles will be thoroughly investigated by the Traffic Bureau and

administratively reviewed by the Accident Review Board (ARB). Traffic incidents will be investigated by a commissioned supervisor responsible for the area where the incident occurred, if available, or by a Traffic supervisor and administratively reviewed by the Accident Review Board (ARB). Members will not investigate collisions in which they are involved.

Department employees found to be at fault in collisions are subject to appropriate disciplinary action by the Accident Review Board and may be additionally charged under the appropriate state law, city or county ordinance. Investigators should consider all requirements regarding traffic enforcement detailed in 5/107.10 of the Department Manual when using discretion in issuing citations. An employee involved in a traffic collision while driving a department vehicle is subject to the following guidelines:

- A. When an employee strikes an object such as a median, curb or pole, and sustains reportable damage to either the department vehicle or the object struck, which results in an injury and/or the damage is \$750 or more, and no other vehicles are involved, that employee may be issued a citation. Mitigating or aggravating circumstances should be considered when determining if a citation is to be issued (including failure to wear seat belt for any vehicle occupant, as appropriate). The employee will be subject to a review by the Accident Review Board or the chain of command, as appropriate;
- B. When an employee strikes another department vehicle, there may be a citation issued by a Traffic supervisor (including failure to wear seat belt for any vehicle occupant, as appropriate), and the employee will be subject to a review by the Accident Review Board or the chain of command, as appropriate (determined by the definitions above);
- C. When an employee strikes and damages government property (i.e., light poles, traffic signs, etc.) or private property (i.e., mailboxes, landscaping, fences, etc.) and it is determined that the employee is the at-fault driver, a citation may be issued (including failure to wear seat belt for any vehicle occupant, as appropriate) by a Traffic supervisor and the employee will be subject to a review by the Accident Review Board or the chain of command, as appropriate (determined by the definitions above);
- D. When an employee driving a department vehicle strikes a pedestrian or a citizen's vehicle, which results in an injury and/or the damage is \$750 or more, and it is determined that the employee operating the vehicle is the at-fault driver, a citation (including failure to wear seat belt for any vehicle occupant, as appropriate) will be issued. The citation will be issued by a Traffic supervisor and the employee will be subject to a review by the Accident Review Board.

### ***INVESTIGATION OF DEPARTMENT VEHICLE COLLISIONS AND REPORTING DAMAGE TO SPECIALTY VEHICLES, EVOC VEHICLES AND MOTORCYCLES DURING TRAINING***

#### ***Supervisor's Report of Department Vehicle Incident, LVMPD Form 393***

This investigation and report is used for minor (less than \$750 total damage), non-injury department vehicle incidents. If a vehicle has apparent collision or undercarriage damage which has not been reported, the responsible bureau/area commander will investigate the circumstances and report the findings through the chain of command. These findings will be documented on LVMPD Form 393, Supervisor's Report of Department Vehicle Incident. A copy of the report will be forwarded to the Fleet Operations Bureau, the Risk Manager, and the Accident Review Board. Fleet Operations Bureau will not begin vehicle repairs without an event number from the Accident Report and approval from the Risk Manager or ARB showing the accident damage has been documented and is on file.

Damage incurred to a specialty vehicle, EVOC vehicle or motorcycle during training which requires that vehicle to be taken out of service for repair will be documented on a Supervisor's Report of Department Vehicle Incident (LVMPD 393) and will also require an Officer's Report in Blue Team (both must have the same event number). Training supervisors will document the causal factors for the damage and submit recommendations for the prevention of future incidents to the Training Bureau Commander for evaluation.

#### ***I. All commissioned and full-time and temporary civilian employees.***

- A. The employee involved in an incident shall:
  1. Notify the immediate supervisor and the Communications dispatcher immediately, whether occurring on public or private property, or off road;
  2. Prior to moving any vehicle involved in the incident, notify the Traffic supervisor, immediate supervisor, or a commissioned area supervisor, via radio of the hazard requiring the movement of the vehicles;
  3. Report details of the incident (officers via the Accident Report in Blue Team and civilians via memo) through the chain of command to the bureau/area commander, EVOC staff, and Fleet Operations Bureau.
- B. The Communications Bureau shall:
  1. Notify the involved officer's supervisor if a commissioned department member is involved, the area patrol supervisor if a civilian department member is involved, or a Traffic supervisor if no other commissioned area supervisor is available when the incident meets the criteria of the definition of "Incident" above and does not involve a citizen's vehicle;
  2. Notify the Risk Manager. The insurance adjuster will be called out at the request of the Risk Manager or commissioned/Traffic supervisor.

## II. ***Bureau Level Investigation***

- A. The commissioned supervisor shall:
  1. Complete an LVMPD Form 393, Supervisor's Report of Department Vehicle Incident, when it is determined that it falls within the criteria of the definition of "Incident" above. If not, notify Traffic Bureau to respond. It will be the area patrol supervisor's responsibility to respond, determine and complete, if applicable, the LVMPD Form 393 when a civilian department member is involved in an incident;
  2. Photograph or have the area photographed, to include the accident damage and any pertinent evidence (i.e., view obstructions, construction area, surface conditions, etc.) and forward the reports to the bureau/area commander, through the chain of command for final disposition;
  3. Advise department member(s) involved in the incident to complete an Accident Report in Blue Team (for commissioned personnel) or a memo (for civilian personnel) and forward it through the chain of command to the bureau/area commander/director, EVOC staff, the ARB, and Fleet Operations Bureau;
  4. Direct member to contact Risk Manager with any inquiries.
- B. The bureau/area commander/director of the involved employee shall:
  1. Review the Supervisor's Report of Department Vehicle Incident and the Accident Report or civilian's memo to the bureau/area commander/director of the involved department member;
    - a. If the involved department member is a civilian who is not assigned to the commissioned supervisor's chain of command and discipline has been recommended, the bureau/area commander/director shall forward the LVMPD Form 393 and the civilian's memo to the bureau/area commander/director to whom the civilian reports.
  2. Contact ARB Chairperson to review employees ARB file and determine any corrective action or level of discipline, if necessary, for the involved member. If after review of the incident and the employee's ARB file, it is determined that the corrective action could warrant a Written Reprimand or more, the case will be referred back to the ARB for review and processing. If an employee has received a Contact Report for a preventable collision within one year of the date of the current collision, the bureau/area commander will refer the case to the ARB for review and processing;
  3. Review and complete the disposition portion of the Supervisor's Report of Department Vehicle Incident. A minimum of a Contact Report must be issued to employees determined

to be in a preventable collision and a copy of the signed Contact Report will be forwarded to the ARB Chairperson along with the completed package and photographs. (Note: For discipline levels of "Written Reprimand" and more severe, refer to policy 5/101.26, Complaints and Internal Investigations Involving Department Members).

- a. For all employees involved in an incident, the bureau/area commander/director will ensure that the employee reviews the current EVOC defensive driving, web-based lesson plan;
  - b. Before the employee is allowed to resume operations of a vehicle, whether civilian or commissioned, ensure that a supervisor check ride is completed and forward a copy of the completed check ride to AOST for entry into the employee's training record.
  - c. Motor officers assigned to the Traffic Bureau will be required to complete a check ride with a certified motor instructor before the employee is allowed to resume operation of his assigned motorcycle. Completion of this check ride will be documented in UMLV.
- C. The Risk Manager shall:
1. Notify the Fleet Operations Bureau each working day of any department vehicles damaged in accidents/incidents in the previous period.

***Department Vehicle Accidents, NHP 5; and Department Vehicle Incident Report, LVMPD Form 42***

**III. *Department vehicle accidents, any incident involving a citizen vehicle, P.I.T., or any related collisions that does not meet the definition of "Incident" above will be investigated by the Traffic Bureau.***

- A. The member involved in an accident shall:
  1. Notify the immediate supervisor to respond and the Communications dispatcher immediately, whether occurring on public or private property, or off road;
  2. Prior to moving any vehicle involved in the accident, notify the Traffic supervisor, immediate supervisor, or a commissioned area supervisor, via radio of the hazard requiring the movement of the vehicles;
- B. The Communications Bureau shall:
  1. Dispatch a Traffic officer and notify the Traffic supervisor;
  2. Notify the Risk Manager. The insurance adjuster will be called out at the request of the Risk Manager or Traffic supervisor;
  3. When advised by the Traffic supervisor, notify the Watch Commander, the Fatal Detail, the on-call Public Information Officer and the involved officer(s) chain of command when death, serious injury or significant property damage occur;
- C. The Traffic officer shall:
  1. Investigate all department vehicle accidents, P.I.T., or any related collisions with member involvement:
    - a. Investigate accidents occurring within jurisdictional boundaries, including areas of concurrent jurisdiction with other police agencies;
    - b. May conduct parallel investigations with other agencies for serious injury/fatal accidents or large property damage accidents involving department vehicles;
    - c. May exercise primary investigative authority for department vehicle accidents/incidents within Clark County.
  2. Notify the Communications Bureau as soon as possible on the extent of damage so a determination can be made by the Risk Manager concerning response by the insurance adjuster;
  3. Complete the Accident Report, NHP 5, or Vehicle Incident Report, LVMPD 42, on all collisions depending on the circumstances;
    - a. The Vehicle Incident Report LVMPD 42 will be used on all incidents where the department vehicle is involved and meets the following criteria:

- 1) A non-injury, single vehicle accident with minor damage (less than \$750 total damage);
- 2) A non-injury, multiple vehicle accident if it involves only department vehicles (less than \$750 total damage);
- 3) An accident on a public roadway or on premises to which the public has access (per NRS 484.122/484A.185), involving a citizen vehicle(s) if there is total damage to any vehicle or item or property to an apparent extent of less than \$750, and does not involve injury or complaint of injury. (Note: If any involved party is injured or complains of injury, the NHP 5 form will be used);
- 4) An accident on private property involving a citizen(s) vs. department vehicle (regardless of damage) and does not involve injury or complaint of injury. (Note: if any involved party is injured or complains of injury, the NHP 5 form will be used);
- 5) All property damage, injury or deaths that are a direct result of a P.I.T. action (Note: any PIT action that results in serious bodily injury or death, Fatal Detail will be called out and the on duty Traffic supervisor notified);

b. Serious injury/fatal accidents involving a department vehicle and employee will be taken on the NHP 5 Form. Fatal Detail will be advised and will respond to the scene.

4. In respect to all collisions, include the words, "Self Insured Under NRS 41.038, 1/6/86 to Present Date." The Risk Manager's phone number, "702-828-3330," will be added in the insurance block for all department collisions. Inclusion of this information deletes the requirement for the member to submit the SR 1, Driver's Report of Traffic Accident;
5. Complete an accident diagram for all collisions involving department vehicles, unless it is of a minor nature and the Traffic supervisor has approved a field sketch for the accident;
6. Complete an Officer's Report, when appropriate, to include information not contained on the accident report or diagram, indicating any contributing factors, violations of law, or other information determined from the results of the investigation;
7. Notify the Traffic supervisor in the case of death, serious injury or significant property damage so they can notify the Fatal Detail of Traffic, the Watch Commander, on-call public information officer and involved officer's chain of command;
8. Request a crime scene analyst for photographs on any injury or major property damage accident; may have minor scenes photographed by Traffic supervisor's camera or other department cameras, when available;
9. Provide any citizen involved in a department vehicle accident with a copy of the NHP-5 or electronic Driver's Exchange Form, and advise him or her to contact the Risk Manager when department liability is possible.

D. The Traffic supervisor shall:

1. Respond to department accident scenes when requested, or when department liability is possible;
2. Notify Communications in the case of death, serious injury or significant property damage so they can notify the Fatal Detail of Traffic, the Watch Commander, on-call public information officer and involved officer's chain of command;
3. Photograph or have the area photographed, to include the accident damage and any pertinent evidence (i.e., view obstructions, construction area, surface conditions, etc.) and ensure the photographs are submitted with the report to the ARB;
4. Advise department member(s) involved in the accident to complete an Accident Report in Blue Team (for commissioned personnel) or a memo (for civilian personnel) and forward copies to the Risk Manager, EVOC staff, Fleet Operations Bureau, Traffic Bureau, and the ARB, and direct the member to contact Risk Manager with any inquiries;



5. Supervise investigation and ensure that the Risk Management information and phone numbers are placed in the insurance blocks of the NHP 5 or Incident Report;
  6. Determine whether a violation of a serious nature (i.e., reckless driving behavior, policy violations, etc.) has occurred. If so, immediately notify the Traffic lieutenant or the Fatal Detail to respond;
  7. If a citation is necessary, and meets the criteria, issue the citation to the department member.
- E. The member involved in an accident shall:
1. Report details of the accident (officers by Accident Report in Blue Team and civilians by memo) through the chain of command, with copies to the Risk Manager, EVOG staff, Fleet Operations Bureau, Traffic Bureau, and the ARB.
- F. The bureau/area commander/director shall:
1. For all employees involved in an accident, ensure that the employee reviews the current EVOG web-based lesson plan;
  2. Before the employee is allowed to resume operations of a vehicle, ensure that a supervisor check ride is completed and forward a copy of the completed check ride to UMLV for entry into the employee's training record.
- G. The Risk Manager shall:
1. Notify the Fleet Operations Bureau each working day of any department vehicles damaged in accidents/incidents in the previous period.
- H. The Fleet Operations Bureau shall:
1. In conjunction with the Risk Manager, ensure repairs are made on vehicles damaged in accidents/incidents;
  2. Place a copy of the Accident Report/memo in the vehicle's permanent file.

***ACCIDENT REVIEW BOARD*** (5/110.28)

***A.S. 26.1.4, 26.1.8***

The Accident Review Board will evaluate the causes of accidents involving department vehicles. The board will determine if department policies, procedures, training standards, or traffic laws have been violated, and assess appropriate disciplinary action/training when warranted.

The Traffic Bureau will maintain both electronic and paper files and statistics on all department vehicles and department employees involved in traffic accidents. In addition, the Accident Review Board Chairperson will submit an annual summary report to the Training Bureau, outlining the causes of department accidents, for their use in determining if additional driver training is needed. A copy of the annual summary will be sent to all captains/directors and above.

The members of the Accident Review Board will be recommended to the Special Operations Division Deputy Chief. Upon approval by the Special Operations Division Deputy Chief, the board will be composed of the following:

- A. The Traffic Bureau Commander will serve as board chairperson;
- B. A Patrol Division lieutenant;
- C. An Investigative Services Division lieutenant;
- D. A civilian member in Pay Schedule 49 or higher (required only for accidents involving civilian employees);
- E. The Risk Manager;
- F. The lieutenant in charge of the Driver Training Section.

All members of the board must be present for the Accident Review Board to meet, except the civilian member who will only be present for those accidents involving civilian employees. For each position on the board, alternates can be appointed by the Special Operations Division Deputy Chief.

The employee's immediate supervisor will attend the Accident Review Board as indicated below; however, they will not be present during the voting process. Bureau/area commanders may, at their discretion, attend ARB hearings involving

employees under their command. Commanders may provide recommendations to the board; however, they will not be present during the voting process. Labor association representatives may also attend the ARB to represent a member; however, they will not be present during the voting process.

The Accident Review Board will convene to determine the cause of department vehicle accidents/incidents, with findings that the actions of drivers were excusable, non-preventable, or preventable:

- A. Minor or moderate damage to all property as a result of the accident/incidents (where discipline may result), the board **will** require the employee to attend, as well as the employee's FTO, if applicable;
- B. Major damage to all property or minor injury as a result of the accident, the board will require an appearance by the employee and will require the attendance of the employee's immediate supervisor and next level of supervision as well as the employee's FTO, if applicable;
- C. Substantial bodily injury or death, as a result of the accident, the board (Alternate Board) will require an appearance by the employee, the employee's bureau/area commander, the employee's immediate supervisor, the employee's FTO, if applicable, and an employee representative if the employee so chooses.

Failure to appear before the Accident Review Board, when so directed, will subject the member to department discipline, and does not prevent the board from rendering a decision.

#### IV. ***Accident Review Board Procedure***

- A. The Accident Review Board Chairperson shall:
  1. Obtain accident/incident reports from the Records Bureau and ARB file information;
  2. Obtain information on vehicle accident costs (by member's name, event number, and vehicle number) from Risk Management. Although injury costs may not be available, the cost of the physical damage should be obtained prior to the ARB Chairperson scheduling the appointment for the employee through the ARB;
  3. Determine which collisions will be scheduled for mandatory or non-mandatory appearances at the ARB and whether the collisions reviewed can be found as non-negligent, requiring no appearance before the ARB. Whenever attendance is mandatory the hearing shall be recorded. The employee/association will be provided a digital copy of the recorded hearing upon request.
  4. Determine, with other board members, if there has been a possible violation relating to vehicle operation;
    - a. When no violation is found, notify the employee and the employee's bureau/area commander that the accident is not in violation of department policies, procedures, training standards, or traffic laws;
    - b. When a violation is suspected, establish an Accident Review Board hearing date and notify the board members.
  5. Notify the employee, telephonically or in person, and the employee's bureau/area commander, in writing, of the hearing date and time. The notification will also advise if attendance of the employee's chain of command is also required. The ARB Chairperson will ensure that the employee and the respective association receives notification of the ARB hearing date and time as well as those who will be in attendance a minimum of 48 hours prior to the scheduled date and time of the hearing. The employee may bring witnesses and/or representation.
  6. Complete required reports after the board hearing and forward them through the chain of command to the appropriate Division Deputy Chief/Director.
- B. The Accident Review Board shall:
  1. Ensure the "Garrity Warning" is read to the employee whenever the employee appears before the board.
  2. Determine after the hearing, if there has been a possible violation of department procedures, training standards, or traffic laws relating to vehicle operation;

3. Assess disciplinary action, when appropriate, via the LVMPD PD 2E, Accident Review Board Adjudication, to the employee's supervisor for implementation. Once signed, the adjudication will be returned to the ARB for verification and then forwarded Labor Relations. If the employee is covered by the PMSA collective bargaining agreement and the recommended discipline is either 40 hours or termination, the supervisor will forward the adjudication through the chain of command to the appropriate Assistant Sheriff to request that a Discipline Board be convened to consider the matter.
- C. Alternate Accident Review Board
1. When serious bodily injury (as defined in 6/000.02) or death occurs, and in cases involving captains and above, the alternate Accident Review Board will evaluate the cause of the accident and determine if disciplinary action is appropriate. In these instances, the board will require an appearance by the employee, the employee's immediate supervisor, and an employee representative, if the employee so chooses.
  2. The alternate board will be composed of three deputy chiefs, with the Assistant Sheriff of Law Enforcement Operations, or his designee, serving as chairman.
  3. The chairman of the primary board will serve as administrative liaison to the alternate board. Liaison duties will include making employee notifications, providing information, and maintaining reports.
- D. Administrative Discipline
1. In determining the appropriate discipline for members found in preventable department vehicle accidents, the Accident Review Board will consider the following factors:
    - a. Severity and circumstances relating to the accident:
      - 1) Injuries and/or property damage;
      - 2) Private property vs. public roadway;
      - 3) Single vehicle only vs. collision with another vehicle. The driving actions of employee (i.e., reckless driving behavior, excessive speeds, policy violations, etc.), employee behavior and performance immediately preceding and during the accident;
      - 4) Routine patrol and/or driving vs. Code 3 or Vehicle Pursuit driving.
    - b. Violation of state, county, and city traffic laws and regulations;
    - c. Failure to comply with department policies, rules/regulations, procedures, and/or training standards;
    - d. *Driving history as established by current Contact Reports and/or disciplinary actions that are retained in the employee's personnel file in accordance with 5/101.42 Purging of Disciplinary Files. Accident history of the involved member.*
    - e. *Disciplinary guidelines set out in the Disciplinary Decision Guide contained within the Managing Employee Performance & Conduct Handbook and Guide for Managers and Supervisors.*
  2. *The Accident Review Board will review and take into consideration an employee's driving history in accordance with 5/101.42, Purging of Disciplinary Files. If the employee has any formal driving related discipline or contact on file the employee's driving history will be considered for the span of that discipline/contact.*
  3. *All adjudication of discipline will be completed on the LVMPD 2E, Accident Review Board Adjudication, and a copy provided to the Accident Review Board Chairperson. If the employee is covered by the PMSA collective bargaining agreement and the recommended discipline is either 40 hours or termination, the supervisor will forward the adjudication through the chain of command to the appropriate Assistant Sheriff to request that a Discipline Board be convened to consider the matter.*
  4. The following actions will be taken by the board, with consideration to any mitigating or aggravating circumstances presented during the administrative hearing, *and other guidelines set out in subsection "D.1.", above. in accordance with 5/101.42, Purging of Disciplinary*

- ~~above~~
- a. The first preventable collision will result in a contact or discipline up to and including termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion;
  - b. A second preventable collision finding, where an employee previously received a contact no longer than 12 months prior, may result in discipline ranging from a written reprimand to termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion;
  - c. A third preventable collision finding, where an employee previously received a written reprimand ~~no longer than 18 months prior will may~~ result in discipline ranging from a minor suspension to termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion;
  - d. A fourth or any subsequent preventable collision finding will result in discipline ranging from a major suspension to termination, and a minimum of eight (8) hours of remedial driver's training, at the board's discretion.
- E. Incident Reporting and Record Keeping
1. Appropriate department members will investigate all minor vehicle collisions that do not meet the definition of an accident, as outlined in NRS 484.229/484E.070. All vehicle incident reports will be forwarded to ARB, Traffic Bureau. The ARB will maintain the vehicle incident reports. Refer to department policy on "Reporting Vehicle Accidents," (Above; 5/103.29). *These reports may only be used for determining corrective action when they are directly related to incidents reviewed by the ARB as set out in section "D. Administrative Discipline" above.*
- F. Decisions on Recommended Administrative Discipline
1. An employee receiving discipline as the result of a department vehicle accident may file a grievance according to PPA, PMSA or PPACE, whichever is appropriate to the employee being disciplined.
  2. Prior to changing or reducing discipline which was administered by the ARB, bureau/area commanders ~~may~~ contact the ARB chairperson to receive input and an explanation as to why the discipline was given. Bureau/area commanders may review the employees ARB file maintained at the Traffic Bureau.
  3. If the employee is covered by the PMSA collective bargaining agreement and the recommended discipline is either 40 hours or termination, the bureau/area commander will forward adjudication through the chain of command to the appropriate Assistant Sheriff to request that a Discipline Board be convened to consider the matter.
  4. Once all grievances and/or disciplinary steps have been taken, copies of the final dispositions will be forwarded to the ARB for inclusion in the employee's file. The ARB will report all disciplinary action to the Office of Labor Relations for tracking purposes.
- G. Purging of Accident History Information
1. The purging of disciplinary records for on-duty department vehicle accidents ~~incidents~~ will be accomplished in accordance with the guidelines provided in 5/101.42.

~~Any subsequent preventable incidents involving department vehicles will extend the ARB file maintenance period by 12 or 24 months, in accordance with the guidelines provided in 5/101.42. (7/07, 8/10)~~

### **LVMPD INVOLVED MONTHLY REPORT**

The Traffic Bureau will produce a monthly report detailing collisions involving the agency employees and maintain a running count of accident rates by bureau/area command. The report will be distributed to all supervisors in the agency. Each bureau/area command will post the document in a visible location within the building and maintain the "ARRIVE ALIVE" safety tally display.

## **Section 6      Administrative Procedures**

### I. **New Vehicle Requisitions** (5/103.09)

#### **A.S. 17.3.1, 17.5.2, 41.1.3, 41.3.2**

- A. The Vehicle Requisition, LVMPD 13, will be used when requesting additional or replacement vehicles (except those replaced during the normal budget cycle). The requester must provide a complete description, as well as justification for the vehicle, and submit the form through the chain of command and Office of Finance.

NOTE: SWAT, Resident Sections, Search and Rescue, K9, TAS, and Emergency Management Sections are exempt from the following requirements of this subsection on "General Provisions".

1. Area commands, bureaus and sections are not authorized to maintain 4-wheel drive vehicles unless authorized by their respective Assistant Sheriff. Any exceptions are first reviewed by the Fleet Committee. Their recommendations are then discussed by the Chair of the Fleet committee with the respective Assistant Sheriff for final approval.
  2. All SUVs will be mid-sized vehicles unless justification for full-sized SUVs is clearly established and reviewed by the Fleet Committee.
  3. Mid-sized SUV type vehicles and pick-up trucks may account for no more than 20% of any budget or any bureau's total vehicle allotment. This does not include vehicles designated and approved for special circumstances, non-full time use (i.e. meth lab vans, SWAT tactical vehicles, surveillance platforms and other vehicles used for specific events only). Any allotments above the 20%, which are considered essential for operations, will be reviewed by the Fleet Committee and must be approved by the Undersheriff.
  4. All patrol vehicles will be ordered and equipped identically throughout all area commands (see Patrol Vehicles and Equipment; 5/207.06). Each area command may be assigned one full-size 2-wheel drive SUV for use as a watch commander vehicle.
- B. To complete the form, the requester must:
1. Check the block beside the type of vehicle requested;
  2. Write the vehicle engine size, if applicable to your operation;
  3. Enter the bureau/area/section name and number;
  4. Indicate the vehicle number of the vehicle being replaced if this is a replacement vehicle;
  5. Write a justification of need for the additional vehicle being requested. If additional space is needed, attach a second page;
  6. Check blocks below justification for additional equipment required and identify the source of funding for those required accessories.
- C. When the requisition is completed, the requestor must forward it through the appropriate chain of command for approvals. If Fleet Operations Bureau has a vehicle meeting the specifications available, they will note on the form and provide the appropriate cost figures. If the request is disapproved, the requisition should be returned to the originator without further advancement. Requests for seized vehicles must be approved by the Chief Financial Officer, Office of Finance, and the Communications and Technology Division Director in conjunction with the Division Deputy Chiefs requesting additional vehicles.
- D. The Fleet Operations Bureau will notify the requester of the final decision upon review by the Undersheriff. (5/97, 12/04)

II. ***Patrol Vehicles and Equipment*** (5/207.06)  
***A.S. 41.3.1, 41.3.2, 53.1.1***

- A. Vehicles used in routine and general police operations will be painted black and white. They will also be conspicuously marked so as to be visible. This will include the following markings in reflective-type material on vehicles:
1. The LVMPD name and insignia on both sides;
  2. The word POLICE on both sides and rear;
  3. The EMERGENCY 9-1-1 number on both rear quarter panels;
  4. The non-emergency 3-1-1 number on the upper panels behind the rear doors;
  5. The vehicle identification number on front, back and roof of the vehicle;
  6. The phrase, "Partners with the Community";
  7. The term, "Metro Police" on the top of the front push bumpers;
  8. The phrase, "CRIME STOPPERS 385-5555" on the rear door windows;
  9. The website address, "[www.lvmpd.com](http://www.lvmpd.com)" on rear of vehicle, driver's side of the trunk;
  10. A decal of the Flag of the United States on the rear of the vehicle;
  11. A reflective warning stripe on the rear bumper.
- B. All Patrol vehicles will be equipped with all communication and emergency equipment authorized by the Patrol Division. Officers will fill out a Vehicle Condition Report, LVMPD 47, at the beginning of each shift - recording any discrepancies such as safety problems, poor performance, damage, or missing items, according to the legend on the report. Officers will replenish depleted or damaged items by contacting the service aide or supervisor at their area command. If necessary, an explanation should be made in the space for comments. Vehicle Condition Reports will be turned in for supervisory review before the end of the shift.
- C. A vehicle with any condition that affects its safe operation will be immediately taken out of service and red-lined. A vehicle with defective emergency or communications equipment will have the item(s) immediately repaired or replaced, or the vehicle will be red lined.
- D. Patrol supervisors shall conduct periodic spot inspections of vehicles assigned to their personnel at least monthly. Any deficiencies and/or corrective actions taken noted will be recorded in a contact report. This will ensure the serviceability of vehicles and equipment, and the accountability of assigned items. (3/02, 12/04)

III. ***Department Take-Home Vehicles*** (5/207.08)  
***A.S. 17.5.2, 41.1.3***

- A. Only qualified, specified employees may take LVMPD vehicles home when assignment warrants such a vehicle and they are authorized to do so by the Undersheriff, based on the following criteria. The use of such vehicles will be restricted to regular duty assignments, to and from duty, and for the unscheduled performance of official duties. Requests from all employees requiring a vehicle assigned 24-hours for operational purposes will be reviewed by the Fleet Committee, with approval from the Undersheriff.
- B. Take-home vehicles are not intended to take the place of the employee's personal transportation and are assigned to the employee for official business purposes only. Unauthorized use will result in disciplinary action. Non-department employees are authorized in a department take-home vehicle only when required for the performance of duty, or necessary to transport the non-department employee to a location to facilitate the employee responding to a duty function in a timely manner (i.e., taking or picking up children to or from school on the employee's way to work).
- C. Management personnel, including appointed personnel, Directors and above, who require frequent use of a vehicle for official business but do not qualify for a take-home vehicle, will be compensated with a vehicle allowance. This allowance will be established and approved by the Sheriff. The compensation will be reflected in the employee's W-2. Employee's receiving a vehicle allowance will

not be authorized for a department take-home vehicle.

- D. Employees requesting a take-home vehicle will complete the Take-Home Vehicle Request, LVMPD 358, submitted through their chain of command. Upon approval by the bureau/area commander, a Take-Home Vehicle Authorization Form, LVMPD 136, and completed Take-Home Vehicle Request will be sent to the Fleet Committee. The committee will: ensure consistency with LVMPD fleet procedures and vehicle purchase criteria; evaluate the job duties with the take-home vehicle criteria; and, forward a recommendation to the Undersheriff through the employee's chain of command for final approval. Fleet Operations Bureau will maintain a record of these documents.
- E. Each department where a civilian employee utilizes a take home vehicle is required to report this usage to the Payroll Section, Office of Finance, by the 5<sup>th</sup> of each month with the employee's name, P#, and how many days of the preceding month the employee used a department vehicle to commute to/from work. Payroll will post this benefit on the employee's paycheck.
- F. Criteria for authorization:
  1. Captains and above are exempt from the criteria as these positions qualify based on each position maintaining 24-hour operational responsibility, are required to respond at any hour due to certain OPC ON operational levels, are often responsible for operations and personnel at multiple locations, and are considered key operational personnel.
  2. Bureau/area commanders/directors will review and assess the take-home vehicle criteria balanced with each individual employee's need for a take-home vehicle. This will be based on the individual employee's job duties. Vehicles will not be assigned based solely on the employee's overall bureau operational requirements. An employee considered for a take-home vehicle must need that vehicle during the majority of the 40-hour work week for unscheduled duty. Bureau/area commanders will consider the use of vehicle sharing strategies (i.e., two employees normally working together sharing one vehicle) and part time take-home vehicle assignments where full-time, take-home vehicle requirements are not met for individual assignments and/or where operations permit.
  3. Lieutenants and above assigned take-home vehicles will be assigned sedan-type vehicles. Those meeting the requirements for other specialized vehicles will be approved on a case-by-case basis through the take-home vehicle approval process (SWAT, Traffic, Search and Rescue, Residents, and Emergency Management are exempt from this sub-section).
  4. The following requirements must be met for authorization of a 24-hour vehicle assignment:
    - a. Employees assigned a take-home vehicle must reside within the urban jurisdiction of LVMPD. The urban area is considered a 25-mile radius of Clark County beginning at Sahara and Valley View. (This includes motorcycles, Resident officers are exempt);
    - b. 24 hour operational responsibility;
    - c. 24 hour on-call status based on the actual frequency of call outs;
    - d. Required for regular unscheduled duty outside the normal hours and based on the actual frequency of such unscheduled duty. (Unscheduled duty can be compensated by pay, time off, or adjusted shifts in operations where the duty time fluctuates based on the type of activities);
    - e. Responds to multiple locations while assigned;
    - f. Responds to various locations throughout LVMPD's jurisdiction;
    - g. Does not respond to normal work place when called out;
    - h. Assignment requires specialized vehicles (not required);
    - i. Assignment requires specialized equipment (not required).
- G. Approved Use of Take-Home Vehicles
  1. Employees will not use alcohol during the operation of a department vehicle except as outlined in Department Manual Section 4/103.09. Employees will not operate department vehicles if intoxicated or impaired by the use of alcohol or drugs (i.e., medications). Employees found intoxicated or impaired operating a department vehicle and who have damaged property may be held financially responsible for all LVMPD costs incurred.

## PROCEDURE

- H. The bureau/area commander/director shall:
  1. During preparation of the annual internal audit (5/102.06), survey assignments and determine the need for take-home vehicles based upon criteria for assignment;
  2. Ensure each employee requesting a take-home vehicle completes the Take-Home Vehicle Request;
  3. Forward approved requests to the Fleet Committee.
- I. The Fleet Committee shall:
  1. Review the request and forward it to the Undersheriff through the Division Deputy Chiefs/Directors and Assistant Sheriff;
  2. Forward the recommendation to the Undersheriff through the requesting bureau's chain of command.
- J. The Division Deputy Chief/Director shall:
  1. Recommend approval/denial of the request, adding comments if appropriate, and forward it through the chain of command to the Undersheriff, for authorization.
- K. The Undersheriff shall:
  1. Approve/deny the request, adding comments if appropriate;
  2. Forward copies of the documentation to the requesting Division Deputy Chief/Director and forward the original documentation to Fleet Operations Bureau.
- L. The Fleet Operations Bureau shall:
  1. As part of the Fleet Committee, maintain all completed Take-Home Vehicle forms and other forms associated with take-home vehicle requests.

## REVIEW AND REPORTING

- M. The immediate supervisor shall:
  1. Conduct a monthly review of any vehicles assigned as a take-home vehicle to ensure the proper use, care, mileage, fuel usage, and continuing need;
  2. Report any changes or deficiencies to the bureau/area commander.
- N. The bureau/area commander shall:
  1. Ensure take-home vehicles are adequately maintained, and mileage and fuel usage is consistent with designated responsibilities;
  2. Advises the Division Deputy Chief/Director and Undersheriff of any recommended changes concerning the assignment of take-home vehicles.
- O. The Division Deputy Chief/Director shall:
  1. Inform the Undersheriff, through the chain of command, of any changes in the assignment of take-home vehicles. (2/95, 12/04)

IV. ***Use of Department Vehicle for Travel Outside of Nevada*** (5/103.05)

Members will normally use commercial transportation when traveling on official business outside of Nevada. However, it is recognized that in some situations it is more practical to travel by department vehicle. For that reason, members may obtain prior approval through their chain of command to use a department vehicle for out-of-state travel requirements.

## PROCEDURE

- A. The member shall:
  1. Obtain the bureau/area commander's approval to drive a department vehicle for authorized out-of-state travel;
  2. Arrange for the use of an LVMPD vehicle;
  3. Ensure there is a laminated self-insurance card in the vehicle, and the vehicle is properly serviced and equipped for the trip;



4. Submit a memo through chain of command to bureau/area commander for approval of the out-of-state travel. The memo will include the vehicle and license plate numbers, VIN, names of travelers, destination, reason for travel, and departure and return dates;
  5. Return the vehicle fueled and in a clean condition following the trip.
- B. The bureau/area commander shall:
1. Consider approval of the unit member's out-of-state travel by vehicle based on the following conditions:
    - a. Nature of the travel;
    - b. Number of travelers;
    - c. Distance to destination;
    - d. Length of stay.
  2. Forward a copy of the memo to the Risk Manager if the travel is approved.
- C. The Risk Manager shall:
1. Maintain a copy of the memo containing the travel information for six months. (3/96, 6/02)

V. ***Use of Privately Owned Vehicles on Police Business*** (5/207.09)  
***A.S. 17.4.2***

- A. Members will not use their privately owned vehicle for operational law enforcement activities (i.e., serving search warrants, making arrests, transporting prisoners, etc.) without specific written authorization from their office or Division Deputy Chief/Director. Members who require a vehicle for operational law enforcement activities should utilize bureau pool vehicles first, if available, or contact Fleet Operations Bureau for use of a fleet pool vehicle.
- B. Members requiring a vehicle for business related activities (i.e., travel to meetings, court, etc.) should utilize available bureau pool vehicles. Members who are occasionally required to use their personal vehicle while on duty for such business matters will be compensated at the standard IRS acceptable rate by submitting a Mileage Reimbursement Request, LVMPD 359, through their chain of command (to the bureau/area command level) to Accounting. This form may be used for parking reimbursement and will be submitted monthly, there is a minimum reimbursement threshold of \$10. If the \$10 minimum reimbursement threshold is not met on a monthly basis, the form may be submitted quarterly. Mileage reimbursement requests must be turned in no later than 15 days after the end of any given quarter in which you had mileage expense. No reimbursements will be issued for prior fiscal years.
- C. In the case of a vehicle accident involving a department member during on-duty use of their privately owned vehicle, the member's private vehicle insurance is considered primary. (12/04, 11 /07)

VI. ***Reporting Damage/Loss to Department Property and Equipment*** (5/103.28)

- A. Members shall promptly report to their immediate supervisor for further reporting through their chain of command, the occurrence of damage, or the discovery of damage, to department property that has been issued or assigned for their use. Officers shall report an incident using an Officer's Report, while civilian members shall report by memo. This includes non-collision damage to department vehicles.
- B. All reports of loss, damage, or unserviceable condition of department property or equipment should include:
  1. A description of the property, including any serial numbers when appropriate;
  2. The date, time, and location of occurrence or discovery;
  3. A complete description of the damage, loss or defect;
  4. A complete description of the incident, and surrounding circumstances if applicable.
- C. Members will also forward copies of Officer's Reports/memos reporting non-collision damage to department vehicles to the Fleet Operations Bureau for placement in the vehicle's permanent file. (2/75, 8/95)

VII. ***Citizen Observers ("Ride-a-longs")*** (4/109.01)

**A.S. 26.1.1, 41.3.3**

- A. Observers in police units shall be permitted only in specified circumstances. Observers or "ride-alongs" are defined as any person other than the officer(s) assigned to a working unit. It is recognized that certain benefits may be derived from allowing some persons to be exposed to police activities. The primary consideration when permitting an observer in a working police unit must address the benefit to the community and the police department, not the personal gratification of the person riding in the unit.
- B. Requests to ride and observe in patrol units will be directed to the appropriate patrol lieutenant for approval prior to the ride-along. Request to ride with units other than patrol will be submitted to the appropriate bureau/area commander.
- C. No other authority below those named may grant permission to ride-along.
- D. Other law enforcement personnel from this or any other agency may be authorized to ride-along and may be exempt from the conditions listed below upon approval of the appropriate patrol lieutenant or respective bureau/area commander.
- E. All media and production company observers must be coordinated through the Office of Public Information.
- F. Requirements and Conditions
  - 1. Non-departmental personnel will complete an Agreement Assuming Risk of Injury or Damage, Waiver and Release of Claims and Indemnity Agreement, LVMPD 145, prior to riding in a police unit (the original copy of the waiver will be forwarded by the bureau/area commander to the Risk Manager).
  - 2. Law enforcement personnel will not grant observers any right of access to private property. Law enforcement personnel will not assist observers in obtaining permission to enter private property. Observers remain subject to the same trespass and invasion of privacy laws that apply to all private citizens. Ride-along participants can record what any innocent bystander would be able to observe.
  - 3. When conducting vehicle stops, the interior of a vehicle to the extent it is not readily viewable is construed as a protection zone of interest. Observers will not be allowed to view the contents during police contact/police search (i.e., police have cause to search an area inside of a vehicle such as a glove compartment or a trunk; observers will not be permitted to stand in a position to view the contents of the area searched and would only be allowed to view what an innocent bystander would be able to see during police contact).
  - 4. Under no circumstances will observers be authorized to accompany officers during the actual execution of a search warrant on private property. (11/96, 1/00)

VIII. **Maintaining Communications** (4/110.01)**A.S. 26.1.1, 81.2.4, 81.2.5**

- A. Members on duty, or officially on call, shall be directly available by normal communication or shall keep their office or supervisor informed of the means by which they may be reached. Members sent on a call shall, immediately upon completion of the task, notify the radio dispatcher or their supervisor of the nature of the call and the action taken.
- B. Officers will broadcast by radio prior to leaving their vehicle during a traffic stop, and state their exact location and the license number of the stopped vehicle.
- C. When an officer is absent from his vehicle for any reason, with or without portable radio, he will inform Communications of the reason for his absence, where he will be located, and how he may be contacted. (4/74, 12/76)

IX. **Law Enforcement Escorts** (5/107.22)**A.S. 61.3.3**

- A. This department will provide police escorts for the funeral processions of police, fire and military personnel killed in the line of duty. All non-emergency escorts must be approved by an Assistant Sheriff.

B. Routine (Non-Emergency) Escorts

1. A routine, non-emergency escort will be utilized for funeral processions of police, fire, and military personnel killed in the line of duty (active); visits from the President and/or Vice-President; and other limited circumstances as approved by a Division Deputy Chief.
2. Requests for escorts will be processed in advance by the Traffic Bureau Commander. If no law enforcement or official police presence would be required, the party requesting the escort will be advised to contact a private escort service.

C. Emergency Escorts

1. Emergency escorts will normally be received without prior notification through the Communications Bureau. The Communications supervisor will advise the Traffic Bureau lieutenant, if available, or a Traffic Bureau sergeant, providing the specific nature of the emergency.
2. The Traffic Bureau supervisor making the determination to provide an escort detail will assign personnel as appropriate. If the request is denied, the Traffic Bureau Commander will be advised and briefed of the circumstances on the next working day, as necessary. (2/89, 12/07)

END OF POLICY (12/09, 10/10) ■