

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	September 1, 2017	Meeting Date:	September 18, 2017
Contact Information:			
Requested by:	Chief Tim O'Sullivan		
On Behalf of Organization or Individual:		Franklin Police Department	
Telephone:	317-736-3670		
Email address:	tosullivan@franklin.in.gov		
Mailing Address:	2801 N Morton Street, Franklin, IN 46131		
Describe Request:			
Updated SOP 1.23			
List Supporting Documentation Provided:			
SOP 1.23			
Who will present the request?			
Name:	Tim O'Sullivan	Telephone:	317-736-3670

In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.23

Subject: POLICE VEHICLE OPERATIONS		References: IC 9-21-1-8
Special Instructions:	Effective Date: January 1, 1995	No. of pages: -10-
Distribution: All Units	Revised Date:	Reevaluation Date:

1.23.1 PURPOSE

The purpose of this procedure is to set forth the guidelines for the operation of police vehicles in emergency, non-emergency, and pursuit situations in order to minimize the risk of death, injury, or property damage to police and citizens alike.

1.23.2 POLICY

It is the policy of the Franklin Police Department that all officers operate city owned/leased vehicles with due regard for the safety of all persons. Officers are reminded that State and Local provisions will not protect the officer from the consequences of any reckless disregard for the safety of others.

The traffic law exemptions, permitted under IC 9-21-1-8, are only allowable when the emergency vehicle is making use of audible or visual signals while responding to an emergency or when in pursuit of an actual or suspected violator of the law. Therefore, officers shall obey all traffic regulations while on routine patrol.

1.23.3 PROCEDURE

A. SAFE OPERATION DIRECTED

In order to prevent accidents, injuries, property damage, and serve as an example to the motoring public, police vehicles will be operated in a safe and courteous manner.

Police vehicles, at all times, in motion, stopped, or parked, must be in control of the operator. Operators of police vehicles must obey all provisions of the Indiana Traffic Code, Franklin City Ordinances, and Franklin City Police Department Rules and Regulations.

In an emergency situation, requiring the services of a police officer, the most important responsibility of the officer assigned is to get to the scene safely. The accomplishment of a mission is jeopardized if an officer is delayed en route, due to an accident.

There are three general situations in which the use of emergency equipment may be used and emergency driving techniques authorized. An explanation of these situations follows:

B. NON-EMERGENCY RESPONSE

Non-emergency designation indicates that the call assignment or situation is not urgent, and a quick response is not required.

Officers assigned to these situations will respond without the use of red/blue lights and siren. Officers shall abide by all traffic regulations.

An officer may use red/blue lights and siren to initiate a traffic stop, for routine enforcement action.

C. EMERGENCY RESPONSE

An emergency response indicates, and is authorized, for an emergency situation in which the saving of life, or prevention of injury to a person, maybe accomplished by the immediate presence of the assigned officer. An emergency response may also be utilized for felonious acts known to be in progress. While emergency driving is authorized by an emergency, every precaution shall be taken with regard to the safety of the public.

In an emergency response, an officer shall abide by all traffic regulations with the following exception:

If it becomes necessary to violate traffic ordinances/laws, emergency lights shall be activated at all times. Audible signals (siren) shall be used as reasonably necessary. It shall be the officer's responsibility to articulate the facts to support the decision not to use audible signals if asked to do so.

Police vehicles approaching a red traffic signal or stop sign will yield the right-of-way to all moving vehicles and pedestrians within the intersection and those approaching in a manner that would cause them to become a hazard. Stop the vehicle, if necessary, and then proceed with caution only when safe.

Officers must keep in mind they cannot depend on the red/blue lights and siren to clear traffic ahead, or to the sides of them.

D. PURSUIT PROCEDURES

A pursuit is an active attempt by an officer, in an authorized emergency vehicle, to perform a traffic stop and the operator of the suspect vehicle indicates by his/her action, intent to elude or evade apprehension. The officer must reasonably believe the suspect knows he/she was directed to stop, refused to stop, and was willfully fleeing in an attempt to avoid capture.

Effort should be made to avoid pursuits due to the extreme danger present in such activity. Officers must balance the need for immediate apprehension of the suspect with the need to protect the public from the danger caused by the pursuit. All officers are reminded that their primary responsibility is to protect the public. When the danger of a pursuit exceeds the value of an immediate apprehension, public safety shall be paramount and require alternate methods of apprehension.

1. Officers are authorized to engage in a police vehicle pursuit only in the following circumstances:
 - a. When an officer has probable cause to believe a crime has been committed and has reasonable suspicion to believe the person being pursued committed that crime. Justification for engaging in a police vehicle pursuit must be limited to the facts known by the officer at the time a decision is made to engage in such pursuit. Information not established as fact at the time the pursuit is engaged, no matter how compelling, cannot be considered in determining whether the pursuit was justified.
 - b. On all legal traffic stops when the pursuing officer and/or supervisor have balanced the nature of the offense for which a subject is being pursued, against the danger posed to themselves and the public if the pursuit is initiated and/or continues.

- c. The police department authorizes unmarked vehicles (vehicle with no light bars or decals) and low-profile vehicles (vehicle with full decals but no light bar) to engage in a pursuit. However, this shall be done only in extreme circumstances and that vehicle shall disengage from the pursuit as soon as the first marked vehicle (vehicle with full decals and light bar) joins the pursuit (Exception: Supervisor Exemption; see Section I #3, Supervisor's Responsibilities). If a vehicle is not equipped with red/blue lights and siren it may not pursue.
2. Officers are prohibited from engaging in police vehicle pursuits in the following circumstances:
- a. When a passenger in the vehicle is not another officer.
 - b. When the police vehicle contains a prisoner.
 - c. When the officer is not the primary or secondary pursuit vehicle.
 - d. When the degree or risk to the involved officer(s) and/or public exceeds the value of an immediate apprehension. For the purpose of this procedure, felony fleeing with a vehicle shall not be considered a violent crime.
 - e. In any other violation of this policy and procedure.
 - f. When vehicle pursuit enters Franklin from another jurisdiction, no more than 2 Franklin units shall actively take part in the pursuit.
3. Initiating Officer: The following factors shall be considered before initiating and continuing a vehicle pursuit:
- a. Degree of risk created by pursuit;
 - b. Seriousness of the suspected crime;
 - c. Whether the identity of the violator is known to the point that later apprehension is possible;
 - d. Volume, type, speed and direction of vehicular traffic and direction of pursuit;
 - e. Nature of the area: residential, commercial, school zone, open highway, etc.;
 - f. Volume of pedestrian traffic;
 - g. Environmental factors such as weather and time of day;
 - h. Road conditions such as ice, construction, poor repair, etc.;
 - i. The speed of the subject in relation to the speed of all other traffic, road conditions, nature of the area, pedestrian traffic, and environmental factors.
 - j. The suspect's total disregard for traffic control devices.

4. Radio Communications

- a. Radio communications for vehicle pursuits will remain on the talk group where the pursuit first originates (until radio system limitations force the user to change talk groups to effectively transmit; see Radio System Limitations).
- b. It shall be the duty of the dispatcher to expeditiously patch the pursuit channel to SW-MA1 making an announcement on SW-MA1, "All Stations, Unit ____ is in vehicle pursuit (Location), SW-MA1 is now patched."
- c. All assisting units in the vehicle pursuit should then utilize SW-MA1 to participate in joint communications.

E. PURSUIT TERMINATION

If the shift supervisor, or the primary officer, orders the termination of a pursuit, all officers directly or indirectly involved shall immediately stop all attempts to pursue. This includes the termination of units responding to assist. Officers shall no longer follow the suspect or violate any traffic laws. The primary officer in the pursuit will have final authority managing the pursuit until a shift supervisor takes responsibility for it.

F. POLICE VEHICLES AND THEIR OPERATION

1. An initiating unit that is no longer the primary or secondary vehicle in a pursuit shall proceed to the point of termination. However, they shall obey all traffic laws and regulations.
2. Immediately upon meeting the conditions of a pursuit, as defined in this procedure, emergency lights and siren shall be activated at all times during the pursuit.
3. Officers shall not drive on the wrong side on streets, freeways, or any other type of roadway. In the event a pursued vehicle is going the wrong way, the following shall be utilized:
 - a. Maintain visual contact with the pursued vehicle by paralleling on an adjacent street, or on the correct side of the street, or any other type of roadway.
 - b. Request other units to proceed to, and monitor exits available to pursued vehicle.

EXCEPTION: During a pursuit, officers may drive on the wrong side of the roadway, only long enough to pass a vehicle blocking the pursuing officer's lane of travel. Officers shall return to the correct lane as quickly as possible, once past the blocked traffic lanes.

G. PRIMARY OFFICER RESPONSIBILITIES

1. When possible, officers intending to stop a vehicle shall attempt to be as close as practical to the suspect's vehicle before activating emergency equipment and attempting the stop. The suspect's temptation to flee may be greater in those instances where it appears they have a head start. Before attempting a traffic stop when a driver is likely to flee (such as known stolen vehicle or wanted subject) the primary unit will attempt to avoid a pursuit by coordinating the response of assisting officers. For example, a traffic stop at a stoplight or other preplanned location may be an appropriate tactic.

2. The primary officer is the lead pursuit unit, and must remain a safe distance from the suspect vehicle.
3. Officer initiating a pursuit will immediately notify the dispatcher of their location, reason for the pursuit, direction of travel, estimated speed of the suspect, and any other relevant actions by the suspect. Officers shall also provide the license plate number, number of occupants, and any other pertinent information.
4. Officers shall give updated information concerning direction of travel, speed, and unusual actions. Radio transmissions shall be kept as short as possible, allowing the dispatcher, supervisory personnel and assisting units to air information.
5. The decision to continue the pursuit must be constantly evaluated. Based on the facts known at the time, officers shall continually evaluate whether the risk of danger to the officers and the public, resulting from the continuation of the pursuit, is greater than the risk of injury to any person that may result from the successful escape of the suspect.
6. The primary officer may cancel or terminate the pursuit. Other officers, including the secondary unit, may not continue or reinstate the pursuit without authorization from the supervisor.

H. SECONDARY OFFICER RESPONSIBILITIES

1. The secondary officer's function is to assist the primary vehicle during the pursuit, and at the point of termination.
2. The secondary officer shall not overtake the primary officer unless specifically requested to do so, and shall drive behind the primary unit at a safe distance, sufficient enough to avoid colliding with or interfering with the primary unit. The secondary officer may block an adjoining lane, to prevent interference with the pursuit by other vehicle(s) traveling in the same direction.
3. The secondary officer shall be prepared to assume the role of the primary vehicle if needed.
4. The secondary officer may broadcast the pursuit if requested by the primary vehicle, or if ordered by a supervisor.

I. SUPERVISOR RESPONSIBILITIES

1. Once a pursuit is initiated, and the supervisor made aware, the supervisor is responsible for managing the duration of the pursuit.
2. The supervisor shall consider all issues identified in section 3 (Pursuit Procedures). Based on the facts known at the time, the supervisor shall continually evaluate whether the risk of danger to the officers and the public resulting from the continuation of the pursuit is greater than the risk of injury to any person that may result from the successful escape of the suspect.

3. The supervisor has the authority and responsibility to:
 - a. Ascertain the reason for the pursuit and the surrounding conditions from the involved officer(s), and the dispatcher.
 - b. Authorize or terminate the pursuit based on all available information and the provisions of department policy and procedures.
 - c. Continually assess the risks and hazards involved in allowing the pursuit to continue.
 - d. Immediately move in the direction of the pursuit (if justified, using emergency lights and sirens), actively monitor its progress, and engage in the pursuit as the third vehicle if necessary.
 - e. Control the tactics used in the pursuit, including the use of Stop Sticks and/or PIT.
 - f. The supervisor shall ensure that no more than three (3) vehicles (primary unit, secondary unit and supervisor) are actively taking part in a pursuit.
 - g. The supervisor is required to respond to the scene of termination or discontinuance of all pursuits, whether or not a suspect has been apprehended.
 - h. The supervisor shall determine if a traffic collision, resulting from the pursuit, has occurred at any point along the route of the pursuit. This includes damage to police equipment, the suspect vehicle, civilian vehicles, and any other property. If a collision has occurred, the supervisor will ensure an appropriate investigation is conducted.
 - i. In instances when a suspect has escaped apprehension, the supervisor shall immediately coordinate efforts to follow up any investigation leads.

J. TACTICAL PURSUIT MANAGEMENT

1. All officers in the path of a pursuit shall remain alert to its progress and shall actively assist with traffic control along the route of the pursuit in an effort to promote public safety, as well as providing for coverage during accident investigation, perimeter containment, foot pursuit, etc.
2. Unless specifically authorized by the supervisor, all officers responding to the area shall proceed in a non-emergency manner. Responding officers are not authorized to violate any traffic laws or regulations in an effort to catch up to or parallel a pursuit unless ordered to do so by the supervisor. The supervisor must consider the following:
 - a. The severity of the offense.
 - b. The number of occupants in the suspect vehicle.
 - c. The likelihood of armed and/or violent suspects.
 - d. The need for a pursuit termination device.
3. If possible, officers should avoid approaching an occupied suspect vehicle at the termination of a pursuit. A high-risk vehicle stop shall be the most appropriate method of

taking suspects into custody. Exigent circumstances may exist at the termination of a pursuit that may cause an officer to approach an occupied suspect vehicle.

K. INTER-JURISDICTIONAL PURSUITS

1. Procedural Guidelines

- a. The supervisor shall respond to the scene of termination or discontinuance of the pursuit.
- b. The supervisor shall gather, from each participating jurisdiction involved, information concerning the circumstances of its participation and the names of any of its officers participating in the pursuit.
- c. In a pursuit originating in another jurisdiction and crossing into Franklin, no more than two officers will be authorized to participate in the pursuit. The officer involved in the pursuit will provide dispatch with updated information. This will include direction of travel, speed, and any unusual actions in the interest of safety. The supervisor may assign other officers to assist with traffic control and/or render assistance at the termination point.
- d. Upon request of the initiating jurisdiction, and with the approval of the supervisor, an officer may become the primary vehicle.
- e. This procedure is in effect for pursuits originating in other jurisdictions, and crossing into Franklin. Supervisors shall have final authority over the involvement of Franklin Police Officers in outside agency pursuits. Franklin Police Officers will provide assistance at the point of termination, to include suspect apprehension, accident investigation, perimeter containment, area searches, etc. In addition, officers shall also assist with traffic control along the path of an outside agency pursuit in order to promote public safety.

3. Investigation/Jurisdiction at Termination

- a. The Franklin Police Department shall not investigate crashes resulting from a pursuit in the city if the crash involves a Franklin Police Department vehicle. An outside agency shall be asked to investigate all crashes involving Franklin Police Department vehicles. The crash review board will review the circumstances surrounding all Franklin Police Department vehicle crashes.

L. REPORTING REQUIREMENTS

1. Upon termination of a pursuit, all officers involved will meet at a location designated by the supervisor. In addition, the following reporting requirements will be followed:
 - a. The supervisor shall ensure all officers involved, directly or indirectly, in the pursuit have completed an appropriate report. This may include an incident report, arrest report, or a crash report, etc.
 - b. The supervisor shall complete the Managing Supervisor Vehicle Pursuit Report, including all elements of the pursuit and the reason to continue and/or terminate the pursuit. The supervisor will attach copies of all related reports, and any other

documentation or information related to the pursuit. A packet shall be completed, and forwarded to the Chief of Police.

M. ROADBLOCKS

1. A road block involves the placing of one or more police vehicles where the purpose is to obstruct all traffic flow and apprehend a fleeing suspect. A roadblock shall be utilized only as a last resort to apprehend a known, extremely dangerous, fleeing felon.
2. Roadblocks shall be utilized only when it is clear that all other methods of capturing a fleeing suspect have failed. The use of a police vehicle for a roadblock must be authorized by a supervisor, except in situations where there is not sufficient time to obtain supervisory authorization.
3. Once the decision has been made to establish a roadblock, the following criteria shall be used:
 - a. A roadblock shall not be established in a blind curve or crest of a hill, where the driver of the fleeing vehicle or any other vehicle would be denied the ability to stop.
 - b. The roadblock shall not be placed in a dark or shaded location where it cannot be readily seen by any driver or another vehicle.
 - c. Every effort should be made to locate the roadblock in an area that would minimize the probability of personal injury or property damage. Consideration includes: population, proximity to parks, hospitals and schools, and an open area as opposed to residential and business districts.
 - d. If time permits, flares shall be placed approximately 600' before the roadblock to give adequate and appropriate notice to the pursued vehicle and all other approaching motorists.
 - e. Dispatch shall be advised of the roadblock and all pertinent information for relay to the pursuing vehicles.
 - f. If pursuing vehicles are advised of a roadblock set up by an outside agency without the expressed verbal request of the shift supervisor, and if the pursuit does not meet all of the aforementioned criteria for roadblocks, the pursuit shall be immediately terminated.

N. TIRE DEFLATION DEVICES

1. The purpose of the deployment of the tire deflation device is primarily to safely end vehicle pursuits, while placing paramount importance of the safety of officers, the public, and suspects. When any vehicle crosses a deployed tire deflation device, hollow spikes are embedded into the tires, causing the tires to deflate at a controlled rate. While the driver may continue to drive, the ability to operate the vehicle at high speeds is greatly reduced, if not eliminated.
2. Tire deflation devices shall be deployed with the following guidelines:
 - a. Tire deflation device locations should provide deploying personnel with good visibility of the approaching pursuit and other traffic in the area. The locations should

provide as long a visual path as possible. Deploying personnel should seek protective cover that provides good visibility of the surrounding area and the approach of the suspect vehicle.

- b. The deploying unit shall not overtake a fleeing vehicle, in an attempt to place the tire deflation device on the roadway.
- c. The deploying unit will notify dispatch, and the pursuing units, of the location of deployment.
- d. Tire deflation devices will not be used on any vehicle with less than four (4) tires.
- e. The tire deflation devices will only be used while enclosed in the nylon carrying case, and with the cord attached. Tire deflation devices shall not be tossed into the path of a fleeing vehicle.
- f. After the fleeing vehicle has passed over the tire deflation device, it should be removed from the roadway immediately.
- g. Dispatch, and the pursuing units, should be advised if the deployment was successful.
- h. The use of a tire deflation device shall be indicated in the vehicle pursuit report. The report shall contain the location of deployment, name of officer/s who deployed the device/s, injuries, and vehicle striking the device.

O. RAMMING

- 1. Ramming may only be used to capture known, extremely dangerous, fleeing felons. Ramming may only be used as a last resort when it is clear that all other methods of capturing the fleeing felon(s) have failed. Discretion must be used to determine the best and safest methods to stop fleeing felon(s).
- 2. RAMMING MAY ONLY BE USED IN INSTANCES WHERE DEADLY FORCE WOULD BE PERMISSIBLE.

FRANKLIN CITY POLICE DEPARTMENT MANAGING SUPERVISOR VEHICLE PURSUIT REPORT

Case #:		Date:		Division:																	
Supervisor:			Comm #:		Unit #:																
Start Time: _____ AM/PM		Start Location: _____																			
End Time: _____ AM/PM		End Location: _____																			
Duration: _____		Day of Week: _____		Units Involved: FPD: _____ Other: _____																	
Helicopter Available? Yes <input type="checkbox"/> No <input type="checkbox"/> Helicopter Used? Yes <input type="checkbox"/> No <input type="checkbox"/> Video Available? Yes <input type="checkbox"/> No <input type="checkbox"/> If 'No', explain below Tire Deflation Device Available? Yes <input type="checkbox"/> No <input type="checkbox"/> Used? Yes <input type="checkbox"/> No <input type="checkbox"/> If 'No', explain below																					
Primary Officer:		Comm #:		Unit #:																	
Secondary Officer:		Comm #:		Unit #:																	
Suspect: _____		DOB: _____		Juvenile <input type="checkbox"/> Race/Sex: _____																	
Charge(s): _____				Apprehended Yes <input type="checkbox"/> No <input type="checkbox"/> Foot Pursuit Yes <input type="checkbox"/> No <input type="checkbox"/> Alcohol Related Yes <input type="checkbox"/> No <input type="checkbox"/> Drug Related Yes <input type="checkbox"/> No <input type="checkbox"/> Felony Attempt to Elude Yes <input type="checkbox"/> No <input type="checkbox"/> Stolen Vehicle Yes <input type="checkbox"/> No <input type="checkbox"/> Other: _____																	
Number of other jurisdictions the pursuit entered: _____ Other Agency(s) Involved? Yes <input type="checkbox"/> No <input type="checkbox"/> If 'Yes', check those that apply: Other Agency: <input type="checkbox"/> Identify: _____ Initiated the pursuit <input type="checkbox"/> _____ Observed the pursuit <input type="checkbox"/> _____ Notified by FPD <input type="checkbox"/> _____ Was Primary Unit <input type="checkbox"/> _____ Was Secondary Unit <input type="checkbox"/> _____		Suspect Vehicle: Passenger Car <input type="checkbox"/> Truck/SUV <input type="checkbox"/> Motorcycle <input type="checkbox"/> Van <input type="checkbox"/> Other: _____ Number of Occupants _____ Number of Occupants _____ Arrested _____		Initial Violation: Traffic Violation <input type="checkbox"/> Violent Felony <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Suspicious Act <input type="checkbox"/> Other Agency <input type="checkbox"/> Other: _____																	
Order to terminate pursuit issued? Yes <input type="checkbox"/> No <input type="checkbox"/> Order issued by: _____ Time order issued: _____ Reason order issued: _____		Collision Involved? Yes <input type="checkbox"/> No <input type="checkbox"/> <table style="width: 100%; text-align: center;"> <tr> <td></td> <td>Non-injury</td> <td>Injury</td> <td>Fatality</td> </tr> <tr> <td>Police</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Suspect</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Other</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>					Non-injury	Injury	Fatality	Police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suspect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Non-injury	Injury	Fatality																		
Police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
Suspect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
Non-collision injuries: Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, injury to Officer <input type="checkbox"/> Suspect <input type="checkbox"/> Other <input type="checkbox"/>																					
Geographical Areas Residential <input type="checkbox"/> Highway <input type="checkbox"/> Rural <input type="checkbox"/> Business <input type="checkbox"/> Industrial <input type="checkbox"/>		Traffic Conditions Light <input type="checkbox"/> Moderate <input type="checkbox"/> Heavy <input type="checkbox"/>		Weather Dry <input type="checkbox"/> Rain <input type="checkbox"/> Mist <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input type="checkbox"/>																	
		Road Conditions Dry <input type="checkbox"/> Wet <input type="checkbox"/> Damp <input type="checkbox"/> Ice <input type="checkbox"/> Snow <input type="checkbox"/>		Maximum Speed Maximum Posted: _____ Maximum by suspect: _____ Maximum by police: _____																	
Managing Supervisors Review: 																					

Supervisor Signature _____

Date _____