

Basic Training Module Specifications

<u>Functional Area:</u>	IV. Police Skills
<u>Subject Area:</u>	D. Emergency Vehicle Operations
<u>Module Title</u>	1. EMERGENCY VEHICLE OPERATIONS: LEGALITIES, POLICIES AND PROCEDURES
<u>Hours:</u>	Not less than 8 hours

Notes to Instructor:

The *Michigan Driver Training Instructor Manual* and the *IADLEST Driver Training Reference Guide* shall be the primary resources for the material taught in this module.

Module Objectives:

- IV.D.1.1. Demonstrate an Understanding of the Legal Issues Regarding Emergency Vehicle Operations.
- a. Defines the following terms relevant to emergency vehicle operations:
 - (1) emergency,
 - (2) emergency vehicles (MCL 257.2),
 - (3) fleeing and eluding (MCL 257.602a),
 - (4) pacing,
 - (5) pursuit,
 - (6) emergency escorts, and
 - (7) emergency driving v. non-emergency driving.
 - b. Demonstrates a working knowledge of the following Michigan statutes:
 - (1) traffic regulations that govern authorized emergency vehicles (MCL 257.603);
 - (2) vehicles in pursuit of criminals (MCL 257.632);
 - (3) warning devices (MCL 257.706(d));
 - (4) yielding by other vehicles (MCL 257.653);
 - (5) moving violation causing death or serious injury (MCL 257.601d); and
 - (6) reckless driving causing death or serious impairment of a body function (MCL 257.626).
 - c. Recognizes that departmental policies and procedures often govern officer behavior in situations involving emergency vehicle operation.

Notes to Instructor:

The recruits must understand that emergency driving policies will differ from agency to agency. Some agencies may have a strict policy while others may allow broader discretion - and others may have no policy at all. It may be useful to have the recruits work from a model policy (IACP, MML, e.g.) but note that differences may exist between a model policy and an agency policy.

IV.D.1.2. Demonstrate an Understanding of Liability Issues That Relate to Emergency Vehicle Operations.

- a. Recognizes the components of civil liability associated with emergency vehicle operations as:
 - (1) negligence (MCL 691.1405);
 - (2) intentional torts;
 - (3) constitutional torts (42 U.S.C. 1983);
 - (4) excessive force claims (*Graham v. Connor*, 490 U.S. 386 (1989)); and
 - (5) agency policy, procedures, and custom.

- b. Recognizes that the actions of the officer in emergency driving situations will be judged by standards, such as:
 - (1) negligence (MCL 691.1405);
 - (2) gross negligence (MCL 691.1407);
 - (3) “shock the conscience” (*County of Sacramento v. Lewis*, 118 S.Ct. 1708 (1998));
 - (4) governmental immunity (MCL 691.1407); and
 - (5) the use of force continuum (see IV.C.3.1-2).

- c. Demonstrates a working knowledge of the relevant case law regarding:
 - (1) fleeing drivers and the use of force:
 - (a) *Jackson v. Oliver*, 204 Mich App 122 (1994);
 - (2) innocent parties:
 - (a) *Robinson v. City of Detroit*, 462 Mich 439 (2000);
 - (3) the question of duty:
 - (a) *Robinson v. City of Detroit*, 462 Mich 439 (2000).

IV.D.1.3. Operate an Emergency Vehicle in Non-Emergency Circumstances.

- a. Prepares for vehicle operations by inspecting the emergency vehicle and the emergency equipment.

IV.D.1.3. Operate an Emergency Vehicle in Non-Emergency Circumstances (continued).

- b. Operates the vehicle in non-emergency situations, using:
 - (1) appropriate occupant protection (MCL 257.710e and The Occupant Protection Manual), that:
 - (a) reduces the chance of injury or death;
 - (b) provides for improved vehicle control; and
 - (c) complies with state law and agency policy;
 - (2) appropriate driving strategies and techniques (e.g., Smith System, SIPDE, Zone Control System, etc.);
 - (3) proper radio techniques with communication centers, by:
 - (a) being familiar with the radio system;
 - (b) advising dispatchers, when appropriate; and
 - (c) updating dispatchers, when necessary;
 - (4) a knowledge of how distracters affect driving, such as:
 - (a) multi-task procedures;
 - (b) boredom; and
 - (c) psychological/physiological factors.
 - (5) an understanding of how risk factors affect driving, such as:
 - (a) environmental conditions,
 - (b) traffic conditions, and
 - (c) vehicle dynamics.

IV.D.1.4. Operate an Emergency Vehicle Under Emergency Conditions.

- a. Determines when it is appropriate to use and manage the emergency equipment:
 - (1) siren ineffectiveness;
 - (2) semi-marked v. marked units; and
 - (3) the reaction of others to activated emergency equipment.
- b. Operates the vehicle in emergency situations, using:
 - (1) proper radio techniques by advising dispatchers of:
 - (a) location;
 - (b) direction; and
 - (c) status;
 - (2) appropriate driving strategies and techniques;
 - (a) driver limitations;
 - (b) anticipating hazards;
 - (c) positioning vehicle with respect to other vehicles, pedestrians, and possible hazards;
 - (d) multi-task management; and
 - (e) securing loose equipment within the vehicle.
 - (3) proper occupant protection; and

IV.D.1.4. Operate an Emergency Vehicle Under Emergency Conditions.

- (4) an understanding of risk factors, such as:
 - (a) the decision to operate in an emergency mode;
 - (b) the decision to terminate the emergency run;
 - (c) vehicle dynamics during an emergency run; and
 - (d) factors brought on by stress (e.g., heart rate, respiration, adrenaline, etc.).
- c. Understands that driving under emergency conditions does not relieve the officer of the duty to drive with “due regard” for the safety of others (MCL 257.632).

IV.D.1.5. Engage in a Pursuit.

- a. Determines when it is appropriate to use and manage the emergency equipment.
- b. Determines when it is appropriate to engage in a pursuit, based on:
 - (1) balancing the need to pursue v. the seriousness of the offense;
 - (2) traffic and road conditions;
 - (3) weather conditions;
 - (4) what is known about the offender;
 - (5) night v. day driving;
 - (6) knowing, or not knowing, the area; and
 - (7) agency policy and procedures.
- c. Understands how the following factors influence officer behavior:
 - (1) peer pressure;
 - (2) emotions (anger, fear, etc.);
 - (3) officer attitudes (self-righteousness, over-confidence, impatience, aggressiveness, etc.) and underlying belief systems; and
 - (4) psychological and physiological factors.
- d. Operates the emergency vehicle under pursuit conditions, considering:
 - (1) communication (e.g., updating, advising, etc.);
 - (2) driving strategies, such as:
 - (a) car violator positioning;
 - (b) passing;
 - (c) lane changes; and
 - (d) hills, curves, and night driving;
 - (3) occupant protection;
 - (4) risk factors, such as:
 - (a) the length of the pursuit;
 - (b) intersections;
 - (c) the decision to continue or terminate the pursuit;
 - (d) the dynamics of the vehicle during pursuits;
 - (e) traffic, road and weather conditions; and
 - (f) pedestrians, bystanders, and passengers.

IV.D.1.5. Engage in a Pursuit (continued).

- e. Operates the emergency vehicle under pursuit conditions considering appropriate management strategies, such as:
 - (1) back-up units v. secondary units;
 - (2) multiple chase units;
 - (3) the involvement of other jurisdictions;
 - (4) traveling beyond jurisdictional boundaries; and
 - (5) vehicle positioning, considering:
 - (a) paralleling,
 - (b) lead position,
 - (c) radio communication, and
 - (d) agency policy.

- f. Determines when it is appropriate to terminate (discontinue) a pursuit, including:
 - (1) when the circumstances that justified the initiation of the pursuit have changed or no longer exist (causing the pursuit to be unreasonable, unsafe, out of policy, etc.);
 - (2) when directed to discontinue the pursuit by another officer or supervisor; and
 - (3) at the discretion of the initiating officer.

- g. Demonstrates an understanding of when to deploy vehicle tactics to physically intervene with a fleeing suspect's vehicle, considering:
 - (1) 4th Amendment;
 - (2) MCOLES Continuum (see IV.C.3.1. & IV.C.3.2.);
 - (3) agency policy; and
 - (4) the appropriate use of agency approved techniques, such as:
 - (a) vehicle disabling devices (e.g., controlled tire deflation devices);
 - (b) roadblocks (total or partial);
 - (c) boxing tactics (moving or stationary); and
 - (d) intentional contact (e.g. PIT, intentional collisions).

IV.D.1.6. Engage in Post-Incident Operations.

- a. At the conclusion of the emergency run, positions the patrol vehicle for the best protection of the officer and the scene.

- b. Safely manages the scene, by:
 - (1) assessing the threat level (presence of weapons, recognizing hazards, etc.);
 - (2) rendering first aid, if necessary; and
 - (3) determining the need for additional assistance, if necessary (e.g., back-up units, EMS, Hazmat, utility services, etc.).

IV.D.1.6. Engage in Post-Incident Operations (continued).

- c. Recognizes that a formal post-incident review may consist of:
 - (1) departmental debriefings;
 - (2) policy reviews;
 - (3) civil or citizen panel reviews;
 - (4) criminal reviews; and
 - (5) pursuit data forms, if appropriate (voluntary or mandatory).

- d. Completes all reporting requirements through:
 - (1) proper documentation;
 - (2) correct terminology; and
 - (3) thorough police reports.

- e. Recognizes the need for continuous in-service training in emergency vehicle operations throughout an officer's career.

Module History

Implemented	07/02
Revised	07/06
Revised	03/15
Reviewed	12/22