



GENERAL ORDER 19-01  
VEHICLE SAFETY RESTRAINTS  
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cc: City Attorney

MPCCF REFERENCE

19.1



III. POLICY

- A. Public safety and protection of human life are our paramount concerns. Occasionally, the need to apprehend a serious criminal or to provide emergency services may justify driving outside normally applicable law and rules of the road. However, State law creates only limited exceptions for emergency vehicle operators. It is the policy of this Department that police vehicle operation shall be within the law and vehicles shall be operated in a reasonable manner and with due regard for the rights and safety of others. Irresponsible, careless and reckless driving are prohibited and will not be tolerated. Police vehicle operation shall be at all times consistent with the concept of "reasonable safety" and with all other requirements of this Order.
- B. Any commissioned officer in an authorized emergency vehicle may activate emergency lights and siren only when it is reasonably necessary to accomplish one of the following:
1. To prevent the commission of a crime dangerous to life (i.e., robbery in progress, shooting, flourishing gun);
  2. To provide emergency assistance to persons exposed to an imminent threat of death or serious physical injury (i.e., accident with injury, hazardous material spill);
  3. To apprehend a person(s) who is committing a felony offense (i.e., burglary in progress);
  4. To avert or minimize the effect of a public catastrophe or emergency involving the threat of major property damage (i.e., major fire at a commercial building);
  5. To stop a traffic violator in order to take enforcement action;
  6. To stop a vehicle based on reasonable suspicion, to conduct further investigation;
  7. To initiate a pursuit that meets all criteria set forth by this Department's General Order 19-05.
- C. Commissioned Officers must at all times weigh the necessity of a quick response with the inherent dangers associated with emergency vehicle operations when making the decision to respond to an incident as an emergency vehicle. The following elements may be used in making that decision
1. The seriousness of the incident, particularly is there a risk of death or injury if the officer's response is delayed.
  2. Whether or not the incident is in progress.
  3. Traffic and road conditions. Heavy traffic and residential areas naturally present more hazards to emergency vehicle operations than lightly traveled multi-lane highways.

4. Weather conditions.
5. The overall guiding principal of emergency vehicle operations must be that the emergency vehicle cannot create a more serious hazard than the incident that is the cause of the emergency response.

IV. PROCEDURE

- A. Officers engaged in emergency vehicle operations shall utilize both audible (siren) and visual (emergency lights) warning equipment in response to emergency calls for assistance. All emergency vehicle operations under Code 3 status, shall be conducted in strict accordance with existing statutes.

Revised statute, RSMo 304.022 states the following:

The driver of an emergency vehicle may:

1. Park or stand irrespective of the provisions of sections 304.014 to 304.026;
  2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
  3. Exceed the prima facie speed limit so long as he does not endanger life or property;
  4. Disregard regulations governing direction of movement or turning in specified directions.
- B. When the police vehicle is operated in response to an emergency call, the officer shall respond to the call immediately, proceeding directly to the location as quickly as possible. Regardless of the nature of the emergency, officers shall not drive in such a manner as to endanger the life and property of themselves or others.
- C. Upon approaching stop signs and red traffic signals, the officer shall slow or stop to assure safe entry, prior to proceeding through the intersection.
- D. When a police vehicle is operated in response to a non-emergency call, officers shall proceed without delay, however, without activating the vehicle's emergency lights or siren, observing all traffic laws and proceeding with the normal flow of traffic. An officer is authorized to upgrade their non-emergency response to an emergency response while enroute to a call for service upon notification that the circumstances have changed and an urgent response is now required.
- E. While transporting a prisoner officers:
1. will not engage in any type of pursuit or emergency driving;
  2. will not respond to other calls for service unless there is a clear risk of grave injury to

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another person;

3. will make every attempt not to lose sight of prisoners in order to decrease the chance of escape.

F. When responding to a call requiring emergency vehicle operations through school zones, residential neighborhoods and/or shopping plazas, extreme caution and awareness should be used to assure an officer's safe arrival does not create a higher degree of danger to pedestrian and motor vehicle traffic.

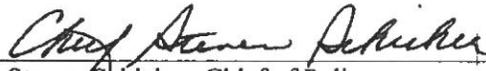
V. TRAINING

Agency personnel who operate law enforcement vehicles in the performance of patrol or enforcement activities shall do so only after successfully completing emergency vehicle operation training and then annually thereafter.

VI. CONCLUSION

All personnel operating departmental vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance that the principals of safety become secondary. There are no tasks in the department of such importance that they justify the reckless disregard for the safety of innocent persons.

BY ORDER OF:

  
Steven Schicker, Chief of Police

10/23/14  
Date

ATTESTED BY:

  
Robert Kuntz, City Administrator

10/27/14  
Date

cc: City Attorney

MPCCF REFERENCE

19.2, 19.3

CITY OF BALLWIN  
POLICE DEPARTMENT

GENERAL ORDER 19-04

DATE: JUNE 12, 2014 CANCELS: GENERAL ORDER 72-09  
TO: ALL PERSONNEL INDEX AS: SPECIAL VEHICLES  
SPEED TRAILERS  
UTV  
SUBJECT: SPECIAL PURPOSE VEHICLES BICYCLES

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I. PURPOSE

The purpose of this general order is to establish guidelines for the use of special purpose vehicles during routine and special operational situations. These guidelines are to protect officers and members of the public from injury and maximize the usefulness of special purpose vehicles.

The department currently maintains several types of Special Purpose Vehicles to satisfy specific operational needs that may not lend themselves to regular vehicular patrol or foot patrol. These vehicles serve to supplement the department's standard marked and unmarked police vehicles.

II. DEFINITIONS

- A. Utility Terrain Vehicle or UTV: Any "open" four-wheel motor vehicle with a standard steering wheel. (i.e. a "Gator" or golf cart). Not to include All Terrain Vehicles (ATVs) utilizing handlebar steering.
- B. Special Event Uniform: Department approved uniform consisting of navy-blue shorts and grey, short-sleeve, shirt. Components of the Special Event uniform may not be mixed with a Regular Duty uniform.
- C. Patrol Bicycle: Any bicycle (a vehicle with 2 wheels and pedals) used in police patrols.
- D. Special Purpose Vehicle: Any vehicles other than a standard automobile, truck, or van, marked or unmarked, used for patrol, criminal investigation or for general transportation of department personnel. Examples of a special purpose vehicle include bicycles, speed monitoring (radar) trailers and utility terrain vehicles (UTV).
- E. Speed Monitoring Trailer or Radar Trailer: Small trailer with internal components used to measure, and display the speeds of moving vehicles.

III. OPERATIONS

Special Purpose Vehicles are to be operated and maintained according to manufacturer's instructions. Operators of Special Purpose Vehicles must understand and follow all state statutes and municipal ordinances governing the operation of any Special Purpose Vehicle.

IV. BICYCLES

- A. Each Patrol Squad Commander shall designate at least one officer as a bike officer. The designation of Squad bike officers shall be subject to the approval of the Commanding Officer of the Bureau of Field Operations. Additionally, the Department's Special Operations Unit officers assigned to Directed Patrol, shall be designated as bike officers.
- B. Bike Officers shall receive training in bike patrol through an accredited academy or agency. Each Squad Commander will maintain a list of qualified Bike Officers. Bike Officers are responsible for seeking additional training in order to maintain certification or proficiency.
- C. A Watch Supervisor or Watch Commander may temporarily assign a designated bike officer (s) to directed bike patrol to meet the following needs:
  - To address crime trends or reoccurring neighborhood problems.
  - To address citizen complaints.
  - To participate in special events.
- D. Adverse weather is a significant consideration. Normally, bike patrols will not be performed in rain, snow or extreme temperatures. When operated at night, an "approved" headlight and rear reflector must be used. An "approved" headlight and rear reflector are defined by state statute.
- E. When riding a bike, officers shall wear a (SNELL approved) helmet and department approved Bicycle or Special Event uniform.
- F. Before riding, each bike must be inspected, cleaned, lubricated and adjusted, as necessary.
- G. Officers are responsible for minor repairs and/or adjustments. The Bureau of Administration and Operational Support shall make arrangements with a "certified" bicycle mechanic for major repairs and/or adjustments.
- H. In the event a bicycle officer makes an arrest, a regular patrol unit will transport all prisoners and evidence to police headquarters. The arresting officer will then immediately return to this department and handle all necessary booking, processing and report writing.
- I. Bicycle officers shall obey existing traffic laws except where emergency circumstances or other duty-related contingency dictates otherwise.

- J. Should a bicycle officer leave the immediate vicinity of his equipment, the bicycle shall be chained and locked to an immovable object.
- K. When not being used, police bicycles shall be stored in a designated, secure location, within a City building.
- L. Any equipment damage shall be reported to the on-duty Watch Commander at the earliest possible opportunity. Any injuries shall be immediately treated and reported to the on-duty Watch Commander. All damage and injury reports must be completed before the Watch Commander leaves for the day.
- M. Special equipment to be maintained as part of the Bicycle Unit shall include water bottle, bike lock, and head lamp with reflector.

V. SPEED MONITORING TRAILERS or RADAR TRAILERS

- A. Speed Monitoring / Radar Trailers (SMT) are used to show motorists their driving speed and increase voluntary compliance to posted speed limits.
- B. Traffic Safety Officers will read and follow all instruction manuals pertaining to SMT and their internal components. They will be responsible for a specific trailer's maintenance, including radars; display boards; batteries and power supplies. If officers are unable to perform specific maintenance, they are responsible for insuring an appropriate mechanic or technician performs the work.
- C. Whenever possible, SMT's shall be placed at locations where vehicle speed is an issue. Selected locations may be in response to citizen complaints; reported accidents or other traffic safety concerns (e.g. School Zones). The Traffic Safety Unit supervisor can also designate SMT locations. A log shall be maintained by the Traffic Safety Unit supervisor as to the location and time frame an SMT is placed.
- D. Care must be used when towing an SMT. Before towing, all hitch connections shall be inspected to insure locking pins and safety chains are properly secured. All applicable state statutes and local ordinances shall be followed.
- E. While towing an SMT officers shall not drive Code 3 (red lights and siren) or violate any traffic rules or regulations.
- F. SMT's shall be placed in operation at the direction of the Traffic Safety supervisor. SMT's shall not be left in one location for a period exceeding 2 days, unless authorized by the Traffic Safety Unit supervisor.
- G. While parked in a public location, all SMT's shall be secured using available locking mechanisms and alarms.

- H. When parked at Department Headquarters, Traffic Officers are responsible for insuring that the batteries in each SMT are being charged.
- I. No supplemental equipment will be maintained as a part of the SMT Unit.

VI. UTILITY TERRAIN VEHICLES (UTV)

- A. Utility Terrain Vehicles (UTV) are to be used for special events and in situations where regular patrol vehicles are not suitable.
- B. The Commanding Officer of the Bureau of Field Operations shall designate officers to operate a department UTV.
- C. An Event Commander(s) may assign a designated UTV officer to perform a specific function utilizing an UTV as needed and will provide specific directions to the officer regarding the purpose of the UTV use. Some situations where UTV patrols may be used are as follows:
  - Parades and special events, including the Ballwin Days Festival.
  - Manhunts and lost persons
  - Natural disasters and severe weather (e.g. snow)
  - To assist regular units in dealing with civil disobedience
  - To transport personnel &/or equipment to areas that are otherwise inaccessible
- D. Depending on the assignment and weather, the uniform for UTV officers may be a special event uniform or regular duty uniform.
- E. Before riding, an UTV must be inspected, cleaned, lubricated and adjusted, as necessary.
- F. Officers may only make minor repairs and/or adjustments. Major repairs or adjustments will be made by the City mechanics.
- G. In the event an UTV officer makes an arrest, a regular patrol unit will transport all prisoners and evidence to police headquarters. The arresting officer will then immediately return to this department and handle all necessary booking, processing and report writing.
- H. UTV officers shall obey existing traffic laws except where emergency circumstances or other duty-related contingency dictates otherwise.
- I. Should an UTV officer leave the immediate vicinity of his equipment, the vehicle's ignition key will be removed and parking brake applied.

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- J. When not being used, an UTV shall be stored in a designated, secure location, within the city's facilities.
- K. Care must be used when towing an UTV. Before towing, all hitch connections shall be inspected to insure locking pins and safety chains are properly secured. All applicable state statutes and local ordinances shall be followed.
- L. While towing an UTV officers shall not drive Code 3 (red lights and siren) or violate any traffic rules or regulations.
- M. Any equipment damage shall be reported to the on-duty Watch Commander as the earliest possible opportunity. Any injuries shall be immediately treated and reported to the on-duty Watch Commander. All damage and injury reports must be completed before the Watch Commander leaves for the day.
- N. No supplemental equipment shall be maintained as part of the unit.

VII. UTILITY TRAILER:

The utility trailer will be used for the express purpose of providing transportation of Department equipment to or from special events, training or disasters. The trailer may also be utilized to transport oversized evidence. The use of the trailer must be approved by the Commander, Bureau of Administration and Operational Support.

- A. Care must be used when towing the utility trailer. Before towing, all hitch connections shall be inspected to insure locking pins and safety chains are properly secured. All applicable state statutes and local ordinances shall be followed.
- B. While towing the utility trailer officers shall not drive Code 3 (red lights and siren) or violate any traffic rules or regulations.
- C. While parked in a public location, the utility trailer shall be secured using available locking mechanisms.

VIII. MOBILE COMMAND POST TRAILER:

The purpose of this trailer is to serve as a field command post at the scene of a large scale event such as a disaster or the Ballwin Days Festival. The Chief of Police or a Bureau Commander may authorize the use of the Command Post Trailer.

The command post will be equipped with mobile radio and antennas capable of transmitting communication signals. During periods of inactivity the vehicle will be housed at the Ballwin Police Department parking facility. Maintenance and care of the vehicle will be the responsibility of the Captain of the Bureau of Administration and Operational Support.

The command post will be towed to a location by the City's Public Works staff utilizing their vehicles

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BY ORDER OF: Chief Steven Schicker 6/17/14  
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 6/27/14  
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

19.4

CITY OF BALLWIN  
POLICE DEPARTMENT

GENERAL ORDER 19-05

EFFECTIVE:	DECEMBER 12, 2013	CANCELS:	GENERAL ORDER 49-07
TO:	ALL PERSONNEL	INDEX AS:	BARRICADES HIGH SPEED PURSUITS
SUBJECT:	VEHICLE PURSUITS		PURSUITS

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I. GENERAL

The purpose of a motor vehicle pursuit is the apprehension of a subject who refuses to voluntarily comply with the law requiring him to stop when signaled by a police officer. The primary goal of this Department is the protection of life and property. To the extent that a high-speed pursuit exposes any officer, suspect or member of the general public to an unnecessary risk of injury, then the high-speed pursuit is inconsistent with that goal.

It is our policy to apprehend all persons who are attempting to evade arrest. However, it must be remembered that the anticipated results must be worth the risk. Therefore, the pursuing officer will not continue a chase at all costs; and he shall discontinue the pursuit when the risks inherent in a pursuit are greater than the benefit of immediate apprehension, based on the known circumstances at the time.

When deciding whether to initiate, continue or terminate a high-speed pursuit, the pursuing officer must evaluate the circumstances by considering the dangers present, seriousness of the crime involved, length of the pursuit, and the possibility of identifying the suspect at a later time. Additional factors to be considered include speed of the vehicle, weather and traffic conditions, maneuverability and condition of the police vehicle, and road conditions.

This directive is for departmental use only and does not apply in any criminal or civil proceeding. This directive should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for department administrative sanctions. Violations of law will form the basis for criminal and civil sanctions in a recognized judicial setting.

No officer or supervisor will be disciplined or criticized for a decision, based on this policy and/or the law, not to pursue a vehicle.

II. DEFINITIONS:

For the purpose of this General Order, the following definitions shall apply:

- A. High-Speed Pursuit - An attempt by a commissioned officer driving an authorized emergency vehicle at above normal speed to apprehend the occupant(s) of another moving

vehicle that is resisting apprehension by maintaining or increasing speed of the vehicle above the legal limit and who is ignoring the officer's directions to stop.

- B. Authorized Emergency Vehicle - A marked Ballwin Police department vehicle with activated siren and roof or internally mounted red and / or blue emergency lights as defined by R.S.Mo 304.022.
- C. Initial Unit - The police unit initiating the high-speed pursuit.
- D. Primary Unit - The police unit in closest proximity to the fleeing vehicle with primary responsibility for conducting the high-speed pursuit. The primary unit may or may not be the initial unit.
- E. Secondary Unit - The second police unit involved in the high-speed pursuit.
- F. Caravaning - The operation of police units in a line or alongside each other in a high-speed pursuit.
- G. Paralleling - The operation of police units other than those involved in the high-speed pursuit, on streets parallel to pursuit route.

III. PROCEDURE:

A commissioned officer in an authorized emergency vehicle may initiate a high-speed pursuit when all of the following criteria are met:

- A. The subject exhibits the intention to avoid arrest by using a vehicle to flee the scene of an alleged felony which would normally require a full custodial arrest; and
- B. The subject operating the vehicle refuses to stop at the direction of a commissioned officer; and
- C. The subject, if allowed to flee, would present immediate danger or serious injury to human life.

The officer intending to make the stop should attempt to be within close proximity of the violator's vehicle before activating the siren and red lights. Should a pursuit occur, seat belts shall remain fastened, loose items secured, and emergency equipment operated until the pursuit is terminated.

Officers shall not initiate a pursuit when the only known violation at the time of the pursuit is a traffic violation or misdemeanor such as Assault 3rd, Stealing Under \$500.00, etc. Officers shall engage in the pursuing of vehicles only when they know at the time of the pursuit the criteria in Section III, A, B and C are met.

Unmarked police vehicles shall not engage in high-speed pursuits, but may follow a suspect at a reasonable speed and attempt to keep the vehicle under surveillance until an authorized emergency vehicle arrives.

When a decision has been made to initiate a high-speed pursuit, the initiating unit shall advise the dispatcher of the following:

- A. That a high-speed pursuit has been initiated;
- B. The street, direction, and speed of travel;
- C. Reason for pursuit;
- D. The identifying information regarding the pursued vehicle, i.e.: color, year, make, body, license, etc.
- E. Number and description of occupants.

The Communications Division shall immediately notify the shift supervisor, assign a secondary unit, and inform all units and surrounding police agencies of the high-speed pursuit. Communications will also contact St. Louis County Police Communications and request assistance from the Metro Air Support Unit. All radio communications shall be limited to emergency traffic until the pursuit is terminated. The shift supervisor shall monitor the progress of the pursuit and has authority to order termination of the pursuit at any time he deems appropriate.

The primary unit shall be responsible for the arrest of the suspect(s) when the pursuit terminates. If the primary unit for any reason is unable to continue the pursuit, the secondary unit shall be responsible for deciding whether to terminate or continue the pursuit and have the dispatcher assign another secondary unit. The secondary unit shall be responsible for keeping communications apprised of the location and status of the pursuit.

The number of pursuing units shall normally be limited to the primary and secondary units. All other units shall stand by unless specifically directed to assist.

Upon direction, other units in the area may take up strategic positions along the probable pursuit route and activate emergency red lights in an attempt to slow down the fleeing vehicle or alert other traffic at intersections of emergency conditions.

There shall be no Caravanning by police units not involved in the pursuit, no paralleling of the pursuit route utilizing red lights or siren. Paralleling units shall be operated under normal patrol conditions only.

Under no conditions should assisting units fall in line behind the chase or use red lights and siren if two (2) cars are already pursuing the suspect, unless specifically requested to do so. This

includes pursuits originating in another jurisdiction and passing through this city.

Due to the inherent danger to the officer, the following methods should not be employed in attempting to stop a fleeing vehicle:

- A. Attempting to force the suspect's vehicle from the roadway by driving alongside or in front of suspect;
- B. Attempting to slow or stop suspect's vehicle by positioning the police vehicle directly in front of suspect's vehicle;
- C. Firing shots at the pursued vehicle from a moving patrol vehicle.
- D. "Bumping" the suspect's vehicle in an effort to force it off the road.

A supervisor shall respond immediately to the location of pursuit termination or scene of apprehension and shall assume responsibility for directing police actions of this department's members.

IV. MULTI-JURISDICTIONAL PURSUITS

- A. Pursuit of a vehicle from or into another jurisdiction shall only be made when the vehicle/driver has committed a felony offense that, if allowed to flee, would present an immediate danger of death or serious injury. The shift supervisor, based on the information he has received from either the dispatcher or pursuing officers, has the ultimate responsibility in making the decision whether or not to terminate the pursuit.
- B. Officers shall not participate in misdemeanor or traffic pursuits originating outside our jurisdiction and shall not engage in another agency's felony pursuit unless specifically authorized by the shift supervisor, or unless it is clearly demonstrated by the circumstances at hand that there is a need for immediate assistance. In these specific instances, all departmental pursuit policies will be in effect.
- C. When the suspect is stopped in another jurisdiction, the right of arrest shall first be given to the agency where the suspect is apprehended.

V. BARRICADING ROADWAYS

Barricading a roadway must be considered as a use of force likely to result in death. Therefore barricading of a roadway is prohibited in a pursuit scenario.

VI. TERMINATION

A pursuit will be terminated under **any** one of the following conditions:

- A. In the opinion of the officer, or the shift supervisor, the level of danger created by the pursuit outweighs the necessity for immediate apprehension.
- B. The suspect(s) identity has been established to the point that later apprehension can be accomplished and there is no longer any need for immediate apprehension.
- C. The pursued vehicle's location is no longer known.
- D. The pursuit leaves this Department's jurisdiction and the pursuing officer does not have supervisory authorization to continue.

Upon termination of the pursuit all vehicles involved will immediately and safely pull to the right side of the roadway or on to a parking lot and come to a complete stop. They will then advise communications of their location and acknowledge they have terminated the pursuit. Communications will notify the shift supervisor that the pursuit has been terminated. The shift supervisor will then coordinate any further activities; such as searches for suspects, contacting other agencies and conducting follow-up investigations.

VII. REPORTING

Once the pursuit has been terminated, the primary unit shall prepare a C.A.R.E. report detailing the circumstances of the pursuit. He will also complete a Pursuit Report (BPD# 50). Any available recordings of the pursuit will be seized and processed as evidence.

A copy of the C.A.R.E report and pursuit report shall be forwarded through the chain of command to the Commanding Officer, Bureau of Field Operations.

VIII. REVIEW

A Pursuit Review Board will be appointed by the Chief of Police to evaluate the pursuit in terms of adherence to policy, tactics used and positive and negative aspects of communications, tactics and decisions made by all parties involved. The Pursuit Review Board will consist of one (1), Division of Uniformed Patrol Lieutenant, one (1) Traffic Safety Unit Officer, one (1) member of the Professional Responsibility Unit and the Division of Communications Supervisor. The Lieutenant will serve as the Board Chairman and will complete a report to the Chief of Police containing the Board's findings as to whether Department policy was followed and any positive or negative aspects of the pursuit, such as tactics used, communications or inter-agency cooperation.

The Commanding Officer, Bureau of Administration shall complete an annual written analysis of all documents resulting from pursuits conducted by this department throughout the previous calendar year. This analysis shall focus on whether pursuit policies and procedures are uniformly being applied. This analysis shall be forwarded to the Chief of Police and shall be reviewed by the Command Staff.

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BY ORDER OF: Chief Steven Schicker 12/12/13  
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 12/23/13  
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

19.5,