



**Winchester City Sheriff's Office
Manual of General Orders**

**Operations
301**

Effective Date: May 1, 2014

Accreditation Standards:
OPR .01.01 OPR .01.06
OPR .01.02 OPR .01.08
OPR .01.03 OPR .01.10
OPR .01.04

Original Policy: May 1, 2014

Last Review Date: October 31, 2023

Next Review Date: October 31, 2024

Subject: Vehicle Operations

By Authority of:

William E Sales, Sheriff

Effective /Review Date	Sections Changed	Changes	Reviewed by	Approved by
05-28-15	III K-3	Added section 4 referring to unmarked vehicles	EAS	LRT
10-28-16	III K-4	Removed Section 4.	EAS	LRT
10-28-16	III K-2	Removed section 2 referring to SUV's	EAS	LRT
10-28-16	III K-3	Changed section 3 to section 2.	EAS	LRT
10-28-16	III N	Added Section N	EAS	LRT
06-11-18	III M	Removed "Lieutenant"	EAS	LRT
12-10-20	III K 3	Added, "3. K9 Vehicle used for the transportation of Explosives Detection K9 and Handler a. K9 Vehicle will be equipped with the following equipment 1. Electronic Siren 2. Mobile Radio Transceiver 3. Blue Lights 4. Extreme Temperature Alarm, (such as Hot-Pop, Hot-Dog or similar system)"	EAS	LRT
01-05-23	II	Added "and/" Added "who have committed a serious felony offense or are deemed a threat to public or law enforcement safety and. Removed "traffic violators"	BWD	WES
01-05-23	III B 7	Added "Deputies involved in a pursuit shall stop at all intersections and make sure they re clear of oncoming traffic and pedestrians prior to proceeding through the intersection. This applies to traffic lights, stop signs, and any other traffic control device encountered by the pursuing deputy.	BWD	WES
01-05-23	III H 4 5	Added "4. The on-duty supervisor may request the termination of the pursuit for any reason." Added "5. No Deputy shall be ridiculed or disciplined for the termination of a pursuit.	BWD	WES
01-05-23	III B 7	Added "Body worn cameras must be	BWD	WES

		activated during a pursuit.		
01-05-23	III E 4	Added “or designee” Added “Deputies must complete the approved training.”	BWD	WES
01-05-23	III L	Added “may” Added “or authorized part time personnel. Added “inspections,” Added “(immediate family members exempt from this order). Removed “Personnel living outside of Winchester City or Winchester City may not routinely take their assigned vehicle to their residence without the Sheriff’s permission. Sheriff’s Office personnel may not use their assigned vehicles for personnel business when they are off duty, unless authorized by the Sheriff.	BWD	WES
01-05-23	III M 1	Removed “on the top floor of the parking Added “Court Square Autopark	BWD	WES
01-05-23	III M 2	Removed “Neither departmental nor personal vehicles shall be parked on the roof after a snowfall.	BWD	WES
01-05-23	III M 3	Removed “shall” Added “may”	BWD	WES

I. PURPOSE

The purpose of this general order is to establish policy ensuring the safe operation of Winchester City Sheriff’s Office vehicles engaged in routine patrol, responding to emergency situations, and pursuing fleeing vehicles.

II. POLICY

It shall be the policy of the Winchester City Sheriff’s Office that all deputies operate city vehicles in the safest manner possible.

Deputies of the Winchester City Sheriff’s Office may pursue known and wanted criminals who have committed a serious felony offense and/or are deemed a threat to public or law enforcement safety and who fail to stop after being given proper notice, however, the apprehension of a fleeing subject shall be secondary in importance to the safety of the public, the alleged violator, and the deputy.
A law enforcement vehicle, even in emergency and pursuit situations, must be operated in a controlled, safe, and courteous manner so that it will not endanger the life and property of the deputy and the public. This responsibility is especially great in view of the tactical situations and traffic conditions in which Sheriff’s Office vehicles are operated.
All occupants of the vehicle shall use seat belts at all times when the vehicle is in motion, unless the safe performance of duty is compromised as allowed by Virginia Code § 46.2-1094.

III. PROCEDURE

A. GENERAL

1. All Sheriff's Office vehicles will be driven in a safe and proper manner, with the driver remaining in control of the vehicle at all times, and acting in full compliance with all traffic laws and regulations. Sheriff's Office vehicles are conspicuous symbols of authority on the streets, and many people observe the actions of the drivers. This places the responsibility on each deputy of the Sheriff's Office to set a visible example of good driving behavior and habits.
2. Under situations as defined herein, Virginia Code § 46.2-920 authorizes emergency vehicle operators to disregard certain traffic regulations specified therein. However, neither the individual operator nor the Sheriff's Office is immune from Civil Liability for failure to use reasonable care. The Sheriff's Office and the individual operator may be liable for civil damages for the infliction of personal or property damage to the other drivers, other law enforcement personnel, or bystanders and their property if reasonable care is not exercised.
3. Deputies should inspect their assigned vehicle monthly for maintenance problems. Deputies shall not operate any Sheriff's Office vehicle that is believed to be operationally unsafe.
4. Smoking is not permitted in departmental vehicles.

B. VEHICULAR PURSUIT POLICY

1. The decision to initiate or to terminate a pursuit is based on the sound professional judgment of the deputy. Before reaching the decision to pursue, many factors must be carefully evaluated. These factors include, but are not limited to, the following:
 - a. Time of day (Daytime/Nighttime)
 - b. Day of week
 - c. Weather/Road conditions
 - d. Severity of offense
 - e. The chance of apprehending the suspect at a later date
 - f. Traffic conditions.
2. The potential dangers of the pursuit must be carefully and realistically weighed against the reason for the pursuit.
3. Deputies of the Winchester City Sheriff's Office may utilize all available and practical law enforcement tactics, as authorized by law, to avoid pursuit of motor vehicles.
4. Deputies shall not undertake a pursuit when carrying a civilian in their vehicle. This shall not apply to a sworn member of another law enforcement agency. A pursuit shall not be undertaken with a person in custody in the vehicle.
5. If the pursuit extends off roadway (fields, woods, etc.), the pursuing deputy must carefully consider whether or not the seriousness of the offense outweighs the risk to his/her safety and the potential for damage to their vehicle.
6. Deputies involved in a pursuit shall stop at all intersections and make sure they are clear of oncoming traffic and pedestrians prior to proceeding through the intersection. This applies to

traffic lights, stop signs, and any other traffic control device encountered by the pursuing deputy.

7. Body worn cameras must be activated during a pursuit.

C. INITIATING DEPUTY'S RESPONSIBILITY

1. After the decision to pursue, the deputy shall:
 - a. Activate emergency warning lights, siren and headlights ("wig wag only during the daylight hours),
 - b. Lower their driver's window far enough to hear other sirens and surrounding traffic,
 - c. Transmit the following information to communications:
 - I) Deputy's unit number and that he/she is in pursuit,
 - II) All available information on vehicle and occupants being pursued,
 - III) Location and direction of travel,
 - IV) Reason for pursuit,
 - V) Estimated speed of pursuit,
 - VI) Continual position and speed reports.
 2. During pursuit, a safe distance must be maintained between vehicles. This will enable the pursuing deputy to duplicate any sudden turns and lessen the possibility of a collision in the event of a sudden stop by the pursued vehicle or a collision involving the pursued vehicle.
 3. Unmarked vehicles may not be used in pursuit under normal circumstances. In the event an unmarked vehicle initiates the pursuit, the unit shall remain in pursuit until a marked vehicle can take the lead position. After the lead position has been relinquished, the unmarked vehicle shall become the secondary unit. When a marked secondary unit joins the pursuit, the unmarked vehicle may follow the pursuit in a non-emergency manner. An exception to this above guideline may be made in situations where the initiating cause of the pursuit was a serious felony offense, and/or the need for additional manpower at the site of apprehension is indicated. In this instance, the unmarked vehicle, after relinquishing the lead to a marked vehicle, would continue with the pursuit in the safest possible manner to its conclusion.
 4. The initiating deputy will be responsible for filing an offense report detailing the events of the pursuit before ending their tour of duty.
 5. Deputies shall not pursue violators against the flow of traffic on divided highways. Parallel pursuit may be allowed after considering the potential risks involved.

D. SECONDARY UNIT'S RESPONSIBILITY

1. Except in unusual circumstances no more than two Sheriff's Office vehicles should be directly engaged in any close pursuit. A supervisor, at his/her sole discretion, shall have the authority to assign additional units if necessary.

2. Other than the two units authorized to pursue, additional units in the general vicinity of the pursuit should be in a position and remain available to assist if requested by a supervisor.
3. The secondary unit shall assume the responsibility of updating the communications center with the location, direction of travel, and speed of the pursued vehicle.
4. The secondary unit will maintain a safe distance between their vehicle and the primary unit's vehicle throughout the pursuit.

E. SUPERVISORY RESPONSIBILITY

1. Supervisors must continuously evaluate the justification for the pursuit. If the hazards become too great, the supervisor shall terminate the pursuit.
2. The supervisor shall monitor the pursuit and order the pursuit terminated if it is determined that any condition listed in the termination section to this order exists.
3. If feasible, the supervisor may assign units to close intersections to regulate traffic to lessen the risk of accidents with vehicles not involved in the pursuit.
4. The supervisor or designee may authorize the use of tire deflating devices to slow the speed of pursued vehicles. The supervisor or designee shall make sure the devices are used in a safe area where the chance of damage to other vehicles is minimal. The supervisor shall make sure that all law enforcement units are notified of the location of the devices so that law enforcement vehicles are not damaged. The devices shall be deployed as specified by the manufacturer.
5. The supervisor will monitor and assist other agencies (VSP, Winchester city etc..) in all intra-jurisdictional pursuits, and may assign units as needed to assist other agencies with inter-jurisdictional pursuits.
6. The Sheriff may have an Administrative Review Panel review a pursuit. The panel will review the circumstances involving the pursuit, make sure the incident was appropriately documented, and make sure that Sheriff's Office policy was followed. This review will provide the Sheriff's Office an opportunity to identify the need for policy revision and/or additional policy/driver training.

F. COMMUNICATIONS DISPATCHER'S DUTY

Immediately upon receiving notification that a deputy is in pursuit, the communications dispatcher shall:

1. The communications dispatcher shall clear all radio traffic from channel one.
2. Query DMV, VCIN, and NCIC for registration data and wanted information. Units are to be notified immediately of positive responses of wanted or stolen.
3. The communications dispatcher shall notify the supervisor of the pursuit.
4. Alert all other nearby law enforcement agencies of the pursuit, based on the direction of travel. Relay all available information regarding the vehicle and occupants given by pursuing deputy, when continuing beyond the city limits.
5. Upon notification of the pursuit ending, (vehicle stopped, auto accident, etc.) the communications dispatcher shall repeat the location of, and reason why, pursuit ended.

G. PURSUITS INVOLVING OTHER AGENCIES

Deputies of the Winchester City Sheriff's Office shall not pursue persons suspected of a misdemeanor crime or a traffic infraction outside the Commonwealth of Virginia.

When another jurisdiction requests assistance for law enforcement officers engaged in a pursuit that is entering City of Winchester the following will apply:

1. The communications dispatcher will ascertain the location and reason for the pursuit,
2. The number of law enforcement units engaged in the pursuit,

The communications dispatcher will relay the pursuit information (1 and 2 above) to the on duty supervisor. The supervisor will make the decision to assist the other agency or to just monitor the pursuit. Winchester City Sheriff's Office units shall not pursue outside the territorial limits of the City of Winchester if the pursuit originated in another jurisdiction and no criminal offenses, other than traffic related offenses, occurred in the City of Winchester.

H. TERMINATION OF PURSUIT

A pursuit shall be discontinued when any of the following conditions exist:

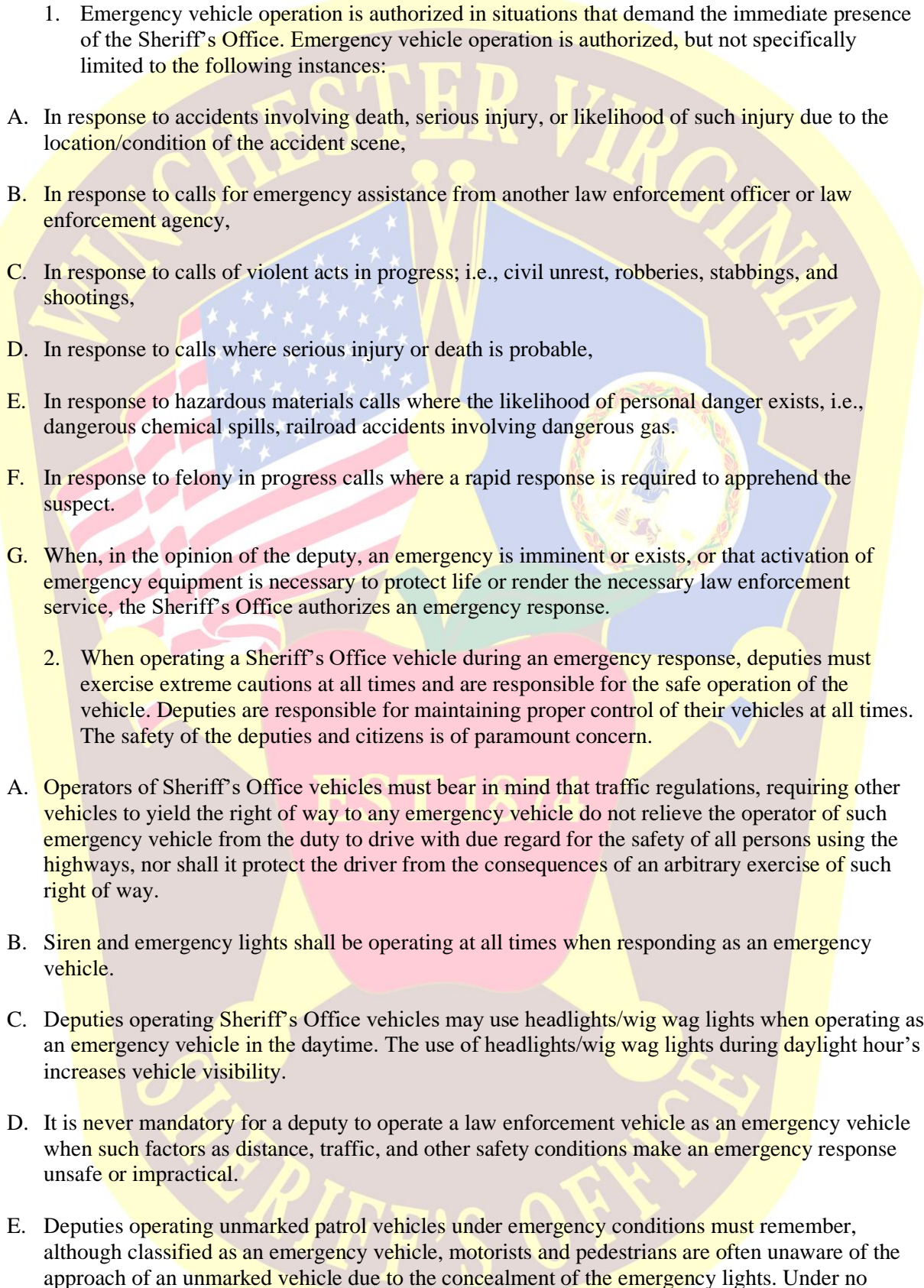
1. Hazards of exposing the public or the deputy to injury or serious property damage is high, and the known offense is not serious enough to warrant the safety risk involved in continuing the pursuit,
2. Environmental, weather, or road conditions indicate that a successful apprehension is unlikely,
3. Identity of the violator can be or has been established without immediate apprehension and continued pursuit is not necessary to eliminate an immediate threat to life. A deputy, who makes the decision to terminate the pursuit of a motor vehicle, based upon his/her evaluation of the excessive risk to himself/herself, the suspect, or other citizens, shall not be subjected to disciplinary action by the Sheriff's Office for making the decision to terminate the pursuit.
4. The on-duty supervisor may request the termination of the pursuit for any reason.
5. No deputy shall be ridiculed or disciplined for the termination of a pursuit.

I. ROUTINE VEHICLE OPERATIONS

1. Vehicles used for routine or general patrol service will be those that are conspicuously marked and equipped with the following:
 - A. Blue lens emergency lights,
 - B. Electronic siren,
 - C. Mobile radio transceiver,
 - D. Reflective marking.
2. Conspicuously marked patrol vehicles increase visibility thus enhancing safety. It also serves as a deterrent to potential law violators and provides citizens with a feeling of security. Unmarked vehicles may also be used for patrol if they are equipped with A, B, and C above.

3. During routine patrol operations, deputies are required to obey all traffic laws as defined in Section 46.2 of the Code of Virginia. The driver must always remain alert; not only to his/her driving but also to other activities in his/her vicinity which must require law enforcement attention. Safe driving practices must be followed in all driving situations.
4. Each deputy shall maintain his/her vehicle and its equipment to assure that it is ready for duty.
5. Damage to vehicles
 - A. Any damage to a vehicle shall be reported to their supervisor immediately.
 - B. If a deputy accepts a vehicle as being complete and in good condition; he/she will be held responsible for:
 - C. Any damage found later, which was clearly evident at the time of the inspection.
 - D. Any equipment missing or damaged at the time of the inspection but not reported.
6. Any deputy, who, on his/her tour of duty, causes any damage, either to the interior or exterior of a vehicle whether by traffic or other accident, shall immediately make a written report of such damage to his/her supervisor. The supervisor shall investigate the incident and submit a written report through proper channels to the Major. Failure to report damage to a vehicle as prescribed will be grounds for disciplinary action.
7. Deputies shall be strictly accountable for damage to vehicles caused by abuse or careless handling.
8. Sheriff's Office vehicles shall not be left unattended with its engine idling and the doors unlocked.
9. Sheriff's Office vehicles shall not be used to push or tow other vehicles. The supervisor may authorize the use of a Sheriff's Office 4-wheel drive vehicle to tow another vehicle that is stuck on ice, snow, etc.
10. If, at any point during a shift, a deputy becomes aware of any mechanical or equipment failure, to include, but not limited to: emergency equipment, headlights, tail lights, brake lights, signal lights, radio, brakes, engine/power train, the deputy shall notify the shift supervisor of the problem as soon as possible. The vehicle, at first opportunity, shall be removed from service for repairs. The deputy shall obtain a spare vehicle for use while repairs are completed. No Sheriff's Office vehicle shall be driven, other than for the purpose of obtaining repairs, unless all lights, (emergency equipment, headlights, signal) sirens, and radio equipment are functioning properly.
11. Deputies while operating a moving Sheriff's Office vehicle shall not be distracted by any communication/electronic devices, to include, but not limited to: cellular phones, GPS systems, computers, and AM/FM radios. Although Virginia Code § 46.2-1078.1 does not apply to operators of emergency vehicles, it is Sheriff's Office policy to prohibit texting or the reading/sending of e-mails when operating a moving Sheriff's Office vehicle at any time. The safe operation of the vehicle is always the deputy's first responsibility.

J. EMERGENCY VEHICLE OPERATIONS

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1. Emergency vehicle operation is authorized in situations that demand the immediate presence of the Sheriff's Office. Emergency vehicle operation is authorized, but not specifically limited to the following instances:
 - A. In response to accidents involving death, serious injury, or likelihood of such injury due to the location/condition of the accident scene,
 - B. In response to calls for emergency assistance from another law enforcement officer or law enforcement agency,
 - C. In response to calls of violent acts in progress; i.e., civil unrest, robberies, stabbings, and shootings,
 - D. In response to calls where serious injury or death is probable,
 - E. In response to hazardous materials calls where the likelihood of personal danger exists, i.e., dangerous chemical spills, railroad accidents involving dangerous gas.
 - F. In response to felony in progress calls where a rapid response is required to apprehend the suspect.
 - G. When, in the opinion of the deputy, an emergency is imminent or exists, or that activation of emergency equipment is necessary to protect life or render the necessary law enforcement service, the Sheriff's Office authorizes an emergency response.
 2. When operating a Sheriff's Office vehicle during an emergency response, deputies must exercise extreme cautions at all times and are responsible for the safe operation of the vehicle. Deputies are responsible for maintaining proper control of their vehicles at all times. The safety of the deputies and citizens is of paramount concern.
 - A. Operators of Sheriff's Office vehicles must bear in mind that traffic regulations, requiring other vehicles to yield the right of way to any emergency vehicle do not relieve the operator of such emergency vehicle from the duty to drive with due regard for the safety of all persons using the highways, nor shall it protect the driver from the consequences of an arbitrary exercise of such right of way.
 - B. Siren and emergency lights shall be operating at all times when responding as an emergency vehicle.
 - C. Deputies operating Sheriff's Office vehicles may use headlights/wig wag lights when operating as an emergency vehicle in the daytime. The use of headlights/wig wag lights during daylight hour's increases vehicle visibility.
 - D. It is never mandatory for a deputy to operate a law enforcement vehicle as an emergency vehicle when such factors as distance, traffic, and other safety conditions make an emergency response unsafe or impractical.
 - E. Deputies operating unmarked patrol vehicles under emergency conditions must remember, although classified as an emergency vehicle, motorists and pedestrians are often unaware of the approach of an unmarked vehicle due to the concealment of the emergency lights. Under no

circumstances will undercover vehicles, those not equipped with lights and siren, be operated as an emergency vehicle.

- F. Drivers of emergency vehicles shall use extreme caution when approaching any intersection, even those displaying a green or yellow traffic signal, yield sign, etc.
- G. Drivers may lower one front door window far enough to hear other sirens and surrounding traffic.
- H. Upon arrival at the scene of an incident, the first arriving deputy should evaluate the situation and determine whether additional units should still be responding in emergency mode, or if the additional units response can be slowed, or cancelled.
- I. When responding to emergency calls for service, deputies should make every effort to park patrol units in a safe and proper parking location. When circumstances arise that require deputies to park their vehicle in a hazardous location, the use of emergency flashers and flashing emergency warning lights shall be used when possible. To the extent possible, when responding to non-emergency calls, Sheriff's Office vehicles shall be properly parked. The vehicle shall be locked to ensure safety of the vehicle and its contents.

J. MOBILE TECHNOLOGY

- 1. Deputies shall use cellular phones and other wireless communication devices in a manner that is conducive to the safe operation of the vehicle.
- 2. Deputies shall not use laptop computers and other data technology while driving the vehicle.

K. SPECIAL PURPOSE VEHICLES

Special Purpose Vehicles are vehicles, which are operated or used in any manner other than patrol cars.

- 1. Bicycles: Used to patrol areas of the city which are dense in population in either a high-profile fashion to intermingle with the public, or in a low profile mode to enable the deputy to perform surveillance functions. They also may be used at special events.
 - a. Bicycles will be equipped with the following:
 - 1. Water bottle
 - 2. Gear bag
 - 3. Front and Rear Light
- 2. Transport Van used for the transportation of prisoners.
 - a. Transport van will be equipped with the following:
 - 1. Electronic siren
 - 2. Mobile radio transceiver
 - 3. Blue lights
- 3. K9 Vehicle used for the transportation of Explosives Detection K9 and Handler

a. K9 Vehicle will be equipped with the following equipment

1. Electronic Siren
2. Mobile Radio Transceiver
3. Blue Lights
4. Extreme Temperature Alarm, (such as Hot-Pop, Hot-Dog or similar system)

L. TAKE HOME VEHICLES

The Sheriff's Office may issue vehicles to all full time sworn personnel or authorized part time personnel. All personnel are responsible for maintaining the vehicle in good working condition (oil changes, tires, cleanliness, inspections, etc.). Unauthorized personnel may not be transported in Sheriff's Office vehicles (immediate family members exempt from this order).

M. PARKING

1. Deputies shall park their vehicles in the Court Square Autopark garage.
2. The Sheriff, Major, and Sergeant may park their vehicle on the west side of Kent Street in designated parking.

N. TRAINING

1. To operate a Sheriff's Office Vehicle, you must possess a valid Virginia's Driver's License.
2. To operate a Sheriff's Office Vehicle while using the emergency equipment, you must have completed an approved DCJS Emergency Vehicle Operations Course.
3. To operate a Sheriff's Office bicycle, you must have completed Basic Police Cyclist Course.