Lesson Purpose: This block of instruction is designed to provide the student with the basic knowledge and skills necessary for operating a vehicle while performing the functions of a law enforcement officer.

Training Objectives: At the end of this block of instruction, the student will be able to achieve the following objectives in accordance with the information received during the instructional period:

1. Demonstrate the ability to conduct an acceptable pre-operational inspection of a law enforcement vehicle.

2. Demonstrate the acceptable use of occupant protection devices while operating a law enforcement vehicle.

3. Identify the below listed components of the driving system and discuss their relationship to law enforcement driving maneuvers and accident causes.
   a. Environment
   b. Vehicle
   c. Driver

4. Identify the acronym “SIPDE” and explain its relationship to a driving style that is low-risk, high gain.

5. List the primary physical forces that affect the operating characteristics of the law enforcement vehicle, and identify three factors that primarily influence the stopping distance of a vehicle.

6. Identify the driving maneuvers that frequently contribute to law enforcement vehicular collisions.

7. List acceptable collision avoidance methods.
8. List and discuss the factors for emergency response consideration.

9. Identify the psychological and physiological factors that may affect an officer’s perceptions and judgment during an emergency response.

10. Identify factors that may impair vision and special considerations required while performing nighttime driving.

11. Identify factors concerning vehicular pursuits in the following situations:
   a. Justifying the initial pursuit
   b. Continuing the pursuit
   c. Terminating the pursuit

12. Identify the types and limitations of emergency warning devices on law enforcement vehicles.

13. Identify methods that will aid in the effective use of a law enforcement radio during an emergency response.


15. Identify the legal and liability issues concerning law enforcement vehicular operations to include:
   a. Operator’s negligence
   b. Vehicular pursuit
   c. “Failure to protect” theory
   d. North Carolina General Statutes

16. Demonstrate the ability to use acceptable vehicle control methods by successfully completing the following practical exercises:
   a. Offset Lane Maneuver
   b. Fixed Radius Curve
   c. Precision Exercise
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d. Serpentine Exercise
e. Evasive Exercise
f. Emergency Response Driving
g. Pursuit Driving

Hours: 40 Hours (Lecture - 12 hours, Practicum - 28 hours)

Instructional Method: Lecture/Demonstration/Practical Exercises

Training Aids: Law Enforcement Vehicles
Cones
Stop Watch
Clip Board

Videos:
The Michelle Norton Story, NHTSA/ALERT
Michelin Tire Safety Police Training Video, ALERT/Michelin North America

References:


Law Enforcement Driver Training


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Law Enforcement Driver Training

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Date Revised: July 2005
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1. This driver training lesson plan is designed to provide those trainees enrolled in the Basic Law Enforcement Training program with the knowledge and skills necessary to perform the task associated with driving as a probationary law enforcement officer. Agencies, school directors, and instructors are encouraged to supplement this driver training lesson plan with any information or practical exercise(s) they feel are necessary to accomplish their individualized training objectives.

2. There is one classroom practical exercise that should be conducted concerning each agency’s emergency response and pursuit policy. The handout should be completed by each student.

3. The purpose of the driving practical exercises is to develop and instill proper driving attitudes and skills. The exercises also serve as an evaluation of the trainee’s knowledge and skill acquisition. These exercises are specifically designed to develop the trainee’s ability to operate the patrol vehicle. Each of the practical exercises contains an exercise objective, completion procedures, trainee requirements, and instructor requirements.

4. Trainees are required to successfully complete each exercise listed below during daytime hours:

   Offset Lane Maneuver  
   Fixed Radius Curve  
   Precision Exercise  
   Serpentine Exercise  
   Evasive Exercise  
   Emergency Response Driving  
   Pursuit Driving

5. Trainees are required to successfully complete the Precision, Emergency Response, and the Pursuit exercises during nighttime hours.

6. Driving range considerations:

   A driving range designated for criminal justice training is required. This range should be adequate in size and design to safely conduct the law enforcement basic recruit driving course and should have the following specifications:

   a) Secured by barriers from all public-through traffic while training is being conducted on the range;
**Law Enforcement Driver Training**

b) Warning signs posted at all vehicle access points that clearly identify the area as a law enforcement training driving range with limited access to criminal justice trainees, criminal justice instructors, and personnel authorized by the school director;

c) An emergency first-aid kit;

d) Access to at least two automobiles designed and equipped for criminal justice driver training;

e) Restrooms and drinking water for personnel engaged in training; and

f) Telephone or radio communications immediately available to range instructors [North Carolina Administrative Code, Title 12, Chapter 9, 09B.0201(d)(3)(E)].

7. There should be one certified Specialized Driver Instructor for each six trainees while actively engaged in a practical performance exercise [North Carolina Administrative Code, Title 12, Chapter 9, 09B.0202(a)(2)(A)(ii)].

8. In addition to the above listed requirements, the following are offered as recommendations for consideration:

a) The range location should be such that there is minimal impact on the immediate surrounding area.

b) The range should be flat, however, there must be a sufficient grade to allow water to run off. A grade of one percent is ideal.

c) Speed must be adjusted to fit the constraints of the range without reducing the dynamic forces necessary for skill development.

d) A minimum of 50 feet separation space is recommended if more than one practical exercise is being conducted simultaneously.

e) Fences, barricades, and signs should be used to close the range off from unauthorized personnel.

f) Drinking water, toilets, and shelter should be provided for the trainees.

g) Communications with emergency response personnel, telephone or radio, should be readily available to all personnel.
h) A supply of coolant, oil, transmission and steering fluids, an assortment of tools for minor repairs, jumper cables, jack, air compressor, and tire pressure gauges should be provided and on site.

i) Practical exercises should be established and set up prior to the trainees' arrival at the driving range. This can be accomplished by the instructors not involved with the classroom lecture or presentation.

j) There is a list of recommended driving range rules provided. This list should be revised to include any rules that are applicable to each specific site.

9. Vehicle considerations:
   a) Trainees should use their assigned vehicle, or one of a similar model, when participating in the practical exercises.
   b) Each trainee should complete a pre-operational inspection daily using the form provided on the vehicle that they will be driving.

10. Trainee considerations:
    a) Trainees should wear duty uniform, leather, and weapon while performing all practical exercises (RECOMMENDED).
    b) Trainees should at all times maintain proper driving position to include using all occupant protection devices, correct hand position, and braking technique.

11. Instructor considerations:
    a) All instructors involved with the instructional, evaluation, remedial, or re-evaluation phases of the practical exercises should be certified as Specialized Driver Instructors by the Training and Standards Commission.
    b) At no time should the ratio of instructors to trainees exceed 1:6. The recommended ratio is 1:4.
    c) Instructors should be familiar with the practical exercises and possess the ability to demonstrate each exercise they are assigned.
    d) Instructors should have a positive attitude and reputation concerning their driving abilities.
12. Driving range rules:

a) Upon the command to **STOP**, all operators will immediately brake their vehicles to a complete stop and remain stopped until instructed differently by an instructor. Any trainee, instructor, or staff person may issue the command to **STOP** at any time an unsafe situation is occurring.

b) All training vehicle operations, practical exercises, and training activities on the driving range will be under the direct supervision of a certified driving instructor.

c) During vehicle operations, all occupants in the vehicle will utilize all the available occupant protection devices.

d) The maximum speed limit for all vehicles while on the driving range is 10 miles per hour unless otherwise directed and supervised by an instructor.

e) Vehicles and pedestrians will yield the right-of-way to any vehicle actively engaged in a practical exercise.

f) The vehicle’s emergency equipment will be operated only under the direction and supervision of an instructor.

g) Trainees will not talk to, distract, or interfere with any vehicle operator and/or instructor actively engaged in any practical exercise.

h) Trainees will remain a safe distance from the practical exercise area when not operating the vehicles. Instructors will inform trainees where to stand and when to replace any displaced cone(s).

i) Beverages, food, and tobacco products will be consumed in designated break areas only. A break area is defined as any area safely removed from the driving range practical exercise area.

j) Operators will shut-off their engines and set the parking brake prior to exiting the vehicles.

k) Each trainee will perform a pre-operational inspection of his/her assigned vehicle daily.

l) Vehicle windows will be either all the way up or all the way down.
Law Enforcement Driver Training

m) Trainees on medication are required to inform the BLET School Director.

13. To promote and facilitate law enforcement professionalism, three ethical dilemmas are listed below for classroom discussion. At their discretion, instructors must provide students with each ethical dilemma. Sometime during the lecture instructors should introduce the dilemma prior to a break and facilitate discussion after returning. Instructors are encouraged to develop additional dilemmas.

a) You are leaving the parking lot of a club after you and an officer have concluded a call for assistance at that location. You observe that the officer accidentally strikes another car while backing out of a parking space. He exits the vehicle and observes that there is no damage to his vehicle, but minor damage to the other vehicle. He looks around to see that there are no witnesses to the accident, then gets back into his vehicle and leaves the scene without reporting the accident. What should you do?

b) You have observed on several occasions that another officer that works the area with you has driven aggressively by taking unnecessary risks in traffic responding to calls, such as busting intersections and illegal passing. These actions have almost ended in near collisions with other vehicles and clearly are not done with due regard to safety of the motoring public. What should you do?

c) You are assisting another officer while he is pursuing a suspect vehicle. Your supervisor calls on the radio to terminate the pursuit. You and the other officer advise the telecommunicator that you are terminating the pursuit. You reduce your speed and turn off your emergency equipment. The other officer turns off his equipment but continues to chase the suspect at a high rate of speed until he loses sight of the vehicle. What should you do?
I. Introduction

A. Opening Statement

NOTE: Show slide, "Law Enforcement Driver Training."

What comes to mind when you think of driver training for law enforcement? Your first thoughts are probably of flashing blue lights, high speed, and the wail of a siren. Yet, most law enforcement traffic accidents occur during routine patrol, at or below the posted speed limit. What can we conclude from this experience? The most probable answer would be a lack of attentiveness to basic driving skills, as well as the attitudes of law enforcement officers. To combat being lulled into complacency, officers must maintain a high level of basic driving skills, as well as, the necessary skills to survive intact during a high speed vehicle operation. These basic skills, along with high speed skills, must be practiced constantly in order for officers to have confidence in their driving ability in stressful situations. Officers must maintain correct driving techniques and good driving habits until they become second nature.

B. Training Objectives

NOTE: Show slide, "Training Objectives."

C. Reasons

You may work as a law enforcement officer for thirty years and never use your weapon. However, you will operate your patrol vehicle every working day, facing the possibility that you will be involved in a traffic accident. That accident could result in serious injury or death. This is the reason that law enforcement driver training is so essential. Mastering the driving tasks in a variety of situations and conditions is vital to your safety and effectiveness as a law enforcement officer. However, it is also important to remember that you were originally taught how to drive in a civilian capacity and have probably brought with you some habits and attitudes that contribute to many traffic accidents.
Law Enforcement Driver Training

II. Body

A. Conducting the Pre-operational Vehicle Inspection

“There is no other item of equipment that receives as much use by law enforcement officers as the patrol vehicle. These same officers have little control or choice concerning the selection of the patrol vehicle. In most instances, these vehicles have superior handling capabilities. However, no matter how well the vehicle handles, it is only a machine, and like all machines, it has its limitations. These limitations will be aggravated when vehicle maintenance is poor or insufficient.Regardless, collisions contributed to mechanical failure are relatively rare, approximately five percent (5%).

Regardless of their level of responsibility, each officer should acquire the knowledge, skills, and behaviors necessary to prevent mechanical malfunctions, detect changes in the mechanical operation and performance of the vehicle, and react correctly to sudden mechanical failure.

1. Pre-operational inspection

NOTE: Show slide, “Pre-operational Inspection.”

Prior to beginning a tour of duty, the officer should complete a pre-operational inspection on his assigned vehicle to include the mechanical subsystems and their components.

a) Engine compartment

(1) Check the amount of fluids in these systems.

(a) Radiator and radiator overflow tank - make sure the fluid in the radiator is cool before you remove the radiator cap

(b) Battery

(c) Windshield-washer fluid tank

(d) Engine oil

(e) Power steering

(f) Brake
(g) Transmission - this check is usually with the engine running, with the park brake set, and the transmission in park

(2) Check the fan belt and any other belts that operate the power steering, power brakes, or air conditioning systems to ensure proper belt tension. Replace any frayed or cracked belt prior to the vehicle being placed into service.

(3) Check all hoses and hose connections for leaks.

(4) Check for loose, broken, or disconnected wires. Also check these wires for cracked insulation.

(5) Horn

b) Vehicle exterior

(1) Check for damage to the body of the vehicle.

(2) Check to see that windshield, headlights, and taillights are clean.

(3) Check the following lights to ensure that they are operational:

   (a) Headlights, low and high beam

   (b) Taillights

   (c) Parking lights, front and rear

   (d) Brake lights

   (e) Directional lights, front and rear

   (f) Side-marker lights

   (g) License plate light

   (h) Hazard flashers, front and rear

   (i) Emergency warning lights
(j) Interior lights: dome, citation, or map

(4) Tires

(a) Tires should be inflated to the appropriate pressure for long-distance, high-speed driving.
(b) Look for tire wear and damage.
(c) Look for damage to the wheel.
(d) Don’t forget to check the spare tire!

(5) Vehicle underside

Visually check the underside of the vehicle for fluid puddles and broken or loose components of the:

(a) Exhaust system
(b) Suspension system
(c) Brake system
(d) Power train

(c) Trunk compartment

Ensure that any equipment stored in the trunk area is serviceable.

(1) First aid kit
(2) Fire extinguisher
(3) Flares
(4) Spare tire and jack

(d) Vehicle passenger area

(1) Protective system
(a) Passive safety belts
(b) Air bags
(c) Head restraints
(d) Door locks

(2) Instruments and controls
(a) Ignition switch
(b) Selector lever and gear indicator quadrant
(c) Steering wheel
(d) Accelerator pedal
(e) Brake pedal
(f) Parking brake and indicator light
(g) Speedometer and odometer
(h) Alternator gauge/light
(i) Temperature gauge/light
(j) Oil pressure gauge/light
(k) Fuel gauge
(l) Headlight high-beam indicator and shifter
(m) Directional lights indicator and shifter
(n) Cruise or speed control and indicator
(o) Windshield wiper control

(3) Comfort system
(a) Seat adjustment
(b) Climate control
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(c) Mirrors, inside and outside

(4) Emergency system
(a) Police radio
(b) Siren control
(c) Emergency light control
(d) Public address system
(e) Spotlight control

(5) Seats
(a) The seats must be inspected prior to each tour of duty to ensure that there are no weapons or contraband hidden or tucked deep inside. The back seat should be removed if possible.
(b) The passenger area should remain free of any loose items that could become missiles if the vehicle were to be involved in a collision.

NOTE: Refer students to handout, "Pre-Operational Inspection." Instructors should demonstrate the proper procedure for conducting the pre-operational inspection. Students should be required to conduct a pre-operational inspection of their assigned vehicle daily prior to commencement of practical exercises. The pre-operational sheet included should be revised to reflect departmental requirements.

2. Officers must be able to detect changes in the mechanical subsystems of the vehicle during their tour of duty. This will require that the officer possess:

a) Basic knowledge of the mechanical subsystems
b) Knowledge of the vehicle's maintenance history and performance
If any mechanical defects or mechanical failure is detected during the pre-operational inspection or the operation of the vehicle, the vehicle should be removed from service until the proper repairs have been made or the deficiency has been corrected.

3. Officers who fail to detect deficiencies during pre-operational inspections or detect changes during periods of operation have an increased possibility of having to react to a mechanical failure. The following are likely mechanical failure situations and how to handle them.

a) Stalled engine

Avoid braking, shift to neutral, restart engine, and shift to drive.

b) Stuck accelerator

Try dislodging the accelerator pedal, shift to neutral, brake, move to a safe location. If necessary, turn off the ignition.

c) Wet engine

Using the vehicle’s momentum, try to coast to a safe location. Attempt to re-start the engine after it dries.

d) Flooded engine

Depress the accelerator fully for 5-10 seconds. Release the accelerator and start engine.

e) Dead battery

Officers should consult the vehicle’s owner’s manual for the correct "jump-starting" procedure.

f) Headlight failure

Try to make the vehicle visible to other motorists. Use the parking lights, directional signals, and/or hazardous warning signals. Exit the roadway and move to a safe location. Remember to utilize flares.
g) Leaking exhaust

If an exhaust leak is discovered, the vehicle must be removed from service until the exhaust system is repaired.

h) Tire blowout

Avoid braking, steer the vehicle in the direction you want the front to go, coast into a safe location. Prior to changing or installing the spare, consult the owner's manual for the correct procedure.

i) Brake failure

Pump the brake pedal, downshift into the lowest gear, and gradually activate the parking brake to stop the vehicle.

j) Wet brakes

This will usually correct itself during normal braking. If necessary, momentarily use the left foot on the brake to "heat-up" the brakes after driving through standing water.

k) Engine overheating

Safely exit roadway. The vehicle must removed from service until repaired.

l) Oil indicator warning

If problems develop involving the oil, it is best to exit the roadway, check the oil level and system. The vehicle must be removed from service until repaired.

m) Hood flies up

Decelerate the vehicle as quickly and safely as possible. Look out the side window and exit to a safe location.”
B. Occupant Protection Devices

NOTE: Show slide, "Occupant Protection Devices."

"Officers are vulnerable to injury or death from vehicular collisions because of the number of hours spent in the patrol vehicle and the varying conditions they encounter. Developing a habit of wearing a safety belt will significantly increase bodily protection and control of the vehicle. Officers must be aware of the types of occupant protection devices inside the patrol vehicle and the ways to be protected while in the vehicle.

It is important to wear safety belts, but not just for the protection they provide in the event of a collision. By keeping the officer in the driver position within the vehicle, they help reduce the incident of collisions, both primary and secondary.

A two-year study of 20 law enforcement agencies found that over 25,000 patrol vehicles were involved in collisions. Nearly one out of five crashes resulted in personal injury or death to the officers. An average of 23 working days is lost per injury-producing collision.

1. Safety design and the patrol vehicle

All vehicles come from the factory with design features that provide a relatively safe interior. They include:

a) Seat belt
b) Air bag
c) Padded dash
d) Collapsible steering column
e) Recessed switches and controls
f) Recessed door handles
g) Padded door panels
h) Laminated windshields
i) Padded head restraints
Officers are exposed to a great amount of danger while operating the patrol vehicle. One of the easiest ways to minimize that risk is to take advantage of the protection equipment in the vehicle.

2. Benefits of occupant protection systems

NOTE: Show slide, "Benefits of Occupant Protection Systems."

a) Reduces officer contact with the vehicle interior and other occupants. It prevents or reduces chance of the "human" collision from taking place.

b) Prevents ejections.

c) Allows officers to stop while the patrol vehicle is stopping. This is called the 'ride-down' effect. Safety belts slowly bring the occupants to a stop, reducing the massive forces experienced during rapid deceleration.

d) Spreads the stopping force widely across the body's strong points, e.g., hips, chest, and shoulders.

e) Helps the officer maintain control of the patrol vehicle during emergency operations and, subsequent to a collision, possibly avoiding an additional collision.

3. Components of the occupant protection system

a) Manual safety belts

The webbing is designed to stretch slightly in a crash.

(1) Lap only

Belt should be worn flat, snugly, and low on the hips.
(2) Lap and shoulder combination

The lap portion of the belt should be worn flat, snugly, and low on the hips. The shoulder portion should go across the collarbone and the chest.

Safety belts are designed to be effective if they are worn snugly against the body, both across the hips and chest. Occasionally, remove the slack to ensure a snug fit.

b) Automatic safety belts

Automatic safety belts are similar to manual safety belts except that the belts themselves do the work. There is no need for you to buckle or unbuckle the belt.

c) Air bags

An air bag is a porous, fabric bag installed in the steering wheel hub to protect the driver and is also located in the dashboard of some vehicles to protect the front seat passengers. Sealed within the air bag system is a small amount of sodium azide. The impact of the crash triggers the conversion of the sodium azide to nitrogen, a harmless gas. In 1/25 of a second the bag is inflated and creates a protective cushion between the occupant and the steering wheel, dashboard, and windshield. It begins to deflate about 1/10 of a second after impact, as soon as the vehicle stops and regardless of whether the occupant hits the bag. Once deployed, the air bag cannot be used again.

Safety belts must be used with air bags. Air bags are only effective in frontal collisions. Belts protect occupants in non-frontal and secondary collisions. Belts also prevent ejection from the vehicle.

d) Head restraints

Adjust the head restraint to the middle of the head, level with the ears. This will protect the neck from whiplash.
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e) Door locks

Lock all doors. This will prevent the occupants from being ejected and unwanted individuals from entering the vehicle.

f) Bullet proof vest

When officers are wearing their vest, the effectiveness of the occupant protection system is greatly improved.

NOTE: Students will be required to utilize all the available components of the occupant protection system during the practical exercises.

4. Items carried by officers

In addition to securing the occupants of the patrol vehicle, officers must be aware of additional items within the vehicle that must be secured. Failure to secure these items could produce a dangerous situation if the patrol vehicle is involved in a collision.

a) Flashlight

b) Nightstick

c) Citation book

d) Law books/reference materials

e) Briefcase

f) RADAR instruments

C. Components of the Driving System

“Driving is the balance of a system which is made up of three components: the environment, the vehicle, and the driver. When a collision occurs, it is caused by a failure of the driving system contributed by one or more of the system’s components.

This system is one in which the driver must continually evaluate the environment. Based on this evaluation, the driver must perceive any
hazard, make a decision based on that perception and perform any maneuvers that he has decided are necessary to avoid the hazard.

All maneuvers of the vehicle are the result of driver actions that change speed and direction. These changes may be done alone or combined.

1. Environment

   Environmental factors contribute to approximately five percent (5%) of all vehicular collisions. Officers have little, if any, input in the design or control of the environment and are much more at the mercy of the environment than the driving public.

   The environment is the sum of the external factors that exist which affect, modify, or restrict an officer's ability to maintain control of the vehicle. The environment provides the officer with a seemingly endless stream of information that must be recognized, analyzed, and integrated into the ongoing driving task. Officers must be able to concentrate their full attention on the total driving environment if they are to successfully perform the task associated with law enforcement while negotiating the obstacles to safe driving.

   Officers are likely to be exposed to all types of environmental factors due to the nature of the job. Therefore, consideration of the various types of environmental factors that may affect law enforcement driving is important.

   a) Weather conditions

      NOTE: Show slide, "Weather."

      Ice, snow, fog, sleet, rain, wind, hot, humid, cold, smoke, and haze are all conditions that may act to reduce the officer's ability to maintain control of their vehicle.

      NOTE: Instructors should discuss these weather conditions. Students should be allowed to provide input concerning these and other weather conditions that should be included.

      (1) Snow and ice may limit visibility on the edge of the road, lane markings, or traffic signs.
(2) Snow, ice, sleet, rain, and humid conditions will result in increased stopping distance.

(3) Officers should be aware of the temperature. Wet roads may become icy roads quickly. Remember that bridges and shaded portions of the roadway freeze first.

(4) During these conditions, officers should attempt to avoid quick steering moves or abrupt braking.

(5) Reduce speed in advance of intersections, curves, and down-grades.

(6) Increase following distance.

(7) Vehicles may experience hydroplaning which affects steering and braking.

(8) During periods of inclement weather, i.e., fog, haze, smoke, and mist, officers should turn their headlights on, even during the daytime.

(9) Be alert when windy conditions prevail. Cross winds may blow the vehicle off the road or across the center line.

(10) Watch for slow moving or stopped vehicles.

b) Road conditions

NOTE: Show slide, "Road Conditions."

Officers need to develop the ability to read the road. The type and condition of roadways will continually change during your tour of duty.

NOTE: Instructors should discuss these road conditions. Students should be allowed to provide input concerning the below list and other road conditions that could be included.

(1) Drive according to what you can see. If you cannot see over a crest of the hill, slow down. If you are rounding a bend and cannot see in front...
of you, slow down. Never travel at a speed faster than your ability to stop in the distance you can see. At night, never outrun your headlights.

(2) Be aware of water standing on the road. Water may cause hydroplaning, or if concentrated on one portion of the road and only one side of the vehicle goes through the water, the vehicle will tend to pull in that direction.

(3) Be alert to bumps in the road and adjust your speed prior to the bump. Bumps are generally located just prior to dark areas on the roadway surface.

(4) Mud presents two problems. Mud can fill the tread pattern of the tire, making hydroplaning more likely to occur. Mud also increases the stopping distance for the vehicle.

(5) Potholes create a danger. It is best to avoid potholes if possible. If you cannot avoid hitting a pothole, use the following procedure: just as you get to the pothole, release the brakes allowing the tire to roll, and hit the pothole squarely, rather than on the side of the tire.

(6) If objects such as animals, tree limbs, or miscellaneous objects suddenly appear in your travel lane, do not create a greater danger by swerving into another lane or into on-coming traffic. If it is a small object, hit it head on. If it is a large object or animal, hit it with a glancing blow, steering to the right, maintaining control of the vehicle.

(7) Road surfaces will affect vehicle dynamics. Granular surfaces such as gravel, sand, or dirt will increase stopping distances. Hard surfaces tend to glaze over quickly in freezing conditions.

(8) Traffic density

(a) In rural areas, be alert for loose livestock, pets, bicyclists, school buses, children in
the roadway, and slow moving vehicles such as tractors, farm machinery, etc.

(b) In urban areas, be alert for traffic entering the roadway from alleys, parking lots, driveways, and intersections. Also, remain alert to pedestrian movement, street crossings, people exiting vehicles, vehicle doors opening, school zones, and children playing in the street.

c) Light conditions

**NOTE: Show slide, "Light."**

Contrary to popular belief, low light does not impair the eye’s ability to transmit visual data. The eye isn’t more or less adept at gathering light; it’s just that we don’t really see the physical world around us. What we see is light reflecting off the world around us. Light entering the eye is the source of the visual data we need, and when an insufficient amount of light enters the eye, the quality of the data transmitted to the brain suffers. The brain makes do with what it gets and presents the conscious mind with sometimes inadequate results.

The eye detects and processes light in much the same way as a camera. Light enters the eye through the pupil, passes through the cornea, and concentrates on the light-sensitive coating on the rear inner surface of the eye called the retina. The cornea is a lens-shaped membrane that acts exactly like a camera lens, focusing and, to some degree, concentrating the light. The retina consists of two basic types of light-sensitive cells known as rods and cones. Rods are sensitive to low-level amounts of light energy, and cones are sensitive to high-level amounts of light energy. Therefore, it’s mostly the rods that are at work when we drive at night. When the rods have taken over in low-light situations, the pupil is dilated to permit more light to enter the eye. Unfortunately, the more dilated the pupil, the less efficient the eye; because, just like a camera lens, the eye loses depth of field or the range over which the eye can be focused.
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When there is too much light, such as when driving directly into the sun’s glare in the early morning or late afternoon, wear sunglasses and use your sun visor. A good pair of sunglasses is also helpful in preventing snow blindness when snow glare is present.

2. Vehicle

As previously discussed, vehicular limitations that cause accidents comprise approximately five percent (5%) of all accidents. Officers do, however, need to understand the importance of maintaining a properly running vehicle at all times during their tour of duty.

3. Driver

NOTE: Show slide, "Driver."

“The driver is the most critical component in the driving system. Approximately ninety percent (90%) of all vehicular collisions are directly attributable to some error in decision-making on the part of the driver. This critical component is also the only true flexible, adaptable component of the driving system. Officers must recognize those factors which affect performing the task associated with law enforcement driving.

a) Driving experience

Officers bring with them the sum of their experiences as civilian drivers which may or may not contribute to their ability to function as drivers in the law enforcement environment. This typically consists of the completion of a course in driver’s education and five to six years of civilian driving experience. From a pragmatic standpoint, five to six years of civilian driving experience under normal conditions is hardly adequate to qualify one to successfully meet the demands of law enforcement driving. The age of most police recruits is between 16 and 24. These are the ages that the insurance industry rates as the most hazardous on the highways. This age group also has the highest rate of collision involvement and pays the highest insurance premiums because of their collectively poor driving records.
b) Attitudes and emotions

The officer must realize the effects that attitude and emotion have upon driving habits and the decision-making process. This realization will come through an evaluation of your current habits and values.

(1) Emotions

Emotions such as fear, love, hate, anxiety, surprise, joy and excitement have a profound effect on behavior in general and on driving in particular. Emotions can affect the part of the brain which controls thought, reason, and judgment. Strong emotions affect certain body functions. Some effects are temporary: heart rate increases, face flushes, respiration rate increases, blood pressure increases, muscle tension. Repeated extreme emotions can lead to long-term dysfunctions such as changes in appetite, digestive chemical changes, and ulcers.

(a) Emotions can have a distracting and paralyzing effect upon driving. These effects may include:

i) Dim or "blind" powers of observation.

ii) Delay or distortion of ability to interpret events.

iii) Reduction of powers to assess and predict the actions of other highway users.

iv) May cause faulty judgment and interfere with high-risk decision-making.

v) Reduced ability to perform precisely timed skills.

(b) Emotions can be a positive force in determining driving behavior:
A reasoned fear of a crash or legal consequences helps to restrain unsafe tendencies.

ii) Love that an officer has for family and friends can be a motivating safe driving factor.

iii) Desire to perform successfully can result in safer driving.

(2) Attentiveness

There are many distracting factors that compete for the driver's attention. Driving a law enforcement vehicle is demanding in and of itself because the officer is performing the task of driving and the duties of an officer at the same time. It is important that good habits be developed so there can be safe movement through a variety of traffic situations during the performance of law enforcement related duties.

(a) Distraction from the driving task may be caused by:

i) Thinking of things other than driving

ii) Having in the vehicle "distractors" which require the officer's attention

NOTE: Discuss with class what these might be.

iii) Situations outside the vehicle that attract the officer's attention

iv) Environmental factors

v) Vehicle factors
vi) Route problems in unfamiliar areas

vii) Seeing one potential collision hazard in the traffic scene while failing to see another

(b) To minimize the distracting factors and to maximize the officer’s attention to the most critical elements of the traffic scene requires:

i) Keeping your eyes moving. Attention should be distributed over large areas without concentrating on any one area for more than two seconds.

ii) Searching ahead of the vehicle and recognizing deteriorating traffic conditions, such as:

- Brake lights
- Traffic lights
- Vehicles switching lanes
- Intersections
- Pedestrians
- Vehicles entering roadway

NOTE: Instructors should encourage other student input concerning distractions.

c) Psychological and physiological factors

A typical tour-of-duty for officers will include approximately six to eight hours in the patrol vehicle. This can result in psychological and physiological factors that may increase the potential for collision involvement. Officers must recognize these factors and
the potential problems they present to the performance of the driving task.

(1) Psychological factors

NOTE: Show slide, “Psychological Factors.”

(a) Boredom - It is difficult sometimes spending a full day in a vehicle.

(b) Aggressive nature of some officers may carry over into the driving task.

(c) Some officers take the attitude that it is ‘ok’ to ‘beat-up’ on a law enforcement vehicle.

(d) Over-confidence in one’s driving ability or in the handling capabilities of a law enforcement vehicle.

(e) Not being prepared for the lack of reaction or over-reaction from the motoring public in response to seeing a law enforcement vehicle.

(f) The effects of emotions after having dealt with a work related duty tragedy or heinous crime scene.

(g) The effects of emotions resulting from a personal situation.

(h) Having a ‘high-risk’ attitude such as impatience, self-righteousness, preoccupation or ‘macho’ ego.

(2) Physiological factors

NOTE: Show slide, “Physiological Factors.”

(a) Fatigue associated with long time spans in the patrol vehicle.
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(b) Fatigue from rotating shifts (not sleeping well) or from secondary employment.

(c) Drug or alcohol consumption will have a deteriorating effect upon an officer's decision-making ability.

(d) Distractions from the law enforcement radio, AM/FM radio, RADAR, surveillance, or partner.

(e) Driving into situations at higher speeds puts a greater demand upon an officer's searching skills.

D. Driving Style

"Officers need to develop a style of driving which will yield the highest level of results with the lowest level of risk. Individuals come into the profession with a developed style of driving and an established set of habits. Some of these styles are high-risk, low-gain. An individual seldom has all good habits or bad habits. This driver training program is designed to modify any inadequate driving habits an officer may possess.

A major objective of this program is to help officers acquire a driving style that is low-risk, high-gain. In order to help officers develop effective driving habits, the desirable behaviors must be clearly understood and practiced by the students often enough to replace those less desirable habits.

The following recommended style of driving will provide officers with habits that are low-risk, high-gain.

**NOTE: Show slide, "SIPDE - Search, Identify, Predict, Decide and Execute."**

1. Search

   The officer should perform a systematic search for information within the environment to perceive possible situations ahead, behind, and on both sides of the patrol vehicle.

   a) Position in traffic
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(1) Choose a spot in traffic where you can see and be seen.

(2) Periodically scan traffic and vehicle instruments.

(3) The road and traffic conditions that endanger you the most are the ones in front of you.

b) Searching and scanning the traffic scene

(1) Search out things that could affect vehicle operations.

(a) Two-second following rule
In normal traffic and in good weather, a following distance of two (2) seconds should provide sufficient stopping distance, allow you to see around the vehicle ahead of you, and give you time to change lanes fast if necessary.

Officers must also be aware of vehicles that are within two seconds from the rear of their vehicle. Use the interior and exterior mirrors to search the area to the rear of your vehicle. It is important to remember to give proper signals far enough in advance of any driving maneuver so that other drivers can react properly.

If the road is rough, it is raining, or if you are following a large vehicle like a truck, increase the following distance to at least three (3) seconds.

If there is ice or snow on the road, or during hard rain, a following distance of 5-6 seconds may be needed.

(b) Four-second path of travel

This is called your vehicle’s immediate path of travel. When you consider a four-second path of travel, you have time to
take an escape route, or you have sufficient stopping distance from any object that may appear in your path of travel.

(c) Visual lead time

A visual lead time of twelve (12) seconds in rural areas or one city block in urban areas will provide you with the needed time to appropriately select an immediate path of travel. It also gives you time to search the areas beside the road, adjust your speed, or to make lane changes well in advance of any problems.

(2) Avoid fixating on individual objects or distractions by using rapid eye movements.

2. Identify

Officers must develop the ability to identify situations which may become hazardous. This is often difficult due to the fact that hazards come in different forms and may develop rapidly from combinations of varying circumstances. You can improve your ability to gather information by grouping like objects into four basic categories.

a) Signs, signals, and roadway markings

These provide information about the road and the driving environment. They guide you in making driving decisions by warning you of such hazards as curves, hills, or intersections. This information is usually accurate and simple to understand.

b) The roadway

Search the roadway and shoulder for information about their design, construction, maintenance, and surface conditions. Check for visual obstructions. Look for objects other than vehicles on or near the road that could possibly cause a collision. Identify other paths of travel that you could take if you had to leave the road.
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c) Motorized vehicles

Information about motor vehicles is more difficult to gather and evaluate. Cars, motorcycles, trucks, and buses all handle differently. A driver near you on the road may not know how to deal with some situations. Adjust your speed and position to protect yourself against possible actions of other drivers.

d) Non-motorized roadway users

Pedestrians, bicyclists, and animals are the least protected of all roadway users. They are often the least predictable. Extreme caution should be used whenever they come near the roadway.

3. Predict

After identifying a potentially hazardous situation, the officer must predict what could happen if conditions continue to develop. Officers must anticipate future activity in the total scene which may be important to the safe operation of the emergency vehicle.

Learn to assess the probability and consequences of a collision by answering the following questions:

a) What actions by other roadway users could lead to a collision?

b) How would these actions affect my safety?

c) How likely is it that any of these actions will occur?

d) If a collision should occur, what are the possible consequences?

4. Decide

When you have gathered important information that is available from the road around you and interpreted it, predicting what effect it may have on your intended path of travel, quickly consider all of the possible courses of action and then choose the best one. Your goal is to minimize your risks.
5. **Execute**

Simply stated, this means avoiding collisions. The officer should carry forth the decision, utilize his driving skills, and maintain control of the patrol vehicle within the traffic environment.

These actions should be practiced until they become habit. Remember, this style of driving is an ongoing process. You may be deciding about and reacting to one situation at the same time you are gathering information about a new one. With the development of sound habits, you will be able to follow through and execute your decisions smoothly.

**E. Vehicle Dynamics and Control**

"During the daily operation of a vehicle, most drivers seldom analyze how the laws of physics are acting upon their vehicle. In most cases, the driver will make a series of subconscious adjustments to steering and speed selection that allow for the continued control of the vehicle. This process easily becomes routine, and the driver anticipates a non-eventful drive. However, when there is a need for a dramatic steering or speed adjustment, the driver will react by drawing on his or her impulse, training, and habits. The probability of successfully completing these types of maneuvers is very low. Often the driver will react too slowly or over-react, and the result will be a collision. The successful driver understands how the laws of physics will act on their vehicle and recognizes that these laws are seldom violated without paying a penalty.

Anyone who operates a vehicle, and most especially law enforcement officers, must understand the principles involved in vehicular control. Therefore, a basic understanding of the law of physics and how they apply to vehicle control is necessary.

Vehicle dynamics, as used here, relate to the laws of physics when applied to the motion, or operation, of a motor vehicle - the patrol vehicle. Dynamics is the branch of physics dealing with force as producing or affecting motion. Therefore, vehicle dynamics is dealing with the study of vehicles in motion. All bodies in motion conform to the 'laws of motion' which were first recognized by Sir Isaac Newton over 200 years ago. These are the 'laws of motion' that every vehicle will adhere to no matter what inputs, or the amount of input, the operator provides."
1. Laws of motion

**NOTE:** Show slide, “Laws of Motion.”

a) Every body at rest tends to remain at rest, while every body in motion tends to remain in motion unless acted on by an external force.

b) The acceleration of any body is directly proportional to the force acting on the body, while it is inversely proportional to the mass of the body.

c) For every force exerted on a body by another, there is an equal but opposite force reacting on the first body by the second.

During the operation of a vehicle, the operator seldom consciously analyzes vehicle dynamics. The operator makes a series of subconscious adjustments in direction and speed to allow for continued vehicle control. The operator who understands how the laws of physics act on a vehicle recognizes that you cannot violate them without setting yourself up for an accident.

**NOTE:** Discuss the Law of Physics and their application to the driving task.

2. Basic concepts

**NOTE:** Show slide, “Basic Concepts.”

a) Acceleration

Acceleration is an increase in speed of the patrol vehicle. Acceleration rate, the time it takes to accelerate from a stop to a specific speed, will depend on the mechanical limitations of the patrol vehicle.

To control acceleration, place the sole of your right foot on the pedal, with the back of your right heel at the base of the accelerator, or gas, pedal. It is best to accelerate gradually by gently pressing with the sole of your foot.

Monitor your speed by environmental awareness (sight, sound, feel) or by checking the speedometer.
b) Braking

Braking is the process of removing speed from, or retarding the motion of, the patrol vehicle. Deceleration rate and the time it takes to brake from a specific speed to a stop will depend on the mechanical limitations of the patrol vehicle and environmental conditions.

To control braking, place the sole of your right foot on the pedal, with the back of your right heel on the floor board. It is best to brake gradually by pressing with the sole of your foot. The amount of brake pressure will depend on the vehicle, environmental conditions, vehicle speed, and the amount of space allowed for your movement. Avoid left foot braking except in extreme emergency situations.

The braking system of the vehicle controls stopping as a result of friction between the wheel discs and brake pads. This friction slows the rotation of the tires and increases the amount of friction between the tires and roadway. When braking occurs, the kinetic energy is changed into heat energy. The heat energy is then dissipated by absorption of the brake surface or radiation from the brake surface, tire surface, and road surface. Operators may experience brake fade which is the failure of the braking system to cool properly, reducing the friction needed to stop the vehicle.

(1) Controlled braking

(a) ‘Early and smooth’ - steady constant pressure early, with a smooth release of pressure as the vehicle slows to a complete stop.

(b) ‘Pumping’ - apply brakes, release, apply again as necessary.

(c) ‘Trail braking’ - light yet consistent pressure to control forces acting on the vehicle.

(2) Sudden stops
‘Threshold braking’ - maximum pressure short of total lock-up, releasing gradually to avoid lock-up while maintaining pressure throughout. This results in maximum braking, a point just before the tires start to slide on a roadway surface. At this point, the friction from the brakes and the friction between the tires and the road are nearly equal in converting kinetic energy into heat energy.

(3) ‘Lock-up’ brakes

(a) Front wheel lock-up causes reduced braking and loss of steering.

(b) Rear wheel lock-up causes reduced braking and vehicle rotation.

(c) All wheel lock-up causes reduced braking and results in loss of control.

Patrol vehicles equipped with anti-lock braking (ABS) systems provide threshold braking when the operator applies constant pressure to the brake pedal. Operators may sense, or feel, the pumping action of the braking system but should continue to maintain constant pressure on the brake pedal.

c) Steering

Steering is the process of guiding or directing the path of travel for the patrol vehicle. Steering rates will vary depending on the amount of directional change needed.

To control steering, the hands should grasp the steering wheel at approximately the 9 o’clock and 3 o’clock positions. The seat should be adjusted so that the upper arms are lightly resting against the rib cage, or slightly extended.

Steering requires less input when the patrol vehicle is backing. Sharp or excessive steering changes while backing may cause the patrol vehicle to exceed its physical limitations.
d) Tracking

Tracking is the process of keeping the patrol vehicle on the intended path of travel you have selected. It is accomplished by making needed steering adjustments.

(1) Tracking in a straight line

The steering adjustments you will have to make on a straight line are small but critical.

(a) Keep your hands in the proper position on the steering wheel.

(b) Search far enough ahead to identify any needed steering adjustments so they can be made gradually.

(2) Tracking on turns

Tracking smoothly through a turn requires much more steering-wheel movement.

(a) Gradual turns can be accomplished by maintaining hand position while turning the steering wheel.

(b) Sharp turns will require you to use the hand-over-hand technique to accomplish the maneuver.

(3) Tracking during forward movement

The rear tires follow the front tires only when the vehicle is moving straight ahead. During any forward turning movement, the rear tires will track to the inside of the front tires. You will need extra space so that the rear of the patrol vehicle does not hit any object that you may be steering around.

(4) Tracking during backward movement
When you are backing up and turning, the rear of the patrol vehicle will move in the direction the steering wheel is turned, and the front tires will track to the outside of the rear tires.

e) Energy of motion (kinetic energy)

Kinetic energy is the energy of motion. The word kinetic comes from the Greek work meaning "to move." Kinetic energy, or energy of motion, is sometimes referred to as momentum, but it is not the same.

The amount of kinetic energy present for a moving patrol vehicle may be determined by using a scientific formula. The variables in the formula for determining kinetic energy are the vehicle's weight and speed. If you double the vehicle's weight, you double the amount of energy. If you double the vehicle's speed, you quadruple the amount of energy.

The amount of kinetic energy will affect how the vehicle maneuvers. The vehicle's kinetic energy must be changed to another form of energy, such as heat energy, before any change is produced.

f) Gravity

Gravity is an invisible force that pulls objects toward the ground. Gravity gives objects their weight, the amount of pull that gravity exerts on an object. All the weight of an object, such as the patrol vehicle, is distributed evenly around a point called the object's center of gravity. Changes in the vehicle's center of gravity will affect how the vehicle handles. Gravity will affect the stopping distance of a vehicle depending upon the grade of the roadway.

g) Friction

Friction is the resistance between two objects when they rub against each other. Friction is a force which always acts in the opposite direction of the motion, or force, applied. It can be termed as one force pushing against another. There are two friction points that control the movement of a vehicle: between the brake pad and
brake rotator/drum, and between the tire and road surface.

h) Inertia

The first of Sir Isaac Newton’s three laws of motion is called the law of inertia. The law of inertia states that an object in motion will continue to move in a straight line unless some force acts against it. An object at rest will remain at rest unless some force acts on it. Inertia then is the tendency of an object in motion to resist any change in direction and of an object at rest to resist motion.

i) Centrifugal force

Centrifugal force is the term used to describe the force that tends to push a moving object out of a curve. The amount of centrifugal force may determined by using a scientific formula.

j) Centripetal force

Centripetal force is that force which pushes a moving object from a straight line into a curved path.

NOTE: Discuss these forces with the students as to how they relate to their past driving experiences. Also, discuss how these forces will relate to their future law enforcement driving experience.

F. Factors that Influence the Stopping Distance

“The stopping distance is the distance measured from the location where the operator sees a hazard or reason to cause him to stop the vehicle, to the location where the vehicle stops. Three events must occur. The driver identifies the reason for stopping (perception), decides in fact to stop (decision) and physically reacts with pressure on the brake pedal bringing the vehicle to a stop (performance). Should either of these events be delayed or extended, the potential for collision will increase.

NOTE: Show slide, “Perception, Decision, and Performance.”
The three components of the driving system are all factors involved in the process of stopping a vehicle.

NOTE: Show slide, "3 Components."

1. Environmental factors
   a) Road surface: dry, wet, surface debris, type
   b) Road design: flat, uphill, downhill, curve, crowned, banked
   c) Visibility relative to perception time: weather conditions, light conditions, other traffic
   d) Weather conditions: rain, snow, wind, sleet, standing water

2. Vehicular factors
   a) Tires: pressure, tread
   b) Brakes: type, maintenance
   c) Suspension system: shocks
   d) Weight: distribution

3. Driver factors
   a) Perception skills: conscious observations of a problem, anticipation
   b) Attitude: desire, risk acceptance
   c) Attention span: distractions, concentration levels
   d) Physical reaction capabilities: coordination, braking method, body control
   e) Physiological impairments: eyesight, substance abuse, fatigue
   f) Emotional control: confidence, experience
G. Driving Maneuvers that Frequently Contribute to Law Enforcement Vehicular Collisions

NOTE: Show slide, "Why Are We Wrecking?"

It is important for the officer to identify situations which result in a high incidence of collision involvement while performing routine driving tasks. Collision prevention requires a conscious identification of specific acceptable driving behaviors and motivation to develop these behaviors into driving habits.

NOTE: Instructors should provide actual collision data for their local agencies that indicate the contributing factors for their accidents.

NOTE: Instructors may refer to the practical exercises when discussing these maneuvers to assist the trainees in their understanding.

NOTE: Instructors should demonstrate these maneuvers after the lecture portion. This may be done on the driving range or a local street.

1. Backing

NOTE: Show slide, "Backing."

Over 50% of all non-emergency law enforcement related collisions occur while the patrol vehicle is moving backwards. Officers need to complete backing maneuvers at a point when there is the least amount of vulnerability and with full vehicular control.

The following methods are suggested to aid the officer when completing backing maneuvers.

a) Straight line backing

(1) Blow the horn to alert other drivers and pedestrians that you are intending to move backwards.
(2) Check mirrors and blind spots.

(3) The driver’s upper body should be turned so that the driver is looking out the rear window.

(4) The left hand is on the steering wheel at the 12 o’clock position.

(5) Have a clear and unobstructed view to the rear.

(6) Accelerate lightly.

(7) There should be minimum hand movement on the steering wheel.

(8) Continue looking out the rear window until the patrol vehicle has come to a complete stop.

b) Backing and turning

(1) Blow the horn to alert other drivers and pedestrians that you are intending to move backwards.

(2) Check mirrors and blind spots.

(3) Properly position the hands on the steering wheel.

(4) The driver’s body is turned to look out the rear window, in the direction the rear of the patrol vehicle will travel.

(5) Frequently check the vehicle’s front corners while turning.

(6) Turn the steering wheel with a firm control of the hands, hands always on the wheel.

(7) Maintain speed control: in close quarters, creep the vehicle.

(8) Continue looking out the rear window until the patrol vehicle has come to a complete stop.
(9) If you need to reevaluate vehicle position, stop and recheck mirrors and blind spots. At times, it may be necessary to exit your vehicle to complete this task.

If backing is necessary, do the backing when first arriving at the location rather than when leaving.

2. Parking

NOTE: Show slide, “Parking.”

a) Perpendicular or stall parking

Back into a perpendicular parking space is recommended. If you back into a parking space, you can get into and out of a tighter area than if you pulled in forward. When a vehicle is backed into a space, the officer is able to quickly and safely move the vehicle out if an emergency situation develops.

(1) Perpendicular parking procedure

(a) Activate turn signal.

(b) Move forward and stop the patrol vehicle when you have full view of the parking space. Ensure that there are no hazards present that would cause a collision.

(c) Move forward and stop beyond the parking space.

(d) Using proper backing procedure, move slowly backwards steering the patrol vehicle into the parking space.

(e) Center the patrol vehicle in the space and stop backing when the patrol vehicle is aligned with the parked vehicles on either side.

(f) Shift the transmission into park and set the parking brake.
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(2) Exiting a perpendicular parking space:

(a) Check traffic and move forward when it is safe to do so.

(b) Gradually begin to steer in the direction you wish to go, remember to check the sides of the patrol vehicle to prevent hitting the parked vehicles on either side.

(c) Accelerate into traffic flow.

b) Angle parking

Angle parking is used when there are 30-45 degree angle parking spaces. This type of parking is designed for head-in parking.

(1) Angle parking procedure

(a) Activate turn signal.

(b) Move forward until you can see into the parking space.

(c) Turn the steering wheel sharply in the direction you are attempting to park and move slowly into the parking space. Check the sides of the patrol vehicle to prevent hitting another object.

(d) As the front of the patrol vehicle enters the parking space, adjust steering and center the patrol vehicle in the parking space.

(e) Pull forward until the patrol vehicle is aligned with the parked vehicles on either side.

(f) Shift the transmission into park and set the parking brake.

(2) Exiting from an angle parking space
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(a) Check for traffic, both vehicular and pedestrian, all around the patrol vehicle.

(b) Using proper backing procedure, move slowly backwards gradually steering out of the parking space. Remember to check the front of the patrol vehicle to prevent it from hitting another parked vehicle.

(c) Continue backing slowly until the patrol vehicle is centered in the traffic lane.

(d) Accelerate into traffic flow.

c) Parallel parking

Parallel parking is used for backing between two vehicles that are parked next to a curb.

(1) Parallel parking procedure

(a) Activate turn signal.

(b) Stop the patrol vehicle parallel to the front parked vehicle and approximately 2-3 feet to the left. The center door post of the patrol vehicle should be even with the center door post of the parked vehicle.

(c) Using proper backing procedures, turn the steering wheel sharply to the right and move the patrol vehicle backwards until approximately a 45 degree angle with the roadway. Your center door post should be even with the rear bumper of the parked vehicle.

(d) Straighten the steering and back until the front of the patrol vehicle will clear the rear bumper of the parked vehicle.

(e) Turn the steering wheel sharply to the left, remember to check the front of the patrol vehicle to make sure that it does not hit the parked vehicle, and back into
the parking space. Keep looking to the rear and stop before making contact with the parked vehicle to the rear.

(f) Straighten the front wheels and center the patrol vehicle in the parking space.

(g) Shift the transmission into park and set the parking brake.

(2) Exiting from a parallel parking space

(a) Using proper backing procedures, back the patrol vehicle to within approximately one foot of the parked vehicle to the rear.

(b) Check traffic and activate turn signal.

(c) When it is safe to exit the parking space, turn the steering wheel sharply to the left and move forward until the patrol vehicle is at an angle of approximately 45 degrees.

(d) As the patrol vehicle exits the space, start adjusting the steering to the right to enter the traffic lane. Check the position of the patrol vehicle in relation to the front parked vehicle, being careful not to scrap it or catch the bumper on the way out.

(e) Accelerate into traffic flow.

3. Turnabouts

NOTE: Show slide, “Turnabouts.”

Turnabouts are maneuvers that allow you to reverse direction. All turnabouts create potential hazards. Never attempt a turnabout in a location where there is not a sufficient field of vision such as just over hills, just around curves or other blind spots.

a) Right-side road turn
This is the least hazardous turnabout.

Select a side street, alley, or driveway located on the right that provides a good field of vision and is free of traffic.

1. Activate turn signal.

2. Stop the vehicle just past the street, alley, or driveway that you have selected to use.

3. Using proper backing procedures, look over your right shoulder, then back into the side street, etc. Remember to check the vehicle’s front with repeated glances to make sure it is not about to hit anything.

4. Stop when the front of the vehicle is clear of the traffic lane.

5. Signal your intention, check traffic, and leave when it is safe to do so.

6. Accelerate into traffic flow.

b) Left-side road turn

Select a side street, alley, or driveway located on the left that provides a good field of vision and is free of traffic.

1. Activate turn signal.

2. When roadway is clear of oncoming traffic, turn left into the street and stop when the rear of your vehicle is clear of the traffic lane.

3. Check traffic, use proper backing procedures, look over your right shoulder, and back into the right lane of the roadway. Remember to check the vehicle’s front with repeated glances to make sure it is not about to hit anything.

4. Accelerate into traffic flow.

c) "U" turn
The "U" turn is the easiest turnabout to make, but it requires a wide street in which to do it.

1. Activate turn signal.

2. Pull the patrol vehicle as far to the right as possible and bring to a complete stop.

3. Check traffic in both directions and activate turn signal.

4. When safe to do so, move forward, quickly turning the steering wheel all the way to the left until the patrol vehicle has completed the turn.

5. Check traffic, signal intention, and pull into traffic lane when safe to do so.

6. Accelerate into traffic flow.

d) "Y" turn

The "Y" turn is the most hazardous turnabout because you must stop the patrol vehicle in traffic twice and you will back across both lanes of traffic. This turnabout should only be used when the street is too narrow to make a U-turn, there is no side street, alley, or driveway to make a side turn, traffic is light and visibility is very good. Never attempt a "Y" turn near an intersection, curve, or crest of a hill.

1. Activate turn signal.

2. Slow the patrol vehicle to a near stop and pull far to the right, stopping at approximately a 15 degree angle with the roadway.

3. Check traffic.

4. Signal your intention, use proper backing procedures, quickly turn the steering wheel all the way to the left.

5. When safe to do so, back the patrol vehicle to the opposite side of the roadway.
(6) Check traffic, adjust steering move into traffic when it is safe to do so.

(7) Accelerate into traffic flow.

4. Turns

NOTE: Show slide, “Turns.”

By using acceptable methods for turning, the officer will develop habits that reduce the chances of being involved in a collision.

a) Activate turn signals.

b) Get the vehicle's speed reduced prior to beginning the turning maneuver.

c) Search the direction of the turn prior to beginning and during the turning maneuver to ensure that the intended path-of-travel is clear.

d) Maintain proper tracking control.

e) Keep braking forces applied until halfway into the turn.

f) Utilize the hand-over-hand steering technique for positive steering control.

g) Accelerate after the turning maneuver is complete.

5. Lane change

NOTE: Show slide, “Lane Change.”

If it is necessary to change lanes -

a) Search the adjacent lane to determine if there is space available, a clear path, or other problems existing in that lane.

b) Activate turn signals for a minimum of 3 seconds prior to beginning this maneuver.
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c) Visually check the direction, including blind spots that you intend to move.

d) Maintain proper tracking control by utilizing slight steering movements or adjustments.

e) Adjust the patrol vehicle’s speed during the maneuver to avoid interfering with the flow of traffic in the other lane.

6. Speed control

NOTE: Show slide, “Speed Control.”

Collision data for law enforcement officers indicate that collisions resulting from driving too fast for conditions occur most often in approaching the following locations:

a) Intersections

(1) See and search the intersection at least 12 seconds ahead.

(2) Check the mirrors for an update of rear traffic.

(3) Select the best lane and positioning for negotiating the intersection.

(4) Search left, front, right intersection locations for potential or actual hazards, especially restrictions to the line-of-sight.

(5) Maintain speed control by either covering the brake or braking prior to the intersection if you detect any hazards.

b) Hills

(1) Determine the hill grade by observing other vehicles appearing or disappearing.

(2) Search for possible escape routes.

(3) Check mirrors for close or fast approaching vehicles.
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(4) Maintain or extend proper following distance.

(5) Reduce speed if you are unable to apply the 12 second visual lead time.

(6) Avoid any extreme movements to either side of the lane.

(7) Observe other vehicles ahead to determine if the path of travel is clear.

c) Curves

(1) Search the curve to determine sharpness.

(2) Search for possible escape routes.

(3) Check mirrors for close or fast approaching vehicles.

(4) Maintain or extend proper following distance.

(5) Establish speed control prior to beginning the curve’s steering maneuver.

(6) Maintain proper tracking control.

(7) Reduce speed if you are unable to apply the 12 second visual lead time.

(8) Accelerate only after the vehicle is beyond the halfway (apex) point in the curve, and you can visually determine that the path of travel is clear.

d) Rain or wet road surface

Excessive speed and water on the road surface can produce hydroplaning—when the tire footprint rides up on the standing water. As the tire begins to hydroplane, the footprint clears the road surface and there is no traction between the tire and the road surface. There is much loss of control. The speed that a vehicle will
experience hydroplaning is determined by the speed, tread depth of the tires, and tire pressure.

7. Passing other vehicles traveling in the same direction

**NOTE:** Show slide, "Passing."

Passing another vehicle on a two lane roadway is extremely dangerous. Time and distance judgments are very critical for this type of maneuver.

a) Search ahead of the vehicle to be passed to ensure that there are no obstructions that would prevent you from returning to the right lane once the passing maneuver is complete.

b) Search the roadway ahead for oncoming traffic, intersections, curves, or hills. Make sure there are no other vehicles present, or signal to move into your intended path of travel.

c) Check mirrors for vehicles following to ensure that they have not began a passing maneuver of your vehicle.

d) Activate turn signals for a minimum of 3 seconds prior to beginning the maneuver.

e) Signal the driver of the vehicle that you intend to pass by sounding your horn, or at night flashing your bright lights several times very quickly.

f) If the roadway ahead is clear, visually check your blind spot, follow proper lane change procedures, and accelerate as needed.

g) Continue searching the roadway ahead for possible hazards.

h) After the vehicle you have passed has disappeared from your peripheral vision, quickly check your rear-view mirror. When you can see both headlights of the vehicle you have just passed, follow proper lane change procedures and return to the original lane."
NOTE: Show slide, "Avoiding a Collision."

As with all vehicle operators, the patrol officer is also responsible for avoiding a collision. This can become very difficult at times because officers are required to respond to emergency situations.

1. "While responding to an emergency, the urgency for response, increased speed, and emotional involvement tend to distract officers from the perceptual demands of driving. Collision avoidance maneuvers become more critical and necessary as the driving and pedestrian public react or fail to react to the emergency warning devices.

2. There are two primary methods that can be used for collision avoidance:
   a) Quick, sudden braking.
   b) Evasive steering or sudden lane change.
      (1) Usually performed when the driver's intended path-of-travel is suddenly blocked by an object, pedestrian, or other vehicle.
      (2) The driver should position the hands at the 9-3 steering location.
      (3) The driver should turn the steering wheel no more than ½ rotation in the necessary direction and return the wheel twice as far in the opposite direction and finally straighten the wheel. A third steering movement of a lesser amount may be necessary to keep the vehicle's rear end from swaying.
      (4) This maneuver requires available roadway to the sides, allowing for lateral vehicle positioning.

3. Assuming a collision will happen, there are ways to reduce injury and damage to the vehicle.
   a) Avoid having the collision take place in the driver's quarter of the vehicle.
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b) Try to strike the object on an angle, thus deflecting some of the impact forces.

c) With safety belts on, the officer can maintain body control and survive a 60 mph impact force.

d) Maintain steering and braking control to avoid colliding with additional objects after the first collision.

4. Under emergency response conditions, the potential for collision avoidance maneuvers increases. By identifying these methods and identifying personal skills, the student can choose the most appropriate collision avoidance maneuver when necessary.”

I. Emergency Response Considerations

NOTE: Show slide, “Emergency Response Considerations.”

“Emergency response driving is essentially the type of driving necessary to respond to a life-threatening situation, the type of situation where the swiftness of the law enforcement officer’s response can actually diminish or eliminate the ongoing threat to someone’s life. Using this definition for an emergency response, crimes in progress, and incidents involving property damage would be generally excluded from those actually requiring or deserving an emergency response on the part of the officer. Officers in this age of increasing civil litigation can no longer afford to--nor can their department--assume that every call in these categories is, in fact, an emergency.

It could be argued, obviously, that the probability of a rapid, emergency response on the part of the law enforcement officer to the scene of an in-progress serious crime call would result in an on-scene arrest. In reality, however, this is rather remote. Studies have revealed that there is approximately a 35 percent probability of an arrest if the crime is reported while it is still actually in progress, and if the total response time is one minute or less. After that, the probability of a response-related arrest drops dramatically. When the response times exceed 10 minutes, there is no relationship between the time travel interval and the probability of a response-related arrest.

The proper question to be asked when considering the appropriateness of the law enforcement officer’s response to the scene of incidents involving only property loss should be, ‘Is the loss of any amount of property worth the risk of some innocent party being injured or killed because of the inappropriate response of an officer?’ How much
property is one life (yours), or one seriously injured person (you), worth? Since the cause that has produced, or is producing, the property loss is already in operation when an officer is notified of the situation, in most instances there is little for the rapid response of the officer to produce but a report of the incident.

1. Initiating an emergency response

Law enforcement officers, when held responsible for making the emergency response decision, will require certain types of detailed information upon which to base that decision. If an officer is going to develop an effective tactical plan for coping with the call, much less make an appropriate decision about a driving response, they require specific information that answers questions such as:

a) When did the incident occur?

b) Are the suspects still at the scene?

c) How many suspects are involved?

d) Are the suspects armed? If so, with what?

e) What is the exact location of the suspects?

f) What is the description of the suspects?

g) Are there any injured at the scene?

h) What other law enforcement officers or agencies have been dispatched?

i) What other emergency vehicles have been dispatched?

j) Are there any suspect vehicles involved?

Since officers rarely learn about incidents firsthand, it is obvious that those first receiving the call, the telecommunicator, obtain the answers to those and other questions.


2. Factors for emergency response consideration
If the decision to engage in emergency driving operations is the officers’ to make, they should consider the following factors in making such a decision:

NOTE: Show slide, "Factors for Emergency Response."

a) The departmental definition of an emergency.

b) Whether the situation being responded to, based upon the information received and a reasonable judgment therefrom, is a life-threatening emergency.

c) If the speed of their response will diminish or reduce the threat to life.

d) If the call is a crime-in-progress type, the time lapse between the occurrence and the time reported, and if it is known whether the perpetrators are still at the scene.

e) Departmental written guidelines concerning actual emergency driving procedures.

f) Road, weather, traffic conditions, and the distance from the scene of the incident.

g) If the call is a property damage type, whether there exists any threat to human life as in the case of a fire.

h) The number and type of other emergency vehicles responding to the scene.

i) Whether it is more appropriate to expedite the movement of other emergency vehicles through traffic than to engage in an emergency response to the scene.

j) If it is reasonable to believe that the prompt administering of first-aid or other medical assistance will save a life or diminish the effect of injuries.

The consideration of these factors should emphasize the necessity for the law enforcement officer to make a well thought out, rational decision concerning the appropriateness of emergency response driving with a due regard for the safety and well-being of all concerned. It is not a decision to be made.
in haste or on the basis of impulse. In those instances where an emergency driving response is justified, the officer should remember that excessive speeds are seldom, if ever, warranted during the response. Remember, if the nature of the incident is such as to justify an emergency response, then the officer has to get to the scene to be of any assistance in reducing the threat to life.

3. Factors that influence perceptions and judgments during an emergency response

a) Benefits of a systematic driving method

A systematic method of driving should be practiced and positive habits formed during routine driving. The acquisition of sound driving habits is especially beneficial to an officer while responding to an emergency. Responding to an emergency is very demanding upon the perceptual and judgmental skills of the officer in many ways.

NOTE: Show slide of “SIPDE” again.

(1) Searching becomes more demanding because the speed of the vehicle is faster than routine driving. The eyes need to acquire more input in a shorter period of time.

(2) Identifying situations that may become hazardous is more difficult. The effectiveness of the eyes’ central and peripheral visions is reduced and becomes more narrow and blurred as the vehicle’s speed is increased. The driver, in effect, develops tunnel vision.

(3) Predicting how, when the patrol vehicle has its lights and siren on, traveling at a speed faster than the traffic flow, other drivers’ actions are less reliable. Some drivers will over-react to the lights and siren and make a fast braking action; others may make an unexpected steering action.

(4) Deciding with the higher speed, the lack of information, and the lower predictability of how
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the motoring public is going to respond to the emergency vehicle becomes critical.

(5) Executing without accurate decisions precludes proper safe vehicle operation. Also, at higher speeds the acceleration, braking, and steering forces of the vehicle come closer to their threshold of failure.

To control most driving situations, the officer needs a well-defined system of driving that allows quick and accurate observation of the vehicle’s intended path of travel. When the system is correctly utilized, the officer will make the proper "low-risk, high-gain" adjustments during emergency response driving.

b) Psychological factors that affect the officer during emergency response driving

(1) Keeping the mind focused upon the task at hand is necessary in all phases of law enforcement work. It becomes even more critical when involved in an emergency situation. Gathering and maintaining control will work in the officer’s favor.

NOTE: Show slide, "Psychological Factors Affecting Emergency Response."

(a) Risk management is the constant need to compare the risk being taken with the gain anticipated. Incorporate "low-risk with high-gain" as a style of driving.

(b) Aggressiveness is an emotional display of energy. Often it is "high-risk, low-gain" and distracts from the driving task.

(c) Assertiveness is usually a show of confidence in knowing that the decisions and skills used will work. One can be assertive without being aggressive.

(d) Confidence levels can be developed by success in previous emergency responses.
Confidence, however, does not guarantee success.

(e) **Attitudes and values** can overwhelmingly affect decision-making. The best time to expose improper attitudes and values is in a controlled environment. Legal restrictions should also be considered.

(f) **Emotions** are an overwhelming factor in decision-making. Emotions can be controlled through a combination of knowledge, analysis of the driving conditions, and risk or gain assessment. Emotions can not be completely eliminated, but they can be controlled.

(g) **Patience** is an officer's ability to look at an emergency situation logically. Decision-making should be based on a "low-risk, high-gain" attitude.

(h) **Stress** is inversely proportional to control. As the officer loses control of the vehicle or space around the vehicle, stress increases. Stress can be used as a gauge for measuring how much control exists during the emergency response.

(2) Knowing one's own abilities and limitations can influence the outcome of an emergency response. The actions taken by an officer will have an impact on the general public. They can have an impact on fellow officers as well. Having a good attitude and exhibiting quality behavior in emergency situations will serve everyone.

(3) When the officer concentrates on the various psychological factors that affect emergency response driving, the chances increase for vehicle control and acceptable decision-making. The end result is an officer who not only arrives at a desired destination, but who also arrives psychologically in control.
Physiological factors that affect the officer during and after emergency response driving.

(1) Keeping the body attuned to the task at hand is necessary in all phases of law enforcement work. It becomes even more critical when involved in an emergency situation. The ability to maintain control of physiological functions will work in the law enforcement officer's favor. Physiological factors that need to operate effectively to maximize response capability include:

NOTE: Show slide, “Physiological Factors That Maximize Response Capability.”

(a) Vision
   i) Acuity
   ii) Depth perception
   iii) Field of vision
   iv) Color vision
   v) Night vision

(b) Hearing
   i) Tuning ‘in’
   ii) Tuning ‘out’
   iii) External interference

(c) Sensory
   i) Equilibrium
   ii) Touch
   iii) Sensations

(d) Smell
i) Gasoline
ii) Propane
iii) Fire
iv) Chemicals

(e) Timing
i) Coordination
ii) Reaction

(2) The true challenge for the officer is to learn a sensitivity to these physiological factors. The sooner the officer realizes a change is developing, the earlier that officer will be able to make appropriate driving adjustments.

(3) Understanding one's capabilities can influence the outcome of an emergency response. Being aware of what is going on in the environment and within oneself will enhance response capability.

J. Driving at Night

1. Routine night driving

Since officers perform forty percent of their duty time in darkness or low-light conditions, being able to safely drive and maneuver a patrol car becomes a critical skill. Driving at night presents several problems. "Aside from reducing the detail of objects, the darkness tends to conceal hazards. This presents situations where officers must make decisions based on sketchy or incomplete information. At night, it is much more difficult to judge speed and position. Adequate highway lighting is not always available, requiring officers to depend largely on their headlights. Headlights typically illuminate only a relatively short and narrow path in front of the vehicle and will not bend around corners. During periods of darkness the following should be considered.

NOTE: Show slide, "Driving at Night."
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a) Increase sight distance by keeping the headlights clean and properly aimed and the windshield clean, both inside and out. Ensure that all lights are in good working order.

b) Reduce speed so that you can stop within the visible distance.

c) Keep instrument panel lights dim for better vision.

d) Watch beyond the headlights on or near the roadway for slow-moving or unlighted vehicles, curves, T-intersections, road obstructions or defects, trains, pedestrians, and animals.

e) Avoid looking directly into glaring headlights of oncoming vehicles or staring at bright lights.

f) Increase following distance.

g) Do not wear sunglasses or tinted face shields at night.

h) Turn headlights on promptly at the onset of darkness. Switch to low beam when meeting another vehicle or when following another vehicle within 300 feet. Never drive with only your parking lights on.

2. Factors that influence driving at night during an emergency response

a) *Emergency response driving at night requires special considerations such as:

   (1) Instrument panels should be illuminated with red instrument lights. Studies have shown that these do not interfere with vision outside of the vehicle. Officers should decrease the brilliance to the lowest visible setting. This should also apply to all interior lights such as map lights, dome lights, etc.

   (2) Be aware that tinted glass, which helps keep the interior temperature low during sunny days, also cuts visibility considerably in the dark of night.*
(3) If you wear eyeglasses, ask your doctor for glasses with an anti-reflection coating on the lenses. At least 8 percent of the light is absorbed within a clear glass lens, but the same lens with an anti-reflection coating transmits 99 percent of the light.

(4) Keep the windshield and headlights clean.

(5) Adjust your speed to the range of your headlights. High-beam headlights in good working order will only illuminate the road for approximately 330 feet in front of your vehicle; low-beams illuminate for a much shorter distance. Don’t outrun your headlights.

(6) Keep your eyes moving. Don’t focus on the middle of the lighted area in front of the vehicle, but search the edges of the lighted area. Look for other patches of light which would indicate approaching vehicles from over hilltops, around curves, and at intersections. Avoid looking at distracting lights such as neon signs or brightly lit buildings; try to concentrate on street-level activities.

(7) Use your lights wisely. Use high-beams when possible. Switch to low-beams when following another vehicle or encountering oncoming vehicles. Flash your headlights as a signal when overtaking and passing another vehicle.

(8) Increase the following distance between your vehicle and the vehicle ahead. The general rule of following, 2 seconds, should be increased to 3 seconds.

(9) Be aware of the possible glare that can occur in vehicles equipped with a shield.

b) Generally, you cannot see as well in the dark as you can in the light. The ability to see in reduced light varies from person to person. Just because you can see well in the daytime does not mean that you will be able to see well at night. If you drive at night, and law
enforcement officers do, it is wise to travel at slower speeds, leave more space between your vehicle and the vehicle that you are following, and make sure that your windshield and headlights are clean. Most importantly, DO NOT OUTRUN YOUR HEADLIGHTS."

K. Pursuit Driving Considerations

NOTE: Show slide, "Pursuit Driving."

“Law enforcement officers will continually face a number of potentially deadly situations throughout their careers. The type of deadly situation that comes to mind most often is confronting an armed suspect. However, operating a law enforcement vehicle in a pursuit situation exposes the officer, and the public, to a far greater danger. The deaths and injuries of officers resulting from vehicle collisions outnumber those that result from armed confrontations.

There is nothing glamorous or desirable about being involved in a vehicular pursuit. Officers must view pursuits for what they are: potentially life-threatening situations. The pursuit, when compared to other types of law enforcement activities, carries a greater risk for injury to the public, the violator, and the officer. Despite these risks, the nature of law enforcement work often requires officers to engage in pursuits in order to effectively enforce the laws.

Operating a law enforcement vehicle in a pursuit situation is a highly stressful and demanding experience. Pursuits involve unique responsibilities and critical decision-making requirements. During the duration of a pursuit, officers must rely on their maturity, patience, experience, and training while being governed by statutory law and agency policy.

Pursuit driving is not racing. It is not a contest between the violator and officer. There is no room for machismo, egotism, or thrill-seeking officers. Good pursuit drivers are made, not born, through effective training that emphasizes the skills to conduct an effective pursuit.

This training program will provide guidance for the officer from the initiation of a pursuit through its conclusion. The safety of the public, the violator, and the officer will be emphasized as being paramount to the total pursuit situation.

1. Initiating a pursuit
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NOTE: Show slide, “Pursuits.”

Consideration of these factors will assist officers in determining when to initiate a pursuit.

a) Legal authority and agency policy

The guidelines that are set forth by statutory law and agency policy are not optional. Officers are bound by these restrictions whether they personally agree with them or not. Be absolutely sure what the statutory law and your agency policy allow and DO NOT exceed those limitations.

NOTE: Review and discuss the state statutes and agency policies that will regulate pursuit.

b) Environmental factors

NOTE: Discuss how these environmental factors may affect vehicle dynamics.

(1) Weather conditions affect vehicle operation and must be considered in the pursuit decision. Weather conditions will include rain, snow, fog, sleet, etc.

(2) Traffic conditions such as density, patterns, and speed are conditions that must be considered when pursuing. Not all pursuits will involve high speeds. The speed of the fleeing vehicle will most likely be controlled by this condition. This condition will continually change, requiring constant evaluation and consideration.

(3) Population conditions such as urban areas, school zones, and industrial zones will affect the pursuit. This consideration will include the area that the pursuit is currently within, as well as the area that the pursuit may be entering.

(4) Time of day/day of the week considerations vary continually. Daylight affords the best visibility. Dawn/dusk light tends to distort depth perception. Darkness greatly diminishes
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visibility. Traffic volume in urban areas may increase on certain days of the week. School buses may be operating in rural and residential areas during morning and afternoon hours.

(5) Roadway design and conditions affect the pursuit greatly. The pursuit will undoubtedly create less danger on a four lane divided highway than on a crooked, narrow, two lane rural highway or in a urban residential area. In addition to the design, the condition of the roadway itself may create additional danger. Officers should be aware of any loose material on the road surface and use caution when pursuing on dirt or gravel roads.

(6) Visibility conditions may be affected by other environmental factors. Weather and time of day have the most obvious affect on visibility. The increase of speed will reduce the officer’s peripheral field of vision. Dirty windshields and headlamps can also contribute to this condition. Remember, every time you clean your windshield, clean your headlamps.

c) Vehicular factors

NOTE: Discuss how these vehicular factors may affect vehicle dynamics.

(1) Tires are the single most important component of the vehicle. Tires must be examined daily prior to the vehicle’s tour of duty for tread wear, cuts, bruises, abrasions, and foreign objects that have penetrated the tire. The air pressure must be checked daily and corrected if necessary. If any defect is discovered during the tire examination, the tire must be replaced or repaired prior to beginning the tour of duty.

(2) Brakes are of vital importance in the operation of the vehicle. Officers should remain attentive to the way the vehicle responds during each application of the brakes. Unusual noises, poor response, or brakes pulling in either direction should be checked and corrected immediately. If
the officer should experience any problem with the vehicle’s braking system during vehicle operation, the vehicle should be taken out of service until the problem is corrected. This is especially true during pursuits. Any vehicle experiencing braking problems, including brake fade, should immediately terminate participation in the pursuit.

(3) Suspension systems on vehicles should be checked routinely by appropriate maintenance personnel. Officers should remain aware of the "handling" or "response" of the vehicle. If problems in the suspension develop, the vehicle should be taken out of service until the problem is corrected.

(4) Emergency warning devices are just that, devices designed to warn other motorists of the approach of an emergency vehicle. They are a means of communication. As such, they require that the other motorist first hear or see them, mentally process what they are, and react to them. Officers must be aware of the legal requirements and their agency policy regarding emergency warning devices. The use of these devices does not guarantee the officer safety, authorize the officer to violate legal restrictions or agency policy, or allow the officer to operate the vehicle without due regard for the safety of others. Both audio and visual warning devices should be used during a pursuit. Unmarked vehicles should terminate participation in the pursuit as soon as a marked vehicle can be utilized.

(5) Mechanical failure can be greatly reduced by regular vehicle inspection and proper preventative maintenance. Officers should immediately correct any mechanical malfunction that is discovered during the vehicle's pre-operational inspection or if it occurs during any patrol operation. Any vehicle that experiences any mechanical failure during a pursuit must immediately terminate participation in the pursuit.
d) Human factors

(1) **Psychological** factors that affect an officer’s ability to conduct a safe and effective pursuit include stress and attitude. The stress that an officer may endure during a pursuit is incredible and may possibly affect their ability to make proper judgments and decisions. The officer’s attitude and emotions are also affected by stress. Officers should avoid taking pursuits personally. Officers must control their emotions, remain calm, and stay focused on the task at hand. Failure to do so may cause officers to take unnecessary risks.

(2) **Physiological** factors, such as fatigue or poor physical fitness, are often associated with an officer’s psychological state. Irregular hours, shift work, poor eating habits, secondary employment, and alcohol or drug abuse tend to produce these effects. Officers have a duty to the public, their families, and themselves to remain in top physical condition. Officers who fail to do so should avoid situations as physically demanding as pursuits. This factor affects senses such as vision, hearing, smell, and touch, all of which provide the input data needed for decision making during pursuits.

(a) **Vision** supplies 90-95% of the incoming data. At high speeds, peripheral vision narrows and depth perception is less accurate. Night pursuits will incorporate these along with reduced field of vision and color recognition.

(b) **Hearing** provides input from traffic, your vehicle’s tires, other emergency vehicles, and radios.

(c) **Smell** can help detect and differentiate between odors of gasoline, brake or engine overheating, or electrical shorts.
(d) **Touch** provides input from the hands, feet, and buttocks as to vehicle’s dynamics.

During a pursuit, the body receives an "adrenaline kick" due to the heightened anxiety and emotion, which provides assistance to body functions and reactions. Officers should learn to expect this adrenaline boost and use it to their advantage rather than letting it lead to faulty decisions.

**NOTE: Discuss the stress response.**

e) **Ethical considerations**

The role of the officer during a pursuit must be totally understood. The public generally perceives the officer’s role as a protector of lives and property, and rightly so. Officers must recognize that this role, or duty, extends not only to the public, but to themselves, their fellow officers, and to the violator. Therefore, it is imperative that officers maintain the highest of ethical and professional standards with any involvement in a pursuit situation. An officer’s involvement may entail the role of the primary pursuit vehicle, the secondary pursuit vehicle or may involve no more than the monitoring of radio communications concerning a pursuit being conducted by other officers. The decision to engage in a pursuit will be easier to make than the decision to terminate a pursuit. Involved officers must remain professional, focused on the task at hand and the skills required to complete that task, and not allow themselves to become emotionally or personally involved. While it is true that flagrant violators cannot be allowed to use the highways freely for unlawful purposes, neither can law enforcement officers engage in pursuits with reckless disregard for the safety of the public.

f) **Supervisor/responsibility considerations**

All pursuits must be supervised. During the duration of the pursuit, multiple law enforcement agencies, officers, and vehicles may become involved. Officers must consider the need for assistance and the risk involved in...
obtaining it. No pursuit should involve more than two (2) law enforcement vehicles in direct pursuit—the primary pursuit vehicle and the secondary pursuit vehicle. The primary pursuit vehicle is responsible for the actual pursuit task. The secondary pursuit vehicle is responsible for communications and back-up. Other officers and vehicles should monitor the progress of the pursuit, position themselves to assist if necessary, and maintain radio silence.

g) Violation considerations

Violations may be classified depending upon their increasing threat to the public. The level of continuing threat must be considered when deciding to initiate, continue, or terminate a pursuit. Violations are classified into three categories:

(1) **Non-hazardous offenders**, such as improper registration, improper license, expired inspection and equipment violations deserve the least pursuit consideration as they pose no immediate threat to the public.

(2) **Instantaneous moving violations** are of an intermediate priority. These are situations where hazardous conduct was observed briefly, but the violator resumed normal vehicle operations. These offenses include stop sign violations, improper passing, etc.

(3) **Continuing hazardous moving violators** such as drunk drivers, speeders, and reckless driving present a very substantial threat to public safety and are the highest priority. Likewise, suspects of armed robbery, kidnapping, and violent crimes pose an immediate threat. These individuals should be apprehended as quickly as possible, consistent with the exercise of due regard for the safety of others.

The decision whether to continue the pursuit or to terminate the pursuit is influenced by many factors. The primary consideration is always the safety of the public.
The decision to initiate a pursuit situation will most often be made by the operator of the violator vehicle. Officers must refrain, however, from tactics that tend to invite or encourage violators to flee.

The decision to terminate a pursuit will always be harder to make than the decision to initiate a pursuit. This decision, however, whether made by the primary pursuit officer or a supervisor, must consider all the factors discussed here. Not all decisions can be judged as correct or not; however, processing as much data prior to the making of the decision can help.

Officers must remain constantly aware of their perceptions of the pursuit situation. At no time should an officer allow his desire to capture the violator exceed his ability to safely conduct the pursuit. Police pursuits are not legalized hot-rodning, racing or showing-off of driving skills. Police pursuits at best involve several speeding vehicles upon a highway of unsuspecting motorists that could be easily injured or killed. SAFETY MUST TAKE PRECEDENCE OVER ALL ELSE. Officers must recognize their limitations and the limitations of their vehicles, and these limits must never be exceeded.

The ability to continue making rational decisions during a pursuit situation is extremely important. This ability will be strongly affected by emotions, peer pressure, social image, competition, frustration, attitudes, stress, physiological factors, and prejudices. An officer has to have maturity, experience, training, and a clear mind to prioritize his continually changing perceptions of the pursuit situation. Safety must always remain the first priority of any pursuit involvement.

The ability to perform the driving skills necessary to conduct a successful pursuit are tempered by maturity, experience, and training. Aggressive or assertive driving during a pursuit situation is usually exhibited by the immature or the inexperienced officers. The "police machismo" image tends to influence officers to push themselves too hard during a pursuit, sometimes beyond the point where the pursuit should have been terminated.

2. Continuing the pursuit

Once an officer decides to initiate a vehicular pursuit, pursuit driving tactics and strategies must be utilized. Lacking this
knowledge will increase your probability of being involved in a collision and diminish your chances of successful pursuit termination. Officers should become familiar with the factors involved in conducting a vehicular pursuit. A working knowledge of these factors will greatly enhance the officer’s chance of conducting a successful pursuit.

a) **Following distance** will initially be close, approximately two (2) seconds, the normal following distance, from the violator's vehicle. This distance should be established as soon as practical. At this distance, the violator's vehicle and its occupants can easily be observed. Reducing the following distance below this interval is extremely dangerous and not recommended. The following distance should be increased as the pursuit speed and duration increase. A following distance of three (3) to four (4) seconds will still allow the officer to observe the vehicle while increasing the reaction distance from the violator's vehicle.

Do not attempt to apply psychological pressure on the violator by closing the following distance. There is no substantial advantage to this tactic, and it exposes the violator, officer, and public to unnecessary danger.

b) **Speed** will vary depending upon the existing conditions. Although the speed of the violator's vehicle will greatly influence your speed, you must remember that the pursuit is not a race.

In most pursuit situations, the overwhelming urge motivating the law enforcement officer is to catch the violator. When officers focus upon “catching” the fleeing violator, a phenomenon known as speed progression is likely to occur. This is where the speed of the vehicles involved in the pursuit seems to increase almost as a matter of geometric progression. The faster the fleeing violator goes attempting to escape the officer(s), the faster the officer(s) have to go to attempt to catch the violator, and the faster the violator goes to continue to increase the interval and escape. In this situation, both the violator’s and officer’s emotions are usually out of control. The idea is to maintain the pursuit without losing control of the pursuit.
Pacing a fleeing violator would involve establishing and maintaining a safe following distance behind the violator's vehicle that will permit the pursuing officer to keep the vehicle in sight until assistance arrives. This tactic reduces the likelihood that the speed progression phenomenon will occur. The tactic may also reduce the radical driving maneuvers by the fleeing violator attempting to escape and should allow the pursuing officer to retain a semblance of control over the situation. In addition, pacing allows assisting officers to get into position to provide meaningful assistance. More often than not, it is the visible presence of the other law enforcement officers that convinces the fleeing violator that they cannot escape and that surrender is the only alternative.

Officers must be familiar with their patrol areas, think ahead of the pursuit, and be prepared to adjust their speed in advance to enable maneuvering through intersections, curves, and other obstacles. Be aware of your vehicle’s speed prior to any curves. Avoid crossing the center line, applying the brakes in curves, and approaching intersections at high speeds.

c) Position adjustments must continuously be made in an effort to maintain space around the patrol vehicle and improve line-of-sight.

d) Tunnel vision may occur as a result of increased concentration on the violator vehicle to the level of actually duplicating all the decisions and driving techniques made by the fleeing driver. Officers must recognize and avoid duplicating the violator's unsafe or intentionally hazardous driving tactics. Tactics used by fleeing drivers may include:

(1) **A bee line flight** by simply attempting to out run, or out distance, the pursuing officer.

(2) **Acceleration to a high speed**, loss of sight of the pursuing officer, and then stopping. This may lead to the violator(s) changing positions within the violator vehicle, fleeing on foot, or attempting to hide the vehicle.
(3) Timing, or delaying, driving maneuvers in an attempt to cause an innocent third party to collide with the pursuing officer.

(4) Intentional violation of motor vehicle laws: driving in the wrong lane, driving on the wrong side of a divided highway, driving the wrong way on a one-way street, driving off the roadway, driving across private property, violating speed limits, and ignoring traffic control.

(5) Using their vehicle as a weapon against the pursuing officer.

e) Communication tactics is one of the primary keys to the successful termination of a pursuit. Using communications effectively in the pursuit environment has two primary goals, either of which may involve the coordinated activities of other law enforcement agencies, vehicles, and officers: (1) to enhance the safe passage of the pursuit along the traffic way; or (2) to enhance the likelihood of apprehension by eliminating possible avenues of escape for the fleeing driver.

(1) Communication with the public will be maintained through the use of the patrol vehicle’s emergency warning devices. When properly used, emergency warning devices may enhance the officer’s ability to maneuver in traffic and reduce the risk to self and others.

(2) Communications with other law enforcement officers is critical for successful pursuit termination. Once the law enforcement officer has observed the violation occur and has decided to stop the violator vehicle, effective use of the law enforcement radio is usually the only source of communications with the telecommunicator and other officers. Its effective use is crucial to the success of any pursuit.

(a) The officer will need to master one acceptable way of utilizing the radio in pursuit situations. Individual agency policy and procedure may differ because of
varying requirements. When the officers return to their individual agencies, they should learn and master those requirements and follow them. Accurate and precise use of the law enforcement radio in a pursuit situation becomes more critical because it can:

i) Improve the officer’s effectiveness conducting a successful pursuit.

ii) Increase the likelihood of obtaining help when it is needed.

iii) Make the difference between a successful pursuit termination or an unsuccessful pursuit termination.

(b) To achieve maximum effectiveness, this communications process should begin once the law enforcement officer has observed the violation occur and has decided to stop the violator vehicle. The telecommunicator should be advised of:

i) The identity of the law enforcement officer making the violator stop.

ii) The violator vehicle for the purpose of identification: make, model, year, color, number of doors, any distinguishing marks or characteristics, and registration number.

iii) The current location and direction of travel.

iv) The number of occupants and description.

v) The reason for the stop in specific terms.
vi) The anticipated stop location.

**NOTE: Discuss the importance of communicating the anticipated stop location.**

This information is vital should the traffic stop result in a pursuit situation. It is also good procedure even when the violator complies with the officer’s signal to stop. Whenever possible, all this information should be communicated before the officer actually gives the violator the signal to stop. More often than not, it is the activation of the emergency warning devices in signaling the violator driver to stop that escalates the traffic stop into a pursuit situation. In addition to providing vital information should an actual pursuit ensue, communicating this information before the traffic stop gives the officer one less set of tasks to perform during the conduct of the pursuit, allowing the officer to focus and concentrate upon safe driving practices.

(c) Once a pursuit has begun, presuming the foregoing information has been provided as suggested, the officer’s communications responsibilities shift to keeping the telecommunication center and other officers advised of the status of the ongoing pursuit. To ensure effective communications, officers must remain aware of:

i) **Radio transmission accuracy** - It is important that any information which the officer transmits over the radio be as accurate as possible. Inaccurate information may cause other officers to take inappropriate action and can result
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in a delay when requesting help or assistance.

ii) Tone of voice - Regardless of how accurate and brief the message, when it cannot be understood by the telecommunicator or other officers, it is of no value. The tone of voice should be calm, natural, and relaxed.

iii) Control of emotion - The officer needs a good attitude when transmitting during a pursuit situation. The officer should always strive to be calm. A calm voice is easier to understand than an excited one. The more critical the situation the officer is reporting, the more important it is to transmit clearly. In stressful situations, the rate of speech frequently increases. Consequently, the officer must attempt to control emotions so everyone hears and understands the transmission. Taking several deep breaths prior to a radio transmission will help in controlling rate of speech.

iv) Environmental factors

There are a number of environmental conditions which may impact upon the quality of the officer’s radio transmission. Some common conditions are:

- The siren
- Heavy traffic
- Sudden acceleration
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- Talkative partner
- Tall buildings

v) Transmission content

vi) Law enforcement radio equipment-
The law enforcement radio’s volume should be turned higher. Other noises such as the AM/FM radio or opened windows should be eliminated. Care should be taken to install the radio controls and microphone in a position that affords easy access without visually looking for it. The microphone should remain secured in its holder when not in use.

NOTE: Play audio clip of actual pursuit radio traffic.

NOTE: It is important that officers understand the extent to which communications are essential during a pursuit. Discuss and question students concerning this. Incorporate agency policy if applicable.

(d) The team approach. As an old saying goes, "A car cannot outrun a radio." This saying exemplifies effective communications. The critical participants in the pursuit, and in the resulting radio communications, are the telecommunicator and the officer(s) involved. During the pursuit portion of the communications process, anticipation is the key. Officers involved in pursuits have a tendency to communicate where they have been, rather than where they believe they are going, and that is useless information during the pursuit situation. Cross streets should be announced as they
are approached along the vehicles’ route. The lane position of the fleeing vehicle is an important clue as to its intended action and possible direction of travel. Heavy traffic congestion can literally force the fleeing driver to follow a particular course of travel. Vehicle speed should be periodically announced as a matter of record and to advise other officers, and supervisors, of the progress of the pursuit and its anticipated approach to their location.

i) Assignment of assisting law enforcement officers should be handled by the telecommunications center.

ii) Car-to-car communications should be limited between pursuing vehicles to those absolutely necessary.

iii) To the fullest extent possible, the driver of the primary pursuit vehicle should be free to devote their full attention to the driving task. To facilitate this goal, a secondary pursuit vehicle should be assigned to the active pursuit. This secondary pursuit vehicle should have three primary responsibilities:

- To provide backup to the primary vehicle if and when the violator vehicle is stopped.
- To take over the pursuit from the primary vehicle should it suffer a mechanical breakdown.
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- To assume the pursuit communications responsibilities from the primary pursuit vehicle.

(e) Lastly, and often the forgotten element of pursuit communications, is the need to communicate when and where the pursuit is terminated. A successful pursuit does not end when the violator's vehicle is stopped.

1) If the violator attempts to flee on foot, assisting officers need to know where the foot pursuit started.

2) If the arresting officer(s) need additional assistance in establishing control, their exact location is needed.

As important as radio communications is, it can not exceed the importance of safe patrol vehicle operations. SAFETY MUST TAKE PRECEDENCE OVER ALL ELSE.

3. Terminating a pursuit

NOTE: Discuss this section thoroughly. Ask questions and ensure that students understand the content.

Having to make and implement a decision to discontinue an active pursuit is one of the most difficult decisions a law enforcement officer may have to make. This decision can damage the immature officer’s self-perception. However, it is a decision that officers have to be prepared to make and, if necessary, implement, if the fundamental role of law enforcement in society is to be maintained. Failing to discontinue a pursuit when necessary is to ignore the responsibility to protect the lives and property of others.

NOTE: Show slide, “Failing to Discontinue a Pursuit.”

There are individuals that would maintain that the law enforcement officer is not the one who is placing the lives and
property of others in jeopardy during the pursuit; that it is the fleeing violator that is doing so by their attempts to evade apprehension. Still, others would maintain that it is the actual pursuit by the law enforcement officer that is causing the unsafe driving behavior of the fleeing violator and thus placing the lives and property of others in jeopardy. Is it the cause of the unsafe behavior that is placing the lives and property of others in danger that is important, or the fact that the lives and property of others are in fact in danger that is significant here? Obviously, the law enforcement officer has to be concerned with why lives and property are in jeopardy, but the primary concern of the officer should be that their continuance of the pursuit is not the element that increases the hazard to the public. If the lives and property of others are in unnecessary jeopardy, and discontinuing the pursuit is the most effective means for reducing that threat, then the pursuit has to be discontinued. A failure to do so in these conditions abrogates the most fundamental law enforcement responsibility.

SAFETY MUST TAKE PRECEDENCE OVER ALL ELSE.

a) Some factors to consider in determining whether to discontinue a pursuit or not are:

NOTE: Show slide, "Termination Factors."

(1) Do the hazards of continuing the pursuit outweigh the hazards of the violation?

(2) Can an arrest be made at a later time because the operator of the violator vehicle has been identified?

(3) Has the pursuing officer lost sight of the fleeing vehicle for an appreciable length of time that would cause the pursuing officer to question the location of the violator vehicle?

(4) Have conditions changed appreciably since the pursuit begin?

(a) To the violator's vehicle

(b) To the patrol vehicle

(c) To the environment
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(d) To the officer

b) Once the pursuing officer makes the decision to terminate a pursuit, the following tasks should be performed:

**NOTE: Show slide, “Termination Task.”**

1. The location and direction of travel for the violator’s vehicle should be given to the telecommunications center and broadcast to the other officers.

2. The pursuing patrol vehicle’s emergency warning devices should be turned off.

3. The pursuing patrol vehicle should be parked allowing for the officer’s psychological and physiological conditions to normalize. The pursuing officer should remain parked until these conditions have normalized.

4. Typical pursuit strategies

**NOTE: Instructors should include their agency’s policy and procedure here.**

a) No more than two (2) law enforcement vehicles should be involved in direct pursuit. This will prevent caravanning which serves no useful purpose.

b) If possible, the initiating officer should be replaced and removed from the pursuit situation. This will allow the pursuit to be conducted by officers that are not as emotionally involved.

c) Unmarked vehicles, covert surveillance vehicles, vans, motorcycles, and law enforcement vehicles with civilian passengers should not be involved in the pursuit. If the pursuit is initiated by an unmarked vehicle, the unmarked vehicle should relinquish the pursuit to the first available marked vehicle.
d) Inability to see approaching traffic at an intersection requires a full stop prior to proceeding.

e) No ramming, blocking, fixed or moving roadblocks are used unless deadly force is authorized.

f) No shooting at, or from, moving vehicles is done unless the public threat, increased from not apprehending immediately, is serious and imminent.

g) Emergency warning devices are to be in operation at all times. Remember that emergency flashers in operation will prevent you from indicating directional changes.

h) Maintain good driving techniques, both hands on the steering wheel, proper use of restraining devices, and proper braking.

i) The interior of the law enforcement vehicle must remain free of loose objects. In case of a collision, any loose object inside the vehicle is a potential missile which can severely injure any occupants.

5. Successfully terminating a pursuit

Successful termination of a pursuit will result in the effective apprehension of the violator(s). An officer’s responsibility for the protection of the public continues even after the pursuit ends. Another responsibility will begin with the end of the pursuit, the responsibility for the safety of the violator(s). If officers fail to recognize, and more importantly, control the psychological and physiological changes that may have occurred during the pursuit, the apprehension of the violator(s) may result in excessive force. The violator must be controlled; however, no more force than is necessary to obtain that control can by used. Refer to the following Basic Law Enforcement Training topic areas for guidance in effecting an arrest:

a) Subject Control/Arrest Techniques

b) Traffic Enforcement

c) Laws of Arrest, Search and Seizure/Constitutional Law
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L. Types and Limitations of Emergency Warning Devices on Law Enforcement Vehicles

NOTE: Show slide, "Emergency Warning Devices."

1. “When properly used, emergency warning devices will enhance the officer’s ability to maneuver in traffic and reduce the risk to self and others.


"Upon the approach of any police . . . vehicle giving warning signal by appropriate light and by audible bell, siren or exhaust whistle, audible under normal conditions from a distance not less than 1,000 feet, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb, . . ."

Officers should NEVER pass to the right when the emergency warning devices on the law enforcement vehicle are in operation.

a) Even during daylight, headlights should be used in conjunction with the emergency overhead lights.

(1) Headlights are usually more discernible than required blue lights, both the overheads and dash mounts, in the daytime.

(2) Most drivers will see headlights before they hear the siren or see the blue lights.

(3) Although the emergency flasher lights may be helpful in daylight, their use will eliminate the availability of the electronic turn signals.

b) During hours of darkness, high beam headlights have a tendency to obliterate the emergency lights and blind oncoming drivers.

c) Vehicles owned and operated by a law enforcement officer may, or may not, be required by statute to be equipped with a siren. The siren is authorized to be used by the officer “at all times while engaged in the performance of their duties . . ."
d) Emergency lights and sirens are not substitutes for caution and utilization of mastered driving skills.

e) Various factors affect the siren’s audibility and the light’s visibility.

(1) Weather conditions

(a) The siren may be heard sooner on an overcast or cloudy day.

(b) Siren audibility tends to dissipate into the atmosphere on clear days.

(c) Fog will allow sound to carry through its moisture with a minimum loss of decibels at close range. The greater the distance, however, the greater the sound blockage.

(d) Emergency lights are virtually ineffective in foggy weather.

(e) Inclement weather of any kind greatly reduces the value of lights and siren. The quality of the driving then becomes even more critical.

(2) Vehicular traffic conditions

(a) Sirens become less discernible with the increase of traffic noise.

(b) Large vehicles, such as heavy trucks and buses, will decrease the effectiveness of the siren.

(3) Location

(a) The siren may be less discernible in a residential area. Large trees and hedges tend to absorb sound.

(b) Tall buildings tend to block out, deflect, or tunnel sound transmission. When this
occurs, the value of the siren is diminished.

(c) In flat, open areas the sound of a siren can be heard for a greater distance.

(4) Pedestrian traffic conditions

(a) Emergency lights may not adequately warn pedestrians.

(b) Sirens offer greater warning to pedestrian traffic.

(c) Greater care and caution must be taken in areas congested with foot traffic.

(d) The use of warning devices in school zones are enhanced by a reduction in speed.

(e) Speed control is the preferred response in areas where pedestrian traffic is the norm.

f) Citizens, in respect to driver and pedestrian awareness, are not always attentive so they may not see or hear an emergency warning device. They may be distracted by one or more of the following:

(1) Children misbehaving

(2) Conversation with passenger

(3) Radio on loudly

(4) Air conditioner or heater fan noise

(5) Windows rolled up

(6) Construction

(7) Law enforcement activity in another area

(8) Sight seeing syndrome
Remember, the public may respond to the warning by panic stopping, panic steering, or sudden acceleration.

g) Speed and emergency equipment warning devices

As speed increases, the effectiveness of the siren decreases.

(1) Due to the increase of speed and the resultant increase in feet per second traveled by the emergency response vehicle, other drivers and pedestrians may not have sufficient time to react to the sound of the siren.

(2) As speed increases, a driver may not hear the siren until the officer is one or two car lengths behind the vehicle.

(3) As the officer’s speed increases, the chances of having a collision increase, and the time and distance for processing information and decision-making decreases.

(4) In a test conducted for the U.S. Department of Transportation, test results indicated:

NOTE: Show slide, "U.S. Department of Transportation Statistics."

(a) Approximately 91% of pedestrians could tell where the siren noise was coming from.

(b) Approximately 26% of drivers, with the windows rolled up, could tell where the siren noise was coming from.

(c) Distance effectiveness deteriorated remarkably. Under ideal traffic test conditions, the maximum distance the siren was audible was 440 feet. When all the test subjects’ scores were compared, the average distance came to 125 feet.

h) The lights and siren also affect the officer’s behavior.
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(1) Tunnel vision develops at high speed, and the officer tends to forget that the emergency warning devices are operating.

(2) Speed reference is lost due to the elimination of the sounds of speed, such as wind and engine noise.

(3) Don't succumb to the ‘Invincibility Syndrome.’ The use of emergency lights and siren may provide a false sense of security. These warning devices are there to benefit the public. The responsibility for safe driving rests with the officer.

2. The emergency warning devices are a means of communication. Communication is a process involving the sending of a message, reception of the message, and confirmation of an understanding of the message. When the emergency message is sent early, prior to the arrival of the law enforcement vehicle, the pedestrian and driving public's reaction will be more reliable and consistent.

M. Factors That Contribute to the Effective Use of a Police Radio During an Emergency Response

1. “The officer will need to master one acceptable way of utilizing the radio in emergency situations. Individual agency policy and procedure may differ because of varying requirements.

NOTE: When the students return to their individual agencies, they should learn and master their agency requirements.

NOTE: Show slide, "Accurate and Precise Police Radio Communications."

a) Value and importance of radio skills

Of the many skills that officers are expected to master, few are more important than the operation of the law enforcement radio. Accurate and precise use of the radio in emergency situations becomes more critical.
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(1) Radio skills are important to the officer and to fellow officers because they can:

(a) Improve the officer’s effectiveness by reducing response time in emergency situations.

(b) Increase the likelihood of obtaining help when it is needed.

(c) Make the difference between effective response and ineffective response.

(2) The radio is the officer’s source of communication between the telecommunicator and fellow officers. Use it effectively and efficiently in order to avoid disaster.

b) Radio transmission accuracy

As previously mentioned, ensuring that what an officer broadcasts over the radio during an emergency response is critical. All officers responding will need clear direction and clear fact statements.

c) Tone of voice

The officer’s tone of voice should be calm, natural, and relaxed, just as it is during a vehicle pursuit.

d) Control of emotion

As officers respond to emergency situations, the natural tendency is to experience excitement and urgency. It is difficult for an officer to maintain a calm voice, but it is essential that it be accomplished. Other officers will hear the emotional transmission, and it will affect their responses in a negative manner.

e) Environmental factors

f) Transmission content

The agency’s policy will be the best source of determining exactly what information is to be
transmitted during an emergency situation. There are a number of things, however, that may be consistently included;

(1) Tell the telecommunicator who you are

(2) Advise the dispatcher of your emergency situation

(3) Indicate location and direction

(4) Be brief and concise. Transmit only the information required. If not directly involved in the emergency response, remain off the radio. All personnel should allow the frequency to remain free of unnecessary radio traffic.

g) The team approach

The critical participants in radio communication are the telecommunicator and the officer(s) involved in an emergency situation. Law enforcement vehicles operating with two officers assigned need to agree upon a division of labor during an emergency situation. It is advisable to have the non-driver maintain communication. Officers in single assignment units must exercise greater care and caution when doing both. Remember that the officer can expand the size of the team by providing quality information to fellow officers.

2. Radio communication is more critical in emergency situations. An officer must be prepared to use the radio efficiently and effectively. The ability to do so will enhance the officer’s potential for responding to the emergency situation with quality police work.”

N. Factors in Route Selection for Emergency Response Driving

1. An officer responding to an emergency will want to reach the desired destination as quickly as possible. The officer must do everything possible to ensure a prompt arrival is also a safe arrival. This means selecting the route that is the safest and will ensure the quickest arrival.

2. Route selection factors
a) Space management is most directly affected by traffic density. Avoid roads where heavy or uncooperative traffic patterns exist, especially commercially zoned areas. Avoid roads frequented by slow moving or large vehicles such as tractor-trailers or farm equipment.

b) Avoid locations of heavy pedestrian traffic, such as school zones, busy intersections, bus loading and unloading zones, and parked cars.

c) Avoid slow moving traffic conditions, such as construction zones, special entertainment events, bumper-to-bumper traffic, and rough pavement roads or roads that have potholes, multiple bumps, and non-paved surfaces.

d) Select roads having acceptable line-of-sight conditions. Avoid roads with hills and curves, poor visibility at intersections, or poor visibility due to parked vehicles.

e) One-way streets offer the advantage of avoiding oncoming traffic, but the disadvantage of approaching all vehicles from their rear is this is the area they tend to be least aware of while driving.

f) Traffic density, day of the week, road, weather and visibility conditions are other factors to be considered.

g) An officer responding to an emergency should try to select a route which will offer the following:

NOTE: Show slide, "Selecting the Best Route."

(1) The least amount of steering and speed adjustment requirements.

(2) Approaches to intersections offering acceptable line-of-sight and legal right-of-way.

(3) The quickest, most direct route.

(4) The route that will give the least interference to the emergency warning devices being seen and heard.
(5) The route which is widest and has available escape path to the sides.

(6) The route which will assure safe arrival.

3. Route selection is often a low priority for a non-emergency response. However, proper route selection is critical during emergency response. When an officer "practices" route selection during non-emergency driving, the chance that the best route decision for an emergency response will be made increases. The emphasis should be on arrival at a destination, with speed as the second consideration."

O. Police Driving Legal Considerations

NOTE: Show slide, "Police Driving Legal Considerations."

"Law enforcement officers, like all citizens, are held accountable for their actions. This accountability includes the activities associated with operating law enforcement vehicles. In fact, vehicle operation is one of the so-called "high-risk" areas of liability for law enforcement officers. This potential for liability includes criminal liability, civil liability, and departmental sanctions.

While the inherent risk of liability cannot be eliminated, it can be substantially reduced through a heightened awareness of the basic principles of civil and criminal liability and strict conformance to applicable laws, principles, and policy provisions.

Law enforcement officers cause more injuries as a result of vehicle crashes than they do with intentional use of force. The propensity for intended severe, permanent injury or death and the consequential liability are real and cannot be ignored. Every reasonably well-trained law enforcement officer is expected to understand their duty of care and the legal limitations of vehicle operations, particularly in the pursuit or emergency mode.

1. State tort liability

The primary theory upon which the civil liability associated with vehicle operations will be premised is "negligence," a state tort theory. A "tort" is defined as "a civil wrong, other than breach of contract, for which the court will provide a remedy in the form of an action for damages." Tort law encompasses three
specific types of wrongs: 1) intentional, 2) negligence, and 3) strict liability. Negligence is defined as: "A breach of a legal duty, owed to the plaintiff by defendant which is the proximate cause of an injury to the plaintiff. Negligence includes injury which results from both intentional and careless acts which result in unintended injury." Stated another way, negligence is "a failure to exercise due care towards another."

a) Four elements that a plaintiff must prove by "greater weight of evidence" to prevail under a theory of negligence:

NOTE: Show slide, "Negligence."

(1) The existence of a legal duty
(2) Breach
(3) Proximate cause
(4) Injury

b) Potential plaintiffs

(1) Suspect offender you stop and/or pursue
(2) Passenger in their vehicle
(3) Any person injured by a law enforcement vehicle or a vehicle being stopped or pursued by law enforcement officers.

c) Possible defenses to lawsuit based on negligence

(1) No legal duty owed to plaintiff
(2) No breach of a legal duty
(3) Lack of proximate cause
(4) No injury
(5) Contributory negligence (an affirmative defense)

d) Legal duty
NOTE: Show slide, "Legal Duty."

(1) Common law

To exercise ordinary care (in the operation of vehicle).

(2) Statutory law

Chapter 20 of the North Carolina General Statutes imposes upon all drivers, including law enforcement officers, a duty to operate their vehicles with due regard for the safety of others.

(3) Agency policy

A violation of agency policy may lead to agency sanctions, up to and including, dismissal. A violation of agency policy may be used to prove a lack of ordinary care when the breach of that policy results in some form of injury.

2. Non-emergency driving

NOTE: Pass out handout, "N.C.G.S. 20-168."

An officer who makes driving decisions and performs driving maneuvers in non-emergency circumstances is subject to the same common law standard of care and is governed by the same statutory laws [Chapter 20] as any citizens.

a) N.C.G.S. § 20-168(a) states, in pertinent "... [T]he provisions of this Article [Motor Vehicle Act of 1937] applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles, owned or operated by the State or any political subdivision thereof."

b) Officers engaged in non-emergency driving must comply fully with state traffic law requirements or risk the potential for both criminal and civil liability.

c) In addition to state [Chapter 20] requirements, there may be local (county and/or city) laws which impose
additional obligations or restrictions with respect to the operation of motor vehicles. A violation of a local ordinance may also result in criminal or civil liability or both.

d) An officer who either inadvertently or intentionally runs a stop sign may be held civilly liable for any resultant injury to the same extent as any other driver. The same is true for any other statutory violation; e.g., too fast for conditions, failure to maintain proper lookout, exceeding posted speed limit, defective equipment, etc.

3. Emergency response driving

a) Definition

For legal considerations, emergency response driving includes pursuit driving and any other emergency situation or response where an officer intentionally operates his vehicle in excess of the posted speed limit and/or with disregard for right of way or other rules of the road.

b) Special considerations

When an officer makes the determination to respond to an emergency situation, the identification of pertinent legal restrictions and guidelines becomes critical in order to counteract and neutralize the emotions inherent in such a situation. An officer confronted with a pursuit situation is even more likely to become emotionally involved. The desire for apprehension may lead to tunnel vision and decisions which are fueled by the heat of the moment. Additionally, the officer may not give adequate consideration to the hazard created by the fleeing vehicle and, consequently, may continue a dangerous pursuit even in situations where the necessity of immediate apprehension does not outweigh the degree of danger created by the pursuit. Bad judgment and resultant tragic consequences can best be avoided by constantly reevaluating applicable state statutes, agency policy and public policy considerations during the course of the pursuit or response.

c) Legal duty
(1) Common law

As with non-emergency response driving, the officer has a common law duty to exercise "ordinary care" in the operation of his vehicle (or in the conduct of the pursuit). What constitutes "ordinary care," however, will depend upon all of the existing facts and circumstances then known by the officer or officers involved.

(2) Statutory law

Unlike non-emergency operation of law enforcement vehicles, Chapter 20 does provide officers involved in an emergency vehicle operations limited authority to disregard certain traffic regulations.

d) Specific statutory provisions

(1) Speed of vehicle

(a) N.C. law mandates: "No person shall drive a vehicle on a highway or public vehicular area at a speed greater than is reasonable and prudent under the conditions then existing." (G.S. § 20-141(a).)

(b) There is no statutory exception granted for law enforcement or other emergency vehicles.

(c) As to posted speed limits, however, Chapter 20 provides, in pertinent part: "Unless specifically excepted by statute, it is unlawful for any vehicle to exceed the posted speed limit." (G.S. § 20-141(b).)

(d) The exception for law enforcement vehicles is as follows: Speed limits do not apply to police vehicles when:
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NOTE: Pass out handout, "N.C.G.S. 20-145."

i) Operated with due regard for safety; and,

ii) "Under the direction of the police in the chase or apprehension of violators of the law, or of persons charged with or suspected of any violations of the law (i.e., hot pursuit)." (G.S. § 20-145.)

(e) Broad construction


(f) Additional statutory limitation

G.S. § 20-145 specifically states: "This exception [to posted speed limit] shall not protect the driver from liability as a consequence of a reckless disregard of the safety of others."

(g) Use of emergency equipment

There is no statutory requirement for the operator of a law enforcement vehicle to operate either the visual or audible signal(s) when exceeding the applicable speed limit.

(2) Right-of-way

NOTE: Pass out handout, "N.C.G.S. 20-156."
(a) A vehicle is required to yield the right-of-way to police vehicles at intersections provided that such police vehicles are giving a warning, to wit: blue light and siren audible for at least 1,000 feet. (G.S. § 20-156.)

(b) This statute allows law enforcement vehicles to proceed through intersections even though there may be a red light, or other vehicles that may otherwise have the right-of-way, but only when using both blue light and siren.

(c) As a further limitation, G.S. § 20-156(b) specifically states that this exemption does not relieve the driver from duty to drive with due regard for the safety of all persons using the highway and will not relieve liability for any arbitrary exercise of right of way. See Lopez v. Snowden, 96 N.C. App. 480 (1989) (discussion of factors that may show driver of fire truck operated vehicle "with due regard for plaintiff's safety").

(d) Do not forget about statute G.S. § 20-157.

**NOTE: Refer to handout, "G.S. 20-157."**

(3) The above-stated statutes provides law enforcement officers with certain limited authority to:

(a) Operate their vehicles at speeds greater than the posted speed limit, and

(b) To exercise the right-of-way, contrary to our general statutory scheme; but under no circumstances may a law enforcement officer drive his vehicle in a manner that:

i) Is not consistent with due regard for safety, and,
ii) In violation of the right-of-way laws unless the vehicle has in operation both the blue light and siren.

iii) A law enforcement officer who fails to operate his vehicle with due regard for the safety of others or who runs a red light or otherwise takes the right-of-way away from another vehicle, without having his blue light and siren activated, as required by statute, may be subject to civil liability in the event of property damage or personal injury.

e) Case law analysis (standard of care)

(1) With respect to the operation of vehicles, law enforcement officers have a statutory duty to any foreseeable victim to drive and to pursue offenders in a reasonable and prudent manner.

Case law is used to determine what the standard of care is in a given situation; it is up to the trier of fact (judge or jury) to determine whether the officer breached that standard of care. See Bullins v. Schmidt, 322 N.C. 580 (1988) and Young v. Woodall, 343 N.C. 459 (1996).

(2) When a law enforcement vehicle is involved in an accident, the reasonable, prudent officer standard is:

"The officer is held to the standard of care that a reasonably prudent person (officer) would exercise in the discharge of official duties of a like nature under like circumstances."

(3) When a law enforcement vehicle is not involved in the accident, applicable standard is whether the officers conduct constitutes "gross negligence." Gross negligence is defined as,
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"Wanton conduct done with conscious or reckless disregard for the rights and safety of others."


(a) This case establishes "gross negligence rather than negligence as standard when a police car is not involved in collision."

(b) The Court said high speed pursuits, even at 100 m.p.h., are not necessarily negligent just because others are exposed to a risk created by the pursued suspect.

4. Criminal liability

Law enforcement officers are not, by their status, immune from criminal prosecution for violations of the Motor Vehicle Law. Officers are not above the law. The issue of criminal liability must frequently arise in conjunction with and in addition to the issue of civil liability as it generally arises as a result of a collision involving death or serious bodily injury.


(1) Defendant violated the law with respect to operation of motor vehicle, i.e., even police officer, while in pursuit, must operate vehicle with due regard for safety of others. (Also, note issue associated with use of siren.)

(2) Defendant’s conduct constituted culpable negligence, i.e., reckless or careless behavior that shows a heedless indifference for rights and safety of others (gross negligence).

(3) Result - Not less than one year/not more than three years in prison (a felony conviction and consider its effect on a law enforcement officer’s career, not “just the money”).

b) Bullins and Flaherty, a comparison of relevant factors (What were ten factors considered by Bullins court, and how do they compare with Flaherty?)
5. Administrative/departmental policy considerations

a) An agency’s policy that regulates vehicle operations is critical. These policies should be appropriately drafted to establish guidelines and procedures designed both to protect the public and to guide and direct officers when engaging in non-emergency, emergency, and pursuit operations.

b) Officers must be thoroughly familiar with departmental policy since a breach of that policy may:

   (1) Be admissible to show a "standard of operation" which department determines to be reasonable;

   (2) Be some evidence of negligence (i.e., how the department believes reasonably prudent officer should have acted under similar circumstances); and

   (3) Lead to disciplinary action, may result in the officer’s conduct being deemed to have been outside the scope of his employment and leave him "unprotected" legally and, possibly, may lead to criminal charges.

c) Escorts

**NOTE: Show slide, "Emergency Escorts."**

In some cases, law enforcement personnel may be requested to escort other emergency vehicles. Examples of these requests may include, but are not limited to, fire equipment, ambulances, etc. In these cases extreme caution is required by the officer.

In the event a private citizen requests immediate medical treatment, some alternatives may include, but are not limited to:

   (1) In extreme life-threatening emergencies, officers may transport the injured party to the nearest medical facility in the police vehicle.
(2) Render first aid until arrival of medical personnel.

(3) Provide escort while obeying all traffic laws.

(4) Suggest the motorist proceed to the nearest medical facility obeying all traffic laws.

**NOTE:** Law enforcement personnel should be very familiar with their department's policy regarding escorts, as many departments prohibit emergency escorts.

**NOTE:** Conduct practical exercise using handout, "Agency Policy Evaluation Exercise." It is recommended that students use the current departmental policy of the sponsoring or employing law enforcement agency for the agency evaluation exercise. When the student is not sponsored or employed by a law enforcement agency, or when no agency is available, the “North Carolina Attorney General’s Model Policy Applicable to the Pursuit of Fleeing or Eluding Motorist” should be utilized. This model policy is included as a handout.


a) There are no federal statutes specifically dealing with vehicle pursuit or emergency response vehicle operation.

b) In an appropriate situation, however, an officer may operate the law enforcement vehicle in such a manner as to constitute an abuse of governmental power which "shocks the conscience." In such cases, the officer’s conduct may rise to the level of a federal constitutional violation of substantive due process under the 14th Amendment to the U.S. Constitution. See *Temkin v. Selby*, 945 F.2d 716 (4th Cir. 1991).

c) Advantages to Plaintiff of Section 1983 Claim Over State Tort Claim (Negligence)

(1) Contributory negligence is not a defense.
Law Enforcement Driver Training

(2) May bring action in state or federal court.

(3) Prevailing plaintiff entitled to attorney's fees.

(4) Prevailing plaintiff may be entitled to punitive damages.

(5) Possibly unlimited monetary liability of officer and employer.

7. Roadblocks

NOTE: Show slide, "Roadblocks."

There are times when law enforcement officers will need to establish some sort of roadblock in an attempt to "persuade" the operator of the fleeing vehicle to stop. There are several legal aspects which should be considered prior to utilizing a roadblock to stop a fleeing vehicle. The determinations as to whether to set up a roadblock, where to set it up, and the manner in which it is set up are significant in determining the reasonableness of the officer's conduct and, hence, whether liability may attach.

a) Roadblocks (stationary and running) are acceptable police procedure in certain situations. See Collins v. Christenberry, 6 N.C. App. 504 (1969).

(1) Police have a duty to the general public to attempt to stop and apprehend offenders.

(2) The enhanced risk of injury caused by touching or bumping together of two cars (as in a running roadblock) is primarily a creation of the defendant's own wrongful conduct.

(3) The police duty to enforce laws implies duty to employ reasonable means.

(4) However, police are subject to a standard of "reasonable care."

b) If the use of a roadblock is deemed unreasonable, it may lead to civil liability under any of the following theories:
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(1) Negligence (failure to exercise ordinary care).

(2) Assault and battery (state tort where force used is determined to be excessive under the circumstances).


c) Assault and Battery Analysis Under G.S. § 15A-401(d)

Use of Force in Arrest

(1) Non-deadly force

(a) "To prevent the escape from custody or to effect an arrest of a person who he reasonably believes has committed a criminal offense, unless he knows the arrest is unauthorized; or

(b) To defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape."

(2) Deadly force

NOTE: Show slide, “Deadly Force With a Vehicle."

(a) Self-defense

(b) Defense of others from what officer reasonably believes to be the use of imminent use of deadly physical force.

(c) To effect arrest or prevent escape from custody if:

1) Reasonable belief defendant is escaping by use of deadly weapon, or
2) Indicates he presents a threat of death or serious bodily harm unless apprehended immediately.

(d) To prevent escape of convicted felon.

(e) Caveat - ‘Nothing in this subdivision (G.S. § 15A-401) constitutes justification for willful, malicious or criminally negligent conduct by any person which injures or endangers any person or property, nor shall it be construed to excuse or justify the use of unreasonable or excessive force.’

d) 42 U.S.C. 1983 analysis

(1) A roadblock which causes a motorist to stop is a "seizure" under 4th and 14th Amendments. Whenever an officer intentionally restrains the freedom of a person to walk away, he has seized that person and a roadblock is a type of deadly force [therefore, it opens the door to excessive force claims under 42 U.S.C. 1983]. Therefore, the unreasonable use of a roadblock may constitute an infringement of a constitutional right.

(2) Case law analysis


‘A roadblock is not just a significant show of authority to induce a voluntary stop, but is designed to produce a stop by physical impact if voluntary compliance does not occur, but seizure alone is not enough for § 1983 liability. The seizure must be "unreasonable."’

Remanded to District Court to determine whether seizure was unreasonable (i.e., excessive use of force). (Also, discuss 9th Circuit analysis on remand.)

Officer shot unarmed, fleeing, breaking and entering suspect (youth). The Tennessee statute was held unconstitutional insofar as it authorized use of deadly force against an apparently unarmed, non-dangerous, fleeing suspect; such force may not be used unless necessary to prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious bodily injury to the officer or to others.

(c) Apply *Brower* and *Garner* to roadblock cases.

   i) Roadblocks are a seizure.

   ii) Roadblocks may be deemed deadly force.

   iii) Constitutionally permissible so long as reasonable.

   iv) May be unreasonable absent justification under 15A-401(b).

8. Agency liability

   a) *Respondeat Superior*

   Employing cities, towns, and counties may be held civilly liable for the negligence or willful misconduct of their officers in law enforcement driving situations under a legal theory known as *respondeat superior.*

   Under this theory, the negligence or wrongful conduct of the employee officer is imputed to his employer. This is a legal fiction designed to allow the injured party to reach a "deep pocket" without having to prove fault with respect to the employer.
The public employer is only liable to the extent it waives sovereign immunity by purchasing insurance pursuant to G.S. § 150A-485 or 153A-435.

b) Negligent hiring, supervision, training, or retention

Agencies may be liable under state law for their own negligence under any of these theories if their negligence is determined to be the proximate result of injury to the plaintiff, but only to the extent the city or county has waived its governmental immunity.

c) Deliberate indifference

A public entity, such as a police department, cannot be sued under 42 U.S.C. 1983 since it lacks a legal entity apart from that of the municipality. Cities and counties, however, may be deemed to be liable under § 1983 for constitutional violations which result from a policy which is, itself, unconstitutional, or from a failure to train employees (or a failure to adopt adequate policies governing the training and supervision of officers engaged in high speed pursuits or other emergency vehicle operation) if such failure reflects a deliberate indifference to constitutional rights. See City of Canton, Ohio v. Harris, 103 L. Ed. 2d 412 (1989).

If training is deemed to be inadequate, then, in order for the employing agency to be liable, the failure to train must reflect a “deliberate” or “conscious” choice by the municipality or county, (i.e., a “policy”) so likely to result in the violation of constitutional rights, that the policy makers (of the city) can reasonably be said to have been deliberately indifferent to the need.

There is no respondeat superior liability (i.e., liability without fault) for federal claim purposes. A city or county can only be held liable if a “custom” or “policy” of the city or county is the moving force behind a constitutional violation under § 1983. Monell v. Dept. of Social Services of City of New York, 98 S. Ct. 2018 (1978).
9. Supervisory liability

Supervisors and/or trainers of officers conducting law enforcement vehicle operations may be held liable in state and federal court actions for their participation in a supervised officer's negligence or intentional misconduct.

a) State tort liability

A state tort theory under which supervisors and training officers may be held liable is negligent training, supervision, hiring, or retention of the officer who, through his negligent or intentional conduct, causes injury to others. The underlying theory is that the supervisor failed to exercise ordinary care in the performance of his or her duties and that the supervisor's negligence contributed, in a substantial way, to the conduct of the officer and, ultimately, to the plaintiff's injury. Under this theory of liability, both the offending officer and supervisor(s) must be found to be guilty of some wrongful conduct.

b) Federal liability

The standard for supervisory liability, under 42 U.S.C. 1983, is the same as for municipality liability, that is, "deliberate indifference" (something more than "gross negligence"). Supervisors may not be held liable under a theory of respondeat superior. They are only accountable for their own wrongful conduct. Supervisory liability, based on deliberate indifference, requires a showing of:

(1) More than just a single incident; and


(3) Thus, it has been held that "a failure to supervise" gives rise to supervisory liability only in cases where there is a history of widespread abuse. Wellington v. Daniels, 717 F.2d 932 (4th Cir. 1983).
10. Failure to protect

NOTE: Show slide, "Failure to Protect."

Many officers fear that this type of claim may arise where law enforcement officers elect not to pursue an offender or to discontinue the pursuit, and some third party is subsequently injured as a result.

a) General rule of law

A duty owed to the general public will not support a negligence claim unless some special relationship exists between police and the injured party.

b) Case law

(1) Coleman v. Cooper, 89 N.C. App. 188, 366 S.E.2d 2 (1988) no duty on part of Raleigh Police to provide protection to children witnesses absent special relationship.

(2) Martin v. Mondie, 94 N.C. App. 750 (1989) no liability for Mt. Airy Police even if department breached statutory duty by failing to serve criminal warrants in a timely manner.

P. Driving Practicum

NOTE: Instructors should discuss the driving courses with the students to prepare them for the exercises.

III. Conclusion

A. Summary

You should now be aware of the seriousness of law enforcement vehicle operations. It is a high risk, high liability area for the officer, department, violators, and motoring public. During this block of instruction, we have discussed vehicle safety, officer safety, and the seriousness attached to operator error. Obviously officers should always remember that safety is our number one concern.

NOTE: Show slide, "Review Training Objectives."
B. Questions from Class

C. Closing Statement

This course will not make an expert driver out of you in just forty (40) hours. However, if you utilize the information provided concerning proper techniques in your every day driving, you will become a much improved driver. One of the most important aspects of this course is for you to discover any deficiencies in your driving skills, such as backing or lack of emergency response or pursuit tactics. Whatever shortcomings you discover during this course, you will be provided with the necessary information to correct the problem. If you can develop good driving skills, these skills will carry over into emergency response, as well as pursuit situations. High speed vehicle operations are only as hazardous as the law enforcement driver elects to make them. Officers should keep foremost in their minds that they must always drive with due regard for the safety of themselves, as well as others. The officer who is able to identify the factors involved in law enforcement vehicle operations will unquestionably make acceptable decisions regarding vehicle operation strategies.

The primary consideration that officers must remember--SAFETY TAKES PRECEDENCE OVER ALL ELSE.

NOTE: Show slide, "Safety Takes Precedence Over All Else!"
NOTES


2. Ibid., 46 - 50.

3. Ibid., 27 - 32.

4. Ibid., 39 - 43.

5. Ibid., 43 - 46.

6. Ibid., 50 - 55.

7. Ibid., 55 - 56.

8. Ibid., 56 - 66.

9. Ibid., 82 - 83.

10. Ibid., 67 - 73

11. Ibid., 31.

12. Ibid., 82 - 83.

13. Ibid., 86 - 103.


15. Ibid., 77 - 79.

16. Ibid., 79 - 81.

17. Ibid., 10 - 23.