

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

OPERATION OF EMERGENCY VEHICLE
SUBJECT

DATE: March 12, 2019

NO: V-2

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Emergency Vehicle Response
Emergency Vehicle Operation
Code 3 Operations

I. POLICY

- A. Members of the Stockton Police Department will operate emergency vehicles according to the law as stated in the California Vehicle Code. All personnel must continuously evaluate the necessity for initiating and continuing Code 3 operations. Officers shall keep the vehicle under control at all times and drive at a speed that is safe considering the totality of the circumstances.
- B. Supervisors are to reinforce this policy with subordinate personnel during roll call at least twice yearly and will cause such training to be documented in the officers' training files. (Personnel are to complete the attached form after they have received training. The form shall be delivered to the Personnel and Training Sergeant for retention).

II. LAW

- A. Officers will become familiar with Sections 17004.7, 21052, 21055, 21056, and 21057 of the California Vehicle Code.
- B. Prior court decisions in both the Appellate Court (Grant v. Petronella, 50 CA 3d 281) and the California Supreme Court (Torres v. City of L.A., 58 CA 2d 35) have provided that in determining the negligence of a party in an automobile accident, the fact that the vehicle was an emergency vehicle responding to an emergency call is not a circumstance which can be considered if red lights were not displayed and siren activated. It should be noted, however, that the siren need only be activated when "reasonably necessary."

III. PROCEDURE

A. Method of operation/response:

- 1. CODE 1
 - a. Respond obeying all laws, and using no emergency equipment.
 - b. Examples of Code 1 are:
 - (1) Normal vehicle operation
 - (2) Routine calls for service where there is no threat to life or property
- 2. CODE 2
 - a. Respond without delay, obeying all laws, and using no emergency equipment.
 - b. Examples of Code 2 are:
 - (1) Urgent calls for service where there is no threat to life
 - (2) Urgent calls for service where there is a threat to property or civil disturbance

3. CODE 3

- a. Emergency response, proceeding without delay, and using due caution as specified in the California Vehicle Code. Rules of the road may be violated as long as caution is exercised and due regard is given to the safety of all persons using the highway.
- b. Seatbelts will be used in operation of police vehicles at all times, unless circumstances dictate otherwise.
- c. Mandatory use of the red light.
- d. Sounding of a siren at all times, unless sound police practices dictate otherwise. Officers will consider public and officer safety when deciding to turn off the siren. Situations such as bank robberies, barricaded suspects, and hostage situations should be viewed considering the totality of the circumstances.
- e. Officers are authorized to respond Code 3 to the following types of emergency calls.
 - (1) 940A - Any Department member in imminent personal danger
 - (2) Shooting / Stabbing
 - (3) Robbery in progress, including robbery alarms
 - (4) Emergency call for service involving threat to life
 - (5) Felony property crimes in progress. There must be credible information the suspects are still on scene.
 - (6) A vehicle collision with known injuries or unknown injuries, and Emergency Medical Services (Fire Department and /or ambulance) are not en route or on scene.
 - (a) Upon receiving updated information on the number and condition of involved parties, type of collision and extent of damage, officers may consider downgrading to Code 2.
 - (7) Vehicle collision with injuries (901A)
 - (a) Only one (1) unit will respond Code 3, unless the call is of an extremely serious nature. Approval for additional units must be cleared with a supervisor. The responding unit will decrease their Code 3 response to Code 2 upon receipt of information there are no injuries to the involved parties, or emergency medical personnel have been dispatched or are on scene.
 - (8) Vehicle collision with unknown injuries (901B)
 - (a) Only one (1) unit will respond Code 3. The responding unit will decrease their Code 3 response to Code 2 upon receipt of information there are no injuries to the involved parties, or emergency medical personnel have been dispatched or are on scene.
 - (9) Any crime or incident where serious injury or death is potentially imminent, or has been reported (i.e., injured officer, loss of body part, drowning, etc.)

B. Officers driving an emergency vehicle Code 3 shall:

1. Advise the Telecommunications Center of your unit's location when responding to a call Code 3.
2. Officers responding to assist will, at the first available opportunity, advise the Telecommunications Center verbally on the primary or secondary channel they will be enroute Code 3 and of their current location. During a Signal 900, officers may use the secondary channel to advise the Telecommunications Center they are responding Code 3.
3. Officers will drive with due regard for the safety of all persons using the highway and while driving Code 3 will not drive beyond a speed that disregards such safety.
 - a. Officers will recognize there are consequences of an arbitrary exercise of the privileges granted under Section 21055 CVC, and recognize that, for example, driving over 20 MPH over posted speed limits on surface streets can have very adverse consequences limiting abilities to react to other vehicles, pedestrians, or obstacles.
4. Reduce speed at all street intersections to such a degree that the officer shall have complete control of the vehicle, while visually confirming it is safe to enter the intersection whether or not he/she has the right of way.
5. At controlled intersections, officers shall proceed against traffic signals and/or stop signs at a speed slow enough to allow the vehicle to be brought to a complete stop to avoid unyielding traffic.
6. Avoid passing on the right unless sound police practice so dictates.
7. Drive on through streets when practical.
8. Avoid heavily congested traffic.
9. Maintain a safe distance when two emergency vehicles are proceeding on the same street.
10. Officers must keep in mind that motorists may not see or hear a vehicle operating Code 3, and, when they do, short stops or swerves may occur.
11. Officers responding to assist on any Code 3 call should consider distance to the call, road and weather conditions, time of day, and the severity of the situation to arrive as quickly and safely as possible.
12. When a passenger officer becomes aware of the driving officer operating outside of this policy, or in a manner unsafe for the conditions, the passenger officer has a duty to advise the driving officer accordingly.
13. No more than three Patrol units will respond Code 3 without approval from the Watch Commander or a supervisor. An officer may request additional units to respond Code 3, depending on available information. For example:
 - (a) Riot situation with numerous subjects involved
 - (b) Natural disasters or large-scale emergencies
 - (c) Shooting or stabbing with multiple suspects and/or victims and three units cannot sufficiently handle the call
14. When driving Code 3 in an unmarked unit, extra care and caution must be exercised to minimize the risks. The officer must notify the Telecommunications Center that he/she is driving an unmarked unit.
15. Only sworn officers will operate an emergency vehicle Code 3, unless authorized by the Chief of Police.

C. Initiating a Code 3 Response

1. Except in response to a 940A, no more than three (3) units will respond Code 3 without specific Watch Commander or supervisor approval authorizing additional units to respond Code 3. A supervisor can respond Code 3 to an emergency call at his or her discretion, and will not be counted as one of the three responding units.
 - a. 940A - Any Department member in imminent personal danger
 - (1) At the first available opportunity, each responding unit must notify the Telecommunications Center over the radio that they will respond Code 3, along with the location they are responding from. In all cases, the Field Supervisor and/or the Watch Commander shall make the final decision on the number of units to respond Code 3.
 - (2) However, in making this notification, personnel need not wait for approval from the Telecommunications Center. Personnel shall abide by orders subsequently received regarding their response.
 - (3) Officers requesting the need for a "Code 3 Fill"
 - (a) Words such as "Expedite" "Fill" "Step it up" etc. will not alone designate a code for response, but may be considered when deciding whether to respond Code 3. The only lawful way to "expedite" a response is to go Code 3. Officers should request the type of response they require.
2. The number of units may be increased to accommodate a given situation. Units on scene may request additional units to respond Code 3, based on the nature of the emergency call and available information. A supervisor must be advised additional units are responding Code 3.
3. A supervisor may direct additional units to respond Code 3, based on the nature of the emergency call.
4. In all cases, the Field Supervisor and/or the Watch Commander shall make the final decision on the number of units to respond Code 3.
5. Upon receipt of an authorized Code 3 emergency call, each unit (including supervisors) will state their current location and that they will be responding Code 3. Each unit will wait for an acknowledgement from the Telecommunications Center before activating their vehicle's lights and siren, except for the 940A policy.

Example:

Patrol Unit: "3D67, I will be responding Code 3 to the 911 from El Dorado and March Lane"

Dispatch: "10-4, 3D67"

D. Code 3 response during a "Signal 900"

1. Primary dispatch shall be responsible for monitoring the call on Channel 1.
2. Secondary dispatch shall be responsible for all traffic on Channel 2.
3. Any responding unit or units must advise they are en route "Code 3" and will obtain an acknowledgement before initiating a "Code 3" response, except for the 940A policy.

Example:	2D66:	"I'm in foot pursuit"
	Dispatch:	"10-4, all cars signal 900"
	Channel 2	
	2A65:	"I'm en route Code 3 from
		"March-West Lane"
	Secondary Dispatch:	"10-4, copy Code 3"

2D62:

"I'm en route Code 3 from

"Hammer-Eldorado"

Secondary Dispatch:

"10-4, copy Code 3"

4. An officer's request for a "Code 3 fill" may advise the number of units he/she needs to respond (i.e., 2D66 "send me 3 units Code 3").
5. Additional units advising they are responding "MUST HAVE SUPERVISOR" authorization for Code 3 response; however, officers may continue "Code 2" (without delay) if more units are needed.

E. Supervisory Responsibility

1. The supervisor will monitor and evaluate all Code 3 responses. If the supervisor determines that the potential danger outweighs the need for the Code 3 response, the supervisor may discontinue the Code 3 response.
2. It is the responsibility of all supervisors to review Code 3 responses by their subordinates to ensure compliance with this order. Supervisors shall monitor their subordinates' emergency driving to ensure that they drive safely and reasonably.
3. If a Code 3 response is necessary, supervisors will:
 - a. Monitor and ensure the Code 3 response is within the guidelines of this policy.
 - b. Notify the Telecommunications Center when en route, on scene, or monitoring the call.
 - c. Evaluate requests to authorize more than three units to respond Code 3.
 - d. Ensure that officers are advised as soon as possible when the situation has stabilized and Code 3 response is no longer necessary.
 - e. Monitor all Code 3 responses to determine the necessity for continuance or termination, and to ensure that no more than the required units are involved. This does not relieve the officer(s) of the responsibility of assessing the pursuit and the decision to terminate as the situation evolves.
 - f. Give a verbal acknowledgement after the Telecommunications Center advises units are responding Code 3.
4. Supervisors and managers shall pay particular and continuing attention to their subordinates' driving habits to ensure they drive safely and reasonably and operate within this policy, taking corrective measures when necessary.

F. Terminating or Canceling Code 3 Responses

1. Officers shall terminate a Code 3 response when:
 - a. Units at the scene advise "Code 4," or;
 - b. The Watch Commander, supervisor, Telecommunications Center Supervisor, or any officer involved in the call, may cancel a Code 3 response, or;
 - c. The situation no longer requires an emergency response.

NOTE: When officers receive information to terminate a Code 3 response, they will immediately discontinue driving Code 3. Officers will not deactivate their emergency equipment until they have resumed compliance with the rules of the road.

2. Code 3 responses may be canceled and/or terminated for the following reasons:
 - a. The emergency or life-threatening situation no longer exists

- b. The maximum of three units are responding, and no other units are requested and/or needed
- c. Information concerning no injuries to victims, and emergency medical personnel have been dispatched

Example: Injury Accident – emergency medical personnel dispatched.
Unknown injury accident- no injuries, or emergency medical personnel dispatched.

Shooting / Stabbing – injuries are minor and suspects have fled and/or no suspect information.

G. Telecommunications Center Responsibility

- 1. Officers may respond Code 3 when dispatched by the Telecommunications Center, or if the officer initiates a Code 3 response. The officer shall verbally notify the Telecommunications Center of that response.
- 2. If a Code 3 response is justified, the Telecommunications Center may dispatch the maximum number of units as listed below:
 - a. One unit may respond Code 3 to 901A and 901B.
 - b. Three units may respond Code 3 to authorized emergency calls.
 - c. Notify a supervisor immediately when a unit or units are responding Code 3.
- 3. When more than one unit is responding Code 3 in the general vicinity, Telecommunications Center shall broadcast that units are responding Code 3 in the area.
 - a. Telecommunications Center will advise the assigned officer and/or officers of the emergency call.
 - b. Telecommunications Center shall receive a verbal advisement from each officer responding Code 3. **NO MDC REQUESTS WILL BE ACKNOWLEDGED.**
 - c. Telecommunications Center shall note in the call history the unit or units that have advised they are responding Code 3.

Stockton Police Department

ACKNOWLEDGEMENT FORM

This copy of the Stockton Police Department General Order V-2 (Operation of Emergency Vehicles 17004.7 CVC) has been provided to you, for you to read and understand.

As per General Order V-2 and the California Vehicle Code (Section 17004.7(b) CVC), this form will be retained in the employee's training file, in the Personnel and Training Section.

Please complete this form and return it to the Personnel and Training Sergeant as soon as possible.

I, _____, have received roll call training
(PRINT NAME)
and a copy of Stockton Police Department General Order V-2 (Operation of
Emergency Vehicles).

(EMPLOYEE SIGNATURE / BADGE #)

(DATE)

Received by Personnel & Training Sergeant: _____
(PRINT NAME)

Provided by the Stockton Police Department Administrative Services Division

Revised July 2013