

CITY OF ANDERSON POLICE DEPARTMENT

Anderson, South Carolina

DIRECTIVE TYPE General Order	EFFECTIVE DATE January 1, 2013	NUMBER 1511.2
SUBJECT Vehicle Issuance, Assignment(s) and Logbooks	REVISED December 17, 2012	
REFERENCE Also See General Orders 910, 1501	AMENDS/SUPERSEDES 1511.1	
DISTRIBUTION All Personnel	RE-EVALUATION DATE Annual	NO. PAGES 10

A. Purpose

1. This general order governs
 - a. take-home vehicle assignments, policy, and procedures,
 - b. the maintenance of records associated with vehicle assignments,
 - c. the required care for City of Anderson Police Department vehicles, and
 - d. guidelines for management to conduct follow-up.
2. An assigned vehicle is an approach to addressing the City of Anderson Police Department's transportation and crime-suppression needs on a long term basis. The use of a take-home vehicle is a privilege and is not to be considered an automatic fringe benefit or right. This privilege is subject to revocation on an individual or group basis based on officer(s) misconduct, misuse, or for any other reason the program is deemed not to be in the best interest of the department.
 - a. In order to be eligible for a take home vehicle, an officer must:
 - (1) Complete the Field Training Program.
 - (2) Reside in the City limits of Anderson or Anderson County, unless otherwise authorized by the Chief of Police. The Chief of Police may

waive this requirement on a case by case basis based on compelling needs of the department.

- (3) Issuance of take home vehicles is contingent upon availability of vehicles. The Chief of Police may refrain from issuing an employee a vehicle, if the availability of vehicles diminishes to the point where this is necessary.

- 3. The benefits which are provided to the to the citizens of Anderson by allowing members of the City of Anderson Police Department to take vehicles home include but are not limited to:

- a. Promoting the security of the citizens of Anderson through an increased visibility and presence of marked and unmarked police units on the streets, highways and neighborhoods.
- b. Providing quicker response time to certain types of calls thereby increasing the safety of the citizens and improving our opportunity to apprehend criminals.
- c. Providing for expedited response of off-duty personnel called back into service due to an emergency or disaster.
- d. Aiding in the transformation of the department to a community-oriented policing philosophy.
- e. Increasing police-community relations through a mutual understanding of services performed by the members of the police department.
- f. Deterring crime through the presence of additional police vehicles within the Community.
- g. Providing increased incentive and morale for officers participating in the program.
- h. Improving the City of Anderson Police Department's ability to recruit, select and retain qualified candidates for employment.

- 4. The General Orders of the City of Anderson Police Department are in addition to the policies and procedures of the City of Anderson, Incorporated's Policy and Procedures and do not supersede the City of Anderson, Incorporated's Policy and Procedures.

- a. Exception

- (1) The General orders of the City of Anderson Police Department supersede the City of Anderson, Incorporated's Policies and Procedures where the General Orders of the City of Anderson Police Department hold members

of the City of Anderson Police Department to a higher standard of conduct than required by the City of Anderson, Incorporated's Policy & Procedures.

B. Policy

1. This General Order supplements General Order 1501.1. General Order 1501.1 generally addresses visual uniformity in equipment markings. In addition to the equipment requirements of General Order 1501.1, all City of Anderson Police Department vehicles must be maintained as per this General Order. General Order 910 also prescribes some expected behavior on the part of personnel who operate city vehicles and/or who are issued "take-home vehicles".
2. This general order authorizes the Chief of Police, pursuant to City Manager approval, to issue vehicles to police personnel or groups of personnel. However, no personnel are guaranteed a take-home vehicle as a condition of employment and no personnel who are members of a named group that is listed as a priority for receiving a take-home vehicle is required to have or guaranteed to get a take-home vehicle or compensation to offset the lack of receiving a take-home vehicle.
3. All personnel shall remember that they are representatives of the City of Anderson Police Department and must be cognizant of the constant public scrutiny they will be under while operating their take-home vehicles off-duty. Members must at all times conduct themselves in a professional manner and should realize they are representing the City of Anderson Police Department's image to the citizens of Anderson. Members must be aware of the negative public image of the Department and the resulting adverse effect upon the take-home vehicle program which will result if off-duty members fail to provide assistance to citizens in need. Officers shall use proper discretion at all times while operating take home vehicles. The following activities are prohibited while using take home vehicles:
 - a. Visiting a bar, purchasing or consuming alcoholic beverages, or having an alcoholic beverage in the vehicle unless for evidentiary or police related purposes.
 - b. Consuming any type of alcoholic beverage prior to, or while operating the departmental vehicle,
 - c. Assuming special privileges such as violation of traffic or parking laws,
 - d. Allowing the vehicle to become unsightly (i.e. dirty, dented, peeling paint, etc.),
 - e. Allowing use of the vehicle by any unauthorized person,
 - f. Operating the vehicle by any unauthorized person,

- g. Altering the vehicle in any manner is prohibited; this includes, but is not limited to: mechanical alterations, interior modifications, applications to the exterior of the vehicle such as bumper stickers, lightening equipment, tags/license plates and so forth.
 - h. Operating the vehicle while involved in or handling any personal affairs or domestic incident, other than emergency situations for which the officer has received permission from his/her supervisor.
 - i. Smoking or any tobacco product.
- 4. Officers will be responsible for the conduct and safety of all passengers in their vehicle. ride along passenger must have previous approval per the General Order governing Ride Alongs.
- 5. Officers will wear either complete uniform or civilian attire while operating their take-home vehicle. Sport-type dress is appropriate. However, the torso of all passengers will covered at all times. While operating a take home vehicle wearing civilian attire, officers shall have the following equipment readily available:
 - a. A department issued pistol;
 - b. Department issues identification;
 - c. Portable Radio ("Walkie-Talkie");
 - d. Handcuffs;
 - e. Department issued body armor;
 - f. Department issued police jacket with visible police markings;
 - g. Department issued reflective traffic safety vest.
- 6. Take-home vehicle privileges may be terminated by the Chief of Police or his designee upon violation of any of the provisions of this policy, any violations of any other general order, violations of other departmental policies, for violations of the City of Anderson, Incorporated's Policy & Procedures or for any other reason as may be determined applicable. Willful negligence on the part of the member in the care or operation of a take-home vehicle or failure to follow these policies will cause the vehicle to be taken away from him/her and take-home privileges suspended or permanently revoked.
- 7. The member shall be notified in writing by the Chief or his/her designee of any suspension or revocation of take-home privileges and eligibility status for future participation in the take-home program.

- a. Appropriate disciplinary action for a policy violation may be taken in addition to the loss of the privilege of a take-home vehicle.
- b. Members on disciplinary suspension for any reason shall automatically lose their take-home vehicle privileges during the period of the suspension. The officer will be required to turn his/her vehicle in to the appropriate commanding officer or designee for the duration of the suspension.
 - (1) The affected member must surrender the vehicle and all keys no later than the last hour of paid-work (while on the payroll of the City of Anderson Police Department).
 - (2) The affected member will not be allowed to re-take possession of a city vehicle or keys prior to the first hour of the member's return to paid-work (while on the payroll of the City of Anderson Police Department).

C. Procedure

1. Vehicle Records

- a. The individual Vehicle Logs form APD 111 for each vehicle must be completed each work day and include vehicle mileage at beginning and end of duty.
- b. All damage sustained to a vehicle while the vehicle is assigned to a member must be documented. The damage must be reported via a signed & dated memo written to the Chief of Police through the member's chain-of-command. (i.e. every supervisor and/or manager in the member's chain-of-command up to the Chief must receive the memo.)
 - (1) Email may be used for this notification. If email is used, the member may be required to sign & date a hard copy as soon as is reasonable.
 - (2) The minimum information to be covered in the notification should include but is not limited to:
 - (a) Who was driving the vehicle, who was injured and the names, addresses and contact numbers of other persons whose property and or bodies were damaged in the incident as well as the names, addresses and contact numbers of witnesses or potential witnesses.
 - (b) What happened.
 - (c) When (what time) did the accident happen. Specifically, what day of week, what was the date and what time was it. (Either report the time in military time or use A.M. or P.M.)

- (d) **Where** the situation occurred.
- (e) **Why** it happened (if known).
- (f) **How** it happened (if known).

2. Vehicle Maintenance

- a. All members of the City of Anderson Police Department who are assigned vehicles must maintain the vehicle(s) in a constant state of readiness. This includes keeping a reasonable amount of gas in the vehicle. A reasonable amount of gas is defined as:
 - (1) the amount necessary to respond to any emergency without having to “top off” prior to the trip,
 - (2) having a sufficient amount of fuel in the tank to run all required safety equipment (if necessary) while on-scene and
 - (3) having enough gas in the vehicle to return to the designated fill-up location without assistance after (1) and (2) are completed.
- b. All lighting equipment, both standard and nonstandard must be in working order. This includes but is not limited to headlights, sidelights, turn signals, emergency flashers & optional flashing equipment, the vehicle radio (if any), the vehicle flashlight (if any) and the shotgun assigned to the vehicle (if any).
- c. Tires must be maintained at the proper air pressure with a minimum amount of tread as specified by the City of Anderson Garage.
- d. Slow cranking and/or defunct batteries must be replaced immediately if they are unable to hold a charge.
- e. Seat belts and airbags must be inspected after a crash and replaced WITH ORIGINAL EQUIPMENT if they are frayed, stripped, or damaged in any other way.
- f. City of Anderson Police Department vehicles must bear their issued tag at all times. Any exception requires the express written consent of the Chief of Police.
- g. All fluids, in addition to gasoline or other types of alternative fuels, must be maintained at the proper levels. This includes but is not limited to antifreeze, water, oil and windshield cleaning fluid.
- h. All members of the City of Anderson Police Department who are issued take home vehicles or permanently assigned duty vehicles must keep the vehicles

clean – inside and out – and washed. Overtime and/or comp time will not be allowed for members who have take home vehicles to clean their vehicles.

(1) The City of Anderson Police Department jail work program generally washes vehicles approximately three times per month. If this service is offered, members who have take-home vehicles can take advantage of this benefit in order to avoid having to wash their assigned vehicles on their own time.

- i. Any officer who fails to properly maintain a take home vehicle will be subject to disciplinary action by the Division Captain and may have the privilege of a take home vehicle revoked.
- a. Officers must be able to provide a safe place to park the vehicle at their primary residence, and secure all other city/APD properties normally within the vehicle (i.e. laptops, radios and all communication devices, cameras, weapons, etc.). For extended absences or leave, property may be secured at the City of Anderson Police Department.

3. Take-Home Vehicle Authorized Use

- a. Officers who are issued take-home vehicles may drive the vehicle round-trip from the City of Anderson Police Department to his or her regular place of abode (*i.e. from work to home and from home to work*), as listed in the officer's personnel records maintained in the individual officer's file in the Chief's Office.
- b. While en-route, officers may make reasonable stops at businesses and/or institutions located directly adjacent to the route for personal reasons or any other activity allowed by the policies governing the operation of city vehicles.
 - (1) The City of Anderson Police Department General Orders and the City of Anderson Personnel Policy and Procedure Manual govern the allowed stops.
 - (2) Personnel who drive take-home vehicles home are subject to all City of Anderson Police Department General Orders including but not limited to the prohibition of smoking in city vehicles, etc.
 - (3) Every member of the City of Anderson Police Department who is issued a take-home vehicle is required to follow this and all other City of Anderson Police Department General Orders and City of Anderson, Incorporated Policies and Procedures when operating any city vehicle, including their assigned vehicle or a vehicle assigned to another person.
- c. The failure of a member of the City of Anderson Police Department to do something that is required by this or other City of Anderson Police Department

General Orders and/or City of Anderson, Incorporated Policies and Procedures when operating a city vehicle will subject the member to disciplinary action.

- d. The commission of an act that is prohibited by this or other City of Anderson Police Department General Orders and/or City of Anderson, Incorporated Policies and Procedures by a member of the City of Anderson Police Department while operating a city vehicle will subject the member to disciplinary action. **Any act not specifically permitted by this or other City of Anderson Police Department General Orders and/or City of Anderson, Incorporated Policies and Procedures is deemed to be prohibited.**
 - e. Disciplinary action for improper use of take home vehicles (and vehicles that are re-issued for duty on a daily basis) may range from a verbal warning for minor violations such as failing to properly document fuel, mileage and maintenance records in a timely manner to more severe penalties including suspensions and termination for more serious vehicle violations such as taking a vehicle to an unauthorized area.
 - (1) In addition to or in lieu of any and all other disciplinary actions (including termination) criminal prosecution may also be pursued in the event that evidence is discovered which leads one to reasonably believe that a criminal act has occurred.
 - (2) In addition to any and all other possible disciplinary actions, the City of Anderson Police Department may also seek civil damages and/or compensation for any and all wrongs committed by the member against any of the assigned property.
 - f. All allegations of improper use of city vehicles by members of the City of Anderson Police Department will be investigated by the Chief of Police and/or the position designated to by the Chief of Police to conduct such investigations.
4. Limitations and General Responsibilities:
- a. While utilizing the city vehicle at any time the officer must call in service / on duty and out of service or off duty to dispatch, and have the ability to answer a call within the city limits when utilizing the vehicle.
 - b. Take home vehicles may be used for transportation to work related functions and activities such as classes, annual medical examinations, court attendance, physical training and so forth.
 - c. An employee is considered to be "on duty" when any law enforcement or work related action is taken, whether in or outside the city limits of Anderson.
 - d. Driving to or from work is not considered to be "on duty" while the officer is

outside the city limits of Anderson.

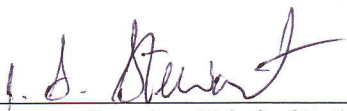
- e. Employees whose residences are in the City of Anderson's jurisdiction may drive the departmental vehicle for non-work related purposes after notifying dispatch inside the City of Anderson. The officer may use the vehicle to travel to and from activities such as workout centers (i.e. Rec Center, YMCA, Coops), attend church or run errands.
- f. If an employee's primary residence is outside of Anderson County, the employee must receive approval from the Chief of Police to drive the vehicle to and from his/her residence.
- g. While operating a take home vehicle, employees are required to monitor the appropriate department radio frequency.
- h. Officers are required to respond to any life threatening call for service in their immediate vicinity and to stay on the scene until properly relieved (i.e., accident with injuries, etc.)
- i. Officers operating marked take home patrol vehicles, while off duty, are expected to provide assistance to all persons in need, including assisting motorists. Employees operating unmarked vehicles are to use their own discretion regarding safety concerns in rendering roadside assistance.
- j. Employees are required to submit, and maintain an up to date, "Take Home Vehicle Information Form" on file with the City of Anderson Police Department.

D. Management Follow-up and Accountability:

1. Vehicle inspections will be documented on form APD-112 which is the City of Anderson Police Department Monthly Inspection Form. Subsequent to a completed inspection, form APD-112 will be forwarded to the Patrol Captain for filing.
 - a. Unsatisfactory findings will be documented and copied to the Chief. The Patrol Captain will review all unsatisfactory findings with the affected officer and forward a summary of the affected findings to the Chief with the remedial action that was taken. Email may be used for this purpose or a copy of form APD-112 may be utilized.
2. At least once per calendar month the *Vehicle Logs*, *Assigned Duty Vehicles* and *Take Home Vehicles* will be inspected during roll call hours. Inspections will occur unannounced and will be conducted in the following manner and according to the proper chain of command:
 - a. The Chief of Police will inspect the Captains' (and above) vehicles,

- b. Each Captain will inspect their subordinate Lieutenants' vehicles,
 - c. Lieutenants will inspect their subordinate Sergeants' vehicles and
 - d. Each Sergeant will inspect their subordinates' vehicles.
3. Any management personnel of a higher rank may inspect any Vehicle Log or assigned vehicle of any personnel of a lower rank in their chain-of-command at any time, for any reason, or for no reason at all.
4. Member's Expectation of Privacy in City-Owned Vehicle
- a. All City of Anderson Police Department vehicles belong to and are the property of the City of Anderson, Incorporated. As such, any vehicle may be inspected, reviewed, searched, seized or confiscated by City of Anderson Police Department supervisors or management at any time, for any reason or for no reason at all. This may occur without a warrant or any other authorization.
 - b. No member of the City of Anderson Police Department ever has an expectation of privacy within a city vehicle.

By order of:



Jim Stewart, Interim Chief of Police

12-17-12
Date