

ILLINOIS STATE POLICE DIRECTIVE OPS-081, EMERGENCY/HIGH SPEED RESPONSE DRIVING

RESCINDS: OPS-081, 2011-044, revised 07-06-2011	REVISED: 03-13-2015 2015-013
RELATED DOCUMENTS: ADM-019, ENF-024, OPS-003, PER-030, ROC-002	RELATED CALEA STANDARDS: 1.2.7, 41.2.1, 41.2.2, 41.3.1, 41.3.7, 41.3.8, 81.2.4, 81.2.5

I. POLICY

The Illinois State Police (ISP) will:

- I.A. Recognize the inherent danger of an emergency vehicular response to calls for service. This directive is intended to balance the need to guide the actions of ISP officers with allowing individual officers to exercise sufficient discretion to function effectively.
- I.B. Make every effort to ensure the safety of the public, as well as department members, at all times. Emergency responses are authorized when the necessity of immediate response or apprehension of offenders outweighs the level of inherent danger. The Department will consider the facts and circumstances known to, or reasonably believed by, the officer at the time of the incident in determining if an emergency response was appropriate.

II. AUTHORITY

625 ILCS 5/11-205 et seq., "Public officers and employees to obey Act - Exceptions"

NOTE: Neither the provisions of this directive, nor 625 ILCS 5/11-205(e), relieve the driver of an authorized emergency vehicle from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the officer from the consequences of his/her reckless disregard for the safety of others.

III. DEFINITIONS

- III.A. Driving with due care or regard – driving in such a manner to avoid any predictable loss of control or collision. Driving with due care and due regard is measured by what a reasonable and prudent emergency vehicle operator would do under all circumstances, including that of an emergency.
- III.B. Emergency Call - an incident or call in which the possibility of death, great personal injury, the prevention of a forcible felony, or the apprehension of forcible felons exists, or other health or safety-related calls the officer is made aware of that requires a rapid response by a law enforcement officer to reduce the seriousness of the incident. Emergency calls may include:
 - III.B.1. Officer requesting immediate assistance for help relative to the general safety of the officer or others.
 - III.B.2. Response to a known medical emergency call.
 - III.B.3. Other health or safety-related calls the officer is made aware of that by the exigent, unique, or specific nature of the circumstances require an emergency response.
- III.C. Enforcement Driving - the operation of an emergency vehicle in response to an observed or known traffic or criminal violation with the intent to take enforcement action. During enforcement driving, officers will comply with 625 ILCS 5/11-205, use due care, and always be able to justify their actions.
 - III.C.1. Whenever the officer determines the driving response may create more danger to the public and/or department members than does the suspected offense, the officer will immediately terminate or appropriately adjust any Enforcement Driving. Considering factors include: speed, traffic or pedestrians in the area, and weather/road conditions.
 - III.C.2. During Enforcement Driving, officers must adhere to ISP directive OPS-003, "Vehicle Pursuits."
- III.D. Emergency Response Driving - the operation of an authorized emergency vehicle by a sworn officer at speeds in excess of the speed limit and/or disregard for other traffic laws as permitted by 625 ILCS 5/11-205 and while responding to an Emergency Call or a Life-Threatened Call.

- III.E. Life-Threatened Call – a call in which the reported facts and circumstances known at the time of the call indicate a person is attempting or threatening to inflict death or great bodily harm to another. The incident, either an active attempt or the imminent threat of the infliction of death or great bodily harm, is in-progress at the time of the call. Response to an officer endangered call as outlined in the Emergency Procedures section of ISP directive ENF-024, "Vehicle Stops/Public Assistance," and responses to the commission of, or active attempted commission of, a forcible felony which involves the infliction or threatened infliction of great bodily harm or the attempted escape of a prisoner by the use of a deadly weapon, or otherwise indicates they will endanger human life or inflict great bodily harm unless apprehended without delay are considered a Life-Threatened Call until the status of the situation can be determined. Responding Codes will be appropriately adjusted as the situation dictates.
- III.F. Responding Codes
 - III.F.1. Code 1: An officer responding to a non-emergency call.
 - III.F.2. Code 2: An officer responding to an Emergency Call that requires a rapid response by a law enforcement officer to reduce the seriousness of the incident.
 - III.F.3. Code 3: An officer responding to an Emergency Call in which the possibility of death, great personal injury, or the prevention of a forcible felony or the apprehension of forcible felons exists.
 - III.F.4. Code Red: An officer responding to a Life-Threatened Call.

IV. RESPONSIBILITIES

- IV.A. When an officer responds to a call, he/she must make a determination based on all available information as to the proper response and advise communications what Responding Code will be used.
- IV.B. Responding officers are responsible for gaining supervisory approval for a Code Red response.
- IV.C. In most cases, only the primary responding officer should respond Code Red or Code 3 (Emergency Response Driving).
- IV.D. All officers involved must, at all times, be able to justify their reasons for the response code. When officers responding to a call are aware of changes in the status of the call, such as when officers or emergency medical personnel have arrived prior to the responding officer, they will immediately notify communications and change their response code. Communications will report the status change to any other units or agencies responding to the call.
- IV.E. Telecommunicators will make entries into CAD with the Responding Code advised by the officer and update any changes in the Response Codes.
- IV.F. Telecommunicator Specialists will:
 - IV.F.1. Refer to the ISP Communications Policy and Procedures Manual for responsibilities and procedures pertaining to processing radio traffic from an officer involved in an emergency driving situation.
 - IV.F.2. Advise the supervisor and/or shift commander when an officer is responding Code 3.
- IV.G. Supervisors and/or the shift commander will monitor emergency responses by ISP officers to ensure an appropriate response and compliance with policy. When a supervisor becomes aware of an improper response by an officer, he/she will take appropriate supervisory actions.
- IV.H. Supervisors and/or the Shift Commander may assign a response code at their discretion.

- IV.I. The ISP Academy will provide necessary Cadet, in-service, and remedial driving instruction, decision-making, and policy awareness training. This training will include classroom and practical instruction in:
 - IV.I.1. Emergency response driving
 - IV.I.2. Emergency response driving in traffic
 - IV.I.3. Enforcement driving
 - IV.I.4. Pursuit driving
 - IV.I.5. Driving at high speeds
 - IV.I.6. Avoidance methods

V. PROCEDURES

NOTE: Enforcement Driving is **NOT** considered an Emergency Response and should not be confused with Emergency Response Driving procedures. (See the definition of Enforcement Driving in paragraph III.C.)

V.A. Code 1 Responses

- V.A.1. The officer will obey all traffic laws and speed limits while en route.
- V.A.2. The officer shall not use emergency equipment during Code 1 responses.

V.B. Code 2 Responses

- V.B.1. The officer will use emergency lighting and audible signals as needed.
- V.B.2. The officer will operate within ISP policy and use due care.
- V.B.3. As allowed in 625 ILCS 5/11-205, officers may proceed past a red or stop signal or stop sign but only after ensuring it is safe to do so by slowing down or stopping and as may be required and necessary for safe operation.
- V.B.4. Officers may disregard regulations governing direction of movement or turning in specified directions and may exceed the maximum-posted speed limit. However, officers will not exceed the posted speed limit by more than 20 MPH.

V.C. Code 3 Responses

- V.C.1. Officers will use emergency lighting and audible signals as required by law.
- V.C.2. The officer will operate within ISP policy and use due care.
- V.C.3. As allowed in 625 ILCS 5/11-205, officers may proceed past a red or stop signal or stop sign but only after ensuring it is safe to do so by slowing down or stopping and as may be required and necessary for safe operation.
- V.C.4. Officers may disregard regulations governing direction of movement or turning in specified directions and may exceed the maximum-posted speed limit. However, officers will not exceed the posted speed limit by more than 30 MPH.

V.D. Code Red Responses

- V.D.1. The officer will use emergency lighting and audible signals as required by law.

- V.D.1.a. Code Red responses to an officer endangered call as outlined in the Emergency Procedures section of ISP directive ENF-024, or an appropriate forcible felony, will follow the guidelines in V.D. - Code Red Response.
- V.D.1.b. However, at such point where a covert approach would be appropriate, the officer will follow the guidelines to a covert approach as outlined in paragraph V.J.4.
- V.D.2. The officer will operate within ISP policy and use due care.
- V.D.3. As allowed in 625 ILCS 5/11-205, officers may proceed past a red or stop signal or stop sign but only after ensuring it is safe to do so by slowing down or stopping and as may be required and necessary for safe operation.
- V.D.4. Officers may disregard regulations governing direction of movement or turning in specified directions and may exceed the maximum-posted speed limit to the point deemed reasonable by a prudent emergency vehicle operator when considering traffic and weather conditions, mechanical condition of the officer's equipment, and the individual comfort level of the officer.
- V.D.5. Code Red responses are authorized only when responding to a Life-Threatened Call.
- V.D.6. Officers must gain supervisory approval to use a Code Red response.
 - V.D.6.a. Code Red response to an officer endangered call as outlined in the Emergency Procedures section of ISP directive ENF-024, does not require supervisory approval/permission.
 - V.D.6.b. Code Red response to a forcible felony which involves the infliction of or threatened infliction of great bodily harm or is attempting to escape by use of deadly weapon, or otherwise indicates they will endanger human life or inflict great bodily harm unless apprehended without delay does not require supervisory approval/permission.
 - V.D.6.c. However, upon approach, if the situation dictates, units will switch to a covert approach as outlined in V.J.4.
 - V.D.6.d. Code Red responses not requiring approval/permission are subject to all provisions of V.D. and V.H. in this directive.
- V.D.7. Shift supervisors and/or the shift commander may assign specific units to respond to a Life-Threatened Call using a Code Red response.
- V.D.8. Upon receiving information indicating the threat of death or great bodily harm no longer exists for the incident, responding officers will immediately adjust their response and inform Communications of the change in their code status.
- V.D.9. Supervisors and/or the Shift Commander are responsible for monitoring changes to the incident as it evolves and ensuring officers are responding to the incident appropriately.
- V.D.10. Officers responding Code Red as the primary unit will document their use of a Code Red response in their field report completed for the incident. Officers responding as secondary units will document their Code Red response by completing a supplemental report.
- V.D.11. Region Emergency Vehicle Operation Review Board (formerly known as the Region Review Board hereinafter referred to as the Review Board).
 - V.D.11.a. The Review Board will review incidents involving Code Red responses.
 - V.D.11.b. Reviews will include an examination of the following when determining if the officer used the Code Red response in compliance with this directive:
 - V.D.11.b.1) CAD incident history
 - V.D.11.b.2) In-car video recordings
 - V.D.11.b.3) Radio traffic

- V.D.11.b.4) Responding officer(s) report(s)
- V.D.11.b.5) Supervisor's actions
- V.D.11.b.6) Other available information, data, or media relevant to the incident
- V.D.11.b.7) Other reports (traffic crash reports, etc.)

V.D.11.c. Officers found not in compliance with this Directive will be subject to disciplinary procedures outlined in ISP directives ROC-002, "Rules of Conduct," and PER-030, "Complaint and Disciplinary Investigations," and applicable collective bargaining agreements.

V.D.11.d. The Board Chair will forward a copy of the Review Board's report and findings:

- V.D.11.d.1) To the involved officers' command.
- V.D.11.d.2) Through the chain of command to the Academy for training purposes.
- V.D.11.d.3) Following reporting guidelines as outlined in ISP Directives OPS-003.

V.E. Level of Response for "Emergency Response Driving"

V.E.1. When a telecommunicator or an officer generates a call for service, the nature of the request should be provided.

V.E.2. When responding to a call for service, officers must determine the proper Response Code and advise communications what Response Code they will use.

Example: "Chicago, Charles-104; 10-4, Responding Code "____."

V.F. During a Code 1 response, the use of Illinois Wireless Information Network (IWIN) mobile data computers (MDC) is permitted if the MDC is required to query a law enforcement system.

V.G. During a Code Red, Code 3, or Code 2 response, officers will not operate IWIN computers, cell phones, or other devices. Officers should only use police radios for communication during a Code Red, Code 3, or Code 2 response. Officers will follow the policy as set forth in ISP directive ADM-019, "Wireless/Voice Data Communications Equipment," for Code 1 responses.

V.H. Officers must consider the following factors prior to and during any Emergency Response Driving:

- V.H.1.a. Emergency vehicle markings and operable lights and sirens
- V.H.1.b. Equipment condition
- V.H.1.c. Experience and comfort level of the driver
- V.H.1.d. Highway type
- V.H.1.e. Presence of non-police personnel in the police vehicle
- V.H.1.f. Presence/density of pedestrians, children, and other motorists
- V.H.1.g. Road conditions
- V.H.1.h. Seriousness of suspected offense/emergency
- V.H.1.i. Terrain
- V.H.1.j. Time of day
- V.H.1.k. Weather

V.I. Whenever the officer determines the driving response may create more danger to the public and/or department members than does the emergency, the officer will immediately terminate or adjust the Emergency Response Driving.

V.J. Use of Lights and Siren

V.J.1. Oscillating lights, rotating/flashing lights, siren, or any combination thereof will be used as required by law during Code 3, or Code Red. Officers will use emergency lighting and audible signals as needed during Code 2 response.

- V.J.2. Officers should use lights and sirens to warn pedestrians and others of their approach during an emergency response situation.
- V.J.3. Officers must always drive with due regard for the safety of others and must exercise due care when operating department vehicles.
- V.J.4. A covert approach that omits the use of the equipment outlined in V.J.1. may be used when appropriate to the situation.
 - V.J.4.a. Officers should use a covert approach in close proximity to arrival at the scene unless terrain or other geographical features require the covert approach to be initiated sooner. For example, a covert approach may need to begin sooner in a rural environment versus an urban environment due to the absence of buildings or other features that obscure the violator's view of the officer approaching the scene.
 - V.J.4.b. When using a covert approach, officers must be able to articulate the facts and circumstances known or reasonably believed at the time that made the approach a tactical necessity in order to enhance officer safety.
 - V.J.4.c. Officers are still responsible for complying with the Responding Code equipment use requirements defined in section V. of this Directive to the greatest extent possible prior to initiating a covert approach.
 - V.J.4.d. Once a covert approach is initiated, officers will then comply will all traffic laws and speed limits.
- V.K. Emergency Driving Speeds and Maneuvers
 - V.K.1. When responding to an emergency or attempting to take enforcement action, officers should constantly monitor the speed of surrounding traffic.
 - V.K.2. Officers will use great caution while overtaking other vehicles and should operate with the mindset that other drivers are not aware of their approach.
 - V.K.3. Officers should always be prepared for an inappropriate driving response by other drivers.
 - V.K.4. While it may be appropriate to drive at higher speeds on a wide open interstate, appropriate speeds while approaching other traffic may be only a few miles per hour faster than the vehicles being passed.
 - V.K.5. 625 ILCS 5/11-907 requires drivers to yield the right of way to emergency vehicles and immediately drive to the right-hand edge or curb of the highway.
 - V.K.5.a. Thus, when responding to an emergency using lights and/or siren, officers should always allow vehicles traveling in the same direction time to move to the right before attempting to pass.
 - V.K.5.b. If after matching the speed of the vehicle it becomes apparent the vehicle is not going to move to the right the officer shall make a decision, using due care, to pass the vehicle using an unobstructed lane or remain in a conspicuous location behind the vehicle until observed and yielded to.
 - V.K.6. Using the shoulder of the interstate or highway to pass traffic traveling at or near the speed limit is strongly discouraged.

| Indicates new or revised items.

-End of Directive-