



POLICY & PROCEDURE

HOLMEN POLICE DEPARTMENT

SUBJECT: SEAT BELT USE

NUMBER: 3.3

SCOPE: ALL DEPARTMENT PERSONEL

ISSUED: 03/01/2012

DISTRIBUTION: POLICY & PROCEDURE MANUAL

REVIEWED: 02/23/2017

PURPOSE

The primary purpose for this policy is the safety of personnel who operate and the passengers that are being transported in Village owned motor vehicles and authorized emergency vehicles. The secondary purpose of this policy is to establish and provide guidelines in the use of seat belts while operating motor vehicles owned by the Village.

AUTHORITY

347.48(2m); 347.48(2m)a through 347.48(2m)(e)

DEFINITIONS

- *Emergency*: An occurrence or an unforeseen situation or incident that requires immediate attention.
- *Non-Emergency*: Any type of call or assignment that doesn't meet the requirement of responding in emergency mode (red/blue lights and siren).
- *Routine Patrol Activity*: Routine patrol activity includes, but is not limited to: traffic patrol, patrol tactics, warrant service, non-emergency complaints/investigations.
- *Seat Belt*: The webbing, anchor, and buckle system that restrains the occupant in the vehicle. Also referred to as safety belt.

POLICY

This policy is to establish and provide guidelines in the use of seat belts while operating Village of Holmen owned motor vehicles and authorized emergency vehicles. It is the policy of this department that personnel and their passenger(s) shall wear motor vehicle equipped seat belts while operating Village of Holmen owned motor vehicles and authorized emergency vehicles in accordance with Wisconsin State law. It is the policy that all personnel shall wear the seat belts while engaged in the following activities:

- Routine Patrol Activities
- Responding to Non-Emergency calls
- Responding to Emergency calls
- Vehicle Pursuits

Exceptions to the wearing seat belts only applies when:

- The operation of an authorized emergency vehicle by a law enforcement officer when the wearing of the seat belt could endanger the safety of the operator or another.
- The operator is driving a route which requires the operator to make more than 10 stops per mile involving an exit from the motor vehicle.
- When the operator or passenger is exempt by Department of Transportation, by rule, is exempt due to physical or medical condition, or cannot be properly restrained in a safety belt.

GUIDELINES

Exceptions to Seat Belt Use:

Decision must be based on what is the greater danger to the operator and /or occupants.

Examples:

- Routine Patrol Activities- Conducting area checks for a suspect(s) or suspicious activity, you are slowly driving the streets or park roads/trails searching, you may undo your seatbelt to allow for quicker exit from your vehicle whether it is to apprehend a suspect or take cover due to a sudden assault.
- Emergency Calls- While responding to emergency calls personnel shall have their seatbelts on, however, when they are a reasonable distance from the scene and speed is reduced personnel may remove their seat belt to allow for quicker exit of the emergency vehicle.
- Vehicle Pursuits- Due to the inherent danger of vehicle pursuits, personnel shall wear their seat belts throughout the pursuit. Seat belts may be unbuckled just prior to the end of the pursuit when speeds are greatly reduced and the suspect vehicle is coming to a stop.

Prisoner Transports:

- See 1:1 Use of Force
- Should a prisoner be uncooperative and refuse to be seat belted or continually unbuckles the seatbelt, the transporting officer shall document the refusal in their incident report.

Child Restraints:

- Unless there is an emergency or extenuating circumstances children meeting the requirements of child safety restraints shall be properly secured in the appropriate child seat when being transported.
- Village vehicles equipped with prisoner transport cages or other types of barriers, may not allow the proper fit for rear facing child seats. It is not recommended to place rear or forward facing car seats/boosters in the front seat of department vehicles or squad cars if there is an intrusion into the passenger side compartment such as computer, cameras, etc..
- In most cases, it is recommended to contact social services for assistance or find another appropriate transport vehicle.

DISCLAIMER

This policy is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy may form the basis for departmental administrative action, but it is not intended for use in the courts of civil or criminal jurisdiction.

Chief of Police
Shane Collins