

Personal Patrol Vehicle Program

Index Code: 1403

Effective Date: 01/15/05 (Revised October 25, 2021)

I. Purpose

The purpose of this directive is to establish the Personal Patrol Vehicle Program (PPV) and provide guidelines for the care, operation and use of vehicles utilized by deputies as personal patrol vehicles. All take-home vehicles assigned to deputies are defined as personal patrol vehicles.

II. Policy

It is the policy of the Queen Anne's County Office of the Sheriff to assign agency vehicles to deputies eligible to participate in the Personal Patrol Vehicle Program. Vehicles may also be assigned to Auxiliary Deputies and other non-sworn employees at the discretion of the Sheriff if necessary to complete the agency mission. The Fleet Manager will assign personal patrol vehicles in a fair and equitable manner; however, any personal patrol vehicle may be reassigned or replaced at any time as necessary for efficient management of the Office of the Sheriff.

Participating in the Personal Patrol Vehicle Program is a privilege which may be altered by a unit Commander at any time. Personnel assigned a personal patrol vehicle are subject to the regulations contained in this and other agency directives. Failure to comply with these regulations may result in suspension from the program. In addition, deputies involved in departmental accidents deemed preventable on their part may lose their PPV privileges.

III. Objectives of the PPV Program

A. Enhanced Police Presence

The greater visibility provided by an increased number of marked patrol vehicles on the streets will serve to increase Queen Anne's County citizens' feeling of security and promote the concept of omnipresence in the communities.

B. Deterrence of Criminal Activity

The presence of marked patrol vehicles in neighborhoods, shopping centers, and other areas signals the presence of deputies. This helps provide a deterrent effect upon persons who may contemplate committing violations of the law.

C. Community Relations

By using personal patrol vehicles, off duty deputies are more easily recognized by the public, thus more accessible to them, which may facilitate better communication and help form a positive community relationship.

D. Supplement On-Duty Personnel

The presence of off-duty deputies and Auxiliary Deputies provides additional “eyes, ears and hands” available for handling emergency situations by Deputies, or providing other assistance to the public and/or other law enforcement officers.

E. Reduced Vehicle Fleet Costs

By using a patrol vehicle for only one shift each day, instead of “around the clock,” the vehicle will last much longer with fewer repairs and service costs. In addition, with only one operator, responsibility for the proper care and maintenance is clearly fixed.

F. Enhanced Productivity and Fleet Appearance

Having only one deputy using a vehicle enhances efficiency and productivity by ensuring that the vehicle contains all the necessary equipment and supplies. In addition, having only one deputy responsible for a vehicle helps ensure its appearance, inside and out, in an acceptable manner.

G. Morale

By having a personal patrol vehicle, morale is enhanced providing greater motivation for higher performance and increased work productivity.

IV. Program Eligibility

All sworn deputies, regardless of assignment, are eligible to participate in the Personal Patrol Vehicle Program subject to the limitations set forth below:

A. Deputies residing in Queen Anne’s County, or an adjoining county (Anne Arundel, Caroline, Kent or Talbot), may take their vehicles home subject to the conditions of this directive. Deputies residing outside of those areas may submit to the Sheriff a written request for permission to participate in the take home vehicle program. Accompanying that request must be a map indicating the most direct route from their residence to the Queen Anne’s County line. That route must be adhered to. The Deputy must also complete a new personnel data sheet indicating the new address where PPV is parked. The location utilized to park their vehicle outside of Queen Anne’s County must be pre-approved by the Sheriff.

B. Deputies residing outside of an adjoining county may take their vehicles home if they are an on-call member of the Criminal Investigations Unit, K-9, or the SWAT Team, and written approval has been obtained by the deputy’s senior commander.

C. Deputies residing outside of Queen Anne’s County who have received approval to take their vehicles home must utilize the most direct or expeditious route when driving to and from their residences, and may not deviate from that route except in cases of emergency or when authorized to do so by a supervisor.

D. Deputies, Auxiliary Deputies and non-sworn personnel not fit for full duty will be excluded from the Personal Patrol Vehicle Program for the duration of their disability. An employee is considered, “not fit for full duty” if he/she is on leave from work due to an

illness/injury and/or if the employee's medical practitioner has indicated that the employee should be off duty due to the employee's illness/injury.

E. No unauthorized personnel (refer to Index Code 1402 for a list of authorized personnel) are permitted to operate a personal patrol vehicle except in an emergency and with supervisory approval.

F. Auxiliary Deputies and non-sworn personnel may only operate an agency vehicle within Queen Anne's County unless specifically authorized by a sworn supervisor, Commander or Sheriff.

V. Off-Duty Operation of the PPV

A. When utilizing the personal patrol vehicle, off-duty deputies will monitor the police radio on the proper talk group and advise the dispatcher when going in or out of service (i.e., 10-08 OD and 10-07 OD). Deputies will be available to assist with calls for service if needed and advise the dispatcher when responding to a call or when taking any law enforcement action. Deputies will utilize their assigned radio identifier when transmitting radio messages. Off-duty Auxiliary Deputies using a personal patrol vehicle will also monitor the police radio and make themselves available to assist with calls for service that would fall under their normal duties such as traffic direction.

B. Only members of a deputy's immediate family, (spouse, children, siblings, parents or legal guardians) are permitted in the vehicle when operating it unless the deputy has received prior written approval of the Sheriff or Chief Deputy. Deputies are responsible for the appearance and behavior of any and all passengers. In the event an off-duty deputy responds to a call for service, the passenger(s) may need to be dropped off at a safe location until the call is resolved or the deputy is no longer needed to assist.

C. In general, deputies will not take their vehicles out of Queen Anne's County except when going to and from work or on official business for the Office of the Sheriff, unless pre-approved by their immediate supervisor.

D. Deputies residing outside of Queen Anne's County will not utilize their vehicles off-duty, or drive their vehicles into Queen Anne's County, except when beginning their tour of duty, going to secondary employment where the use of the PPV has been approved, or on official business for the Office of the Sheriff.

E. When operating an agency vehicle off-duty the sworn deputy must be armed with an issued or approved handgun, a secondary less-lethal use of force option (i.e. baton, pepper spray or Taser®), the agency issued identification card and a set of handcuffs on his/her person or within the vehicle. The vehicle must be equipped with all issued equipment required while working on-duty, except for the uniform.

F. No sworn officer firearms will be left in an unattended vehicle unless secured in the trunk or locked vault secured to the vehicle. The vehicle must be locked whenever it is left unattended. Auxiliary Deputies and non-sworn personnel are prohibited from

possessing, carrying or using firearms while using a personal patrol vehicle and additionally are prohibited from carrying or storing any firearms in that vehicle.

G. Unoccupied vehicles must be locked and the engine turned off at all times, unless the vehicle is in close proximity to the driver and leaving it unlocked is necessary for the performance of duty (i.e. leaving it momentarily during a traffic stop, while directing traffic at the scene of a motor vehicle collision, etc.).

H. To avoid giving the public the impression that the Office of the Sheriff endorses or promotes a particular activity, political candidate or cause, deputies are prohibited from using the personal patrol vehicle while engaged in political activities or when attending rallies, caucuses, promotional events or fund raisers. In addition, no bumper sticker, decal, insignia, banner or placard of any type may be attached to the personal patrol vehicle without the prior written approval of the Sheriff or Chief Deputy. As an elected official, the Sheriff is exempt from this prohibition.

I. Any personnel operating their vehicles off-duty will ensure that their dress and appearance does not reflect unfavorably on the Office of the Sheriff or the law enforcement profession. They will be clean and neat in appearance at all times.

J. Personal patrol vehicles will not be operated after consuming any amount of alcohol or any drug that may impair the deputy's ability to operate the vehicle safely. No alcoholic beverages will be carried in a personal patrol vehicle except when seized as evidence or contraband.

K. Civilian personnel (excluding Auxiliary Deputies) who are assigned take-home vehicles must drive the most direct route to and from work and home. Civilian personnel may stop at locations along the direct route. Civilian personnel are prohibited from operating agency vehicles off-duty unless it is on their way home or to work. Civilian employees must have permission from their supervisor, Commander, Chief Deputy, operations Major or Sheriff to operate the emergency lights and siren for an emergency response to a call-out. Civilian personnel must have permission from the Sheriff or his designee to operate an Agency vehicle in an off-duty capacity.

VI. Off-Duty Enforcement (Sworn Personnel)

A. Deputies operating personal patrol vehicles off-duty are not expected to strictly enforce motor vehicle laws. However, they may not ignore flagrant traffic law violations or drivers operating vehicles in a manner that would pose an imminent threat to public safety. Deputies engaging in enforcement activity off-duty must be mindful that Article 16-112 of the Maryland Motor Vehicle Laws only requires a motorist to exhibit their driver's license to uniformed personnel. Article 13-409 does require motorists to exhibit the motor vehicle registration card upon demand of a law enforcement officer who identifies himself/herself as such.

B. Motor vehicle collisions or incidents requiring law enforcement encountered by off-duty deputies in a personal patrol vehicle may be handled by the deputy, or the deputy may stand by until an on-duty law enforcement officer arrives. If handled by an off-duty deputy the incident will be handled in accordance with current policy.

C. Off-duty deputies operating personal patrol vehicles are required to respond to incidents that come to their attention through on-view, citizen contact or radio monitored activity, or a serious or life threatening incident occurring within reasonable proximity to their location. In addition, whenever it appears that a deputy's immediate response may result in the prevention of a crime, the apprehension of a criminal and/or the prevention of death or serious injury; he/she will respond and initiate or assist in the appropriate law enforcement action. While engaged in any of the above activity the responding deputy will be responsible for the safety of all passengers in his/her personal patrol vehicle.

D. Operators (including non-sworn personnel) and passengers will use seat belts at all times. In addition, only those safety seats approved by the United States Department of Transportation will be used to restrain infants and toddlers and must be installed in the required manner.

E. Deputies operating personal patrol vehicles off-duty are responsible for handling minor incidents encountered, including disabled vehicles, stranded motorists and citizens in need of assistance. In those situations that require a written report by the off-duty deputy the report will be completed as soon as possible upon returning to duty.

VII. Maintenance and Care

A. Deputies assigned personal patrol vehicles are responsible for the appearance and performance of their respective vehicles and all agency equipment contained within the vehicles. In addition, deputies are responsible for scheduling preventive maintenance and any required repairs. Any problems that occur in scheduling maintenance or repairs must be reported to the Fleet Manager. If a deputy fails to obtain required preventive maintenance or repairs it may be grounds for suspension from the Personal Patrol Vehicle Program.

B. Deputies are not required to maintain a service record on their assigned vehicle. Deputies will not perform, or authorize someone else to perform, preventive maintenance or repairs on their assigned vehicle except for the County Shop or a service center authorized by the County Shop.

C. Deputies must keep the interior of their assigned vehicle clean and will wash the exterior when needed, weather permitting.

D. If a vehicle is equipped with keyless entry/start key fob, vehicle operators are issued a key fob for the operation of that vehicle. The replacement cost for lost key fobs will be charged to the vehicle operator.

VIII. The PPV & Secondary Employment

Personal patrol vehicles may be driven to and from locations of approved secondary employment, as long as the employment is within Queen Anne's County and complies with all other written directives.

IX. CALEA References: None

X. Proponent Unit: Administrative Services

XI. Cancellation: This directive cancels Index Code 1403 dated May 3, 2021.

Sheriff Gary Hofmann