




**WINCHESTER POLICE DEPARTMENT OPERATION ORDER**

**NOTE: This policy is for internal use only, and does not enlarge an employee’s civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.**

<b>Number</b> 1-12		<b>Effective Date</b> January 20, 2023	<b>Review Date</b> January 20, 2023	<b>Reviewing Division</b> Administration
<b>Subject</b> <b>TAKE HOME VEHICLE PROGRAM</b>		<input type="checkbox"/> New Policy <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised		<b>This policy shall apply to personnel assigned to the following divisions:</b>
<b>References</b>  VLEPSC: ADM.19.01  CALEA				<input type="checkbox"/> All Personnel <input checked="" type="checkbox"/> Patrol Division <input checked="" type="checkbox"/> Administration Division <input checked="" type="checkbox"/> Investigation Division <input type="checkbox"/> ECC Personnel
 _____ <b>Chief of Police or Designee</b>				
_____ <b>January 20, 2023</b> <b>Date</b>				

**I. PURPOSE**

The purpose of this policy is to explain the Winchester Police Department take home vehicle assignment and replacement policy, responsibilities of officers in the Take Home Vehicle Program, requirements for entering the program, and the order in which individual officers will be assigned vehicles.

**II. POLICY**

The Winchester Police Department Take Home Vehicle Program is designed to benefit the community, Department, and individual officers. Every effort will be made to administer this program in an efficient and effective manner. However, the Chief of Police or designee may waive some provisions of this General Order in the event of an articulable need. Take home vehicles will be assigned based on availability. Assignments will be made by the fleet manager under the direction of the designated Administration Division supervisor. An officer in good standing, assigned a take home vehicle that is permanently taken out of service, will have priority to receive a take home vehicle over officers on a waiting list. Officers assigned take home vehicles have no expectation of privacy, for federal or state constitutional purposes.

**III. PROCEDURES**

**A. Eligibility Requirements**

Officers must meet the following requirements in order to be eligible for a take home vehicle, and submit Winchester Police Department Form 148 to be placed on the take home vehicle list.

1. The officer must successfully complete the Department's Field Training Program and be approved for solo police work by the Chief of Police.
2. The officer must reside within twenty (20) road miles from the city limits of Winchester. This determination will be made by the designated Administration Division supervisor. Any change of residence must be immediately reported to the Administration Division so that accurate records can be maintained. Should an officer reside outside the Commonwealth not within twenty (20) road miles of city limits of Winchester the officer may park the vehicle at a location within the Commonwealth approved by the designated Administration Division supervisor.
3. Officers residing beyond the twenty (20) road mile requirement but within fifty (50) road miles of the city limits of Winchester and within the Commonwealth of Virginia are permitted to take a police vehicle home during their scheduled tours of duty. Example: An officer working patrol Friday, Saturday, and Sunday, may take his or her patrol vehicle home and back to work during these days. These officers may only take home a vehicle with prior supervisory approval and are subject to availability of vehicles and the operational needs of the Patrol Division.

B. Vehicle Assignment

When deciding the order in which officers are assigned a vehicle for take home use, the following policies will be applied:

1. Command staff officers, supervisors and detectives assigned to the Criminal Investigations Division, canine officers, residential officers, school resource officers, and SWAT officers will be issued vehicles as part of their duty assignment, depending on the availability of vehicles designated for take home use. These officers will have priority over all officers on a take home vehicle waiting list.
2. Officers who live in the City of Winchester will have priority over other eligible officers.
3. Officers will be ranked in order by date of submission of Form 148.
4. If a vehicle is offered to an officer and the officer does not want that vehicle, the officer will go to the bottom of the waiting list regardless of the officer's seniority, placement on the list or location of residence.
5. If an officer is involved in a motor vehicle accident which causes total loss to a vehicle and officer is found at fault for motor vehicle accident, the officer will go to the bottom of the waiting list regardless of the officer's seniority, placement on the list or location of residence.

C. Officer Responsibilities

1. Officers assigned a take home vehicle are required to follow CEMS-032 and read and sign the City Owned Vehicle Policy Acknowledgement Statement, Form 55.
2. Once an officer is assigned a take home vehicle, it is that officer's responsibility to keep the vehicle maintained and clean. Officers may forfeit the privilege of being assigned a take home vehicle if the vehicle is misused, not properly maintained and cleaned, if there is disciplinary action taken against the officer, or other reasons determined by the Chief of Police or his/her designee.
3. Officers will return the vehicle to the Timbrook Public Safety Building if out on Family Medical Leave Act (FMLA) or other extended leave, as determined by the designated Administrative Division supervisor. It will be returned to the officer once released to full duty.

D. Vehicle Replacement

Vehicles should be replaced after reaching one hundred and twenty thousand (120,000) miles or when the vehicle repair costs exceed the amount to justify keeping the vehicle in service, or if a vehicle is determined to be eligible for removal by the Fleet Manager in conference with the Chief of Police or his/her designee.

E. Off-Duty Use

1. Officers living in the City may use their take home vehicle during off-duty hours under the following conditions:
  - a. They remain within the confines of the City of Winchester;
  - b. Officers are armed with a Department issued or approved firearm and have appropriate Department identification;
  - c. Officers are dressed in an appropriate manner according to City of Winchester and Department dress policy in order to represent the Department in a professional fashion; and
  - d. Officers monitor their radios and respond to emergency calls for service and back-up of other officers.
2. Any officer who is assigned a take home vehicle may use their vehicle during off-duty hours under the following conditions. Otherwise, the personal use of a take home vehicle by officers residing outside of the City of Winchester is prohibited.

- a. Officers are permitted to drive their vehicles to a workout facility in the City of Winchester.
  - b. Officers are permitted while driving to and from work assignment to use their vehicle for incidental errands.
  - c. While driving to and from work assignment, other persons, such as family members, may be transported provided all occupants wear a safety belt or are properly secured in a child restraint system.
3. All other rules and regulations apply when officers are operating a take home vehicle while in the off-duty status.