

PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...honor, integrity, courage, respect, and compassion."</i>		SUBJECT: "ARRESTS - SPECIAL SITUATIONS"	ORDER NUMBER: 44-4
		PLEAC STANDARD: NONE	PAGE 1 OF 3
ISSUE DATE: 6/9/2017	EFFECTIVE DATE: 5/15/2011	ANNUAL REVIEW DATE: MAY	RESCINDS: ALL PREVIOUS
			AMENDS: ALL PREVIOUS

1.0 POLICY

1.1 As a general rule arrests will be processed according to the guidelines set forth in *General Order #44-1, "Arrests – Physical, Summons or Warrants*, however, there are certain circumstances that require extra steps or a deviation from the standard guidelines. This policy will lay out several of those special circumstances and provide additional guidelines to officers when making an arrest.

2.0 PURPOSE

2.1 To provide members of the Pittsburgh Bureau of Police with the proper procedures for making arrests or charging violators when special circumstances exist.

3.0 OPERATORS OF TRANSPORT VEHICLES; PUBLIC, COMMERCIAL OR PRIVATE

3.1 Minor Offenses

3.1.1 When an on-duty bus or trolley operator is alleged to have committed a minor offense, the bus or trolley shall not be detained, nor shall the driver be taken into custody, but shall be required to report to the station to which the arresting officer is assigned at a time designated by the arresting officer.

3.1.2 The arresting officer shall secure such information as may be necessary to insure the drivers appearance at the station, and his/her identification.

3.2 Felonies or Other Serious Offenses

3.2.1 Buses or trolleys may be detained for investigative purposes provided the action is necessary, in which case, the arresting officer shall insure that the carrier (i.e. Port Authority, Lenzer Tours, Greyhound, Board of Education/School official) is notified and arrangements for the transfer of passengers and removal of the vehicle can be made.

3.2.2 Port Authority, Board of Education - When an operator is physically arrested and taken from the scene, the arresting officer shall ensure that Port Authority/Board of Education is made aware of the location of the vehicle and the number of passengers remaining on the vehicle. A supervisor will ensure that an officer remains with the vehicle until a representative from Port Authority/Board of Education arrives to take control of the vehicle and the passengers. If there are no passengers present and the vehicle can be secured, the supervisor may elect to secure the vehicle and not post an officer to await the arrival of a Port Authority/Board of Education representative.

3.2.3 Private Carriers - When the operator of a private carrier is physically arrested and taken from the scene, the arresting officer shall ensure that a supervisor is made aware of the location of the vehicle and the number of passengers remaining on the vehicle. It will be up to the supervisor’s discretion if they want to post an officer with the vehicle or have any passengers exit the vehicle so that it can be secured pending the arrival of a representative of the private carrier.

3.2.3.1 Private carriers will also include taxis or any shuttle or any service that is licensed to transport passengers.

3.3 In all circumstances involving an occupied trolley or bus, the arresting officer shall have dispatch contact the carrier (i.e. Port Authority, Lenzer Tours, Greyhound, Board of Education/School official) to notify them of the location and nature of the stop.

3.4 In any circumstance were an occupied trolley or bus has been stopped, the officer shall notify a supervisor of the stop and inform them of the following:

- 3.4.1 the location of the stop
- 3.4.2 the reason for the stop
- 3.4.3 the approximate number of people on the trolley or bus

4.0 POSTAL EMPLOYEE**4.1 Minor Offenses**

- 4.1.1 Persons employed by the United States Postal Service engaged in the delivery or collection of mail, and is guilty of a minor offense, shall not be taken into custody but shall be required to report to the station or unit to which the arresting officer is assigned at a time designated by the arresting officer.
- 4.1.2 The arresting officer shall secure such information as is necessary to insure the person's appearance at the station.

4.2 Felonies Or Other Serious Offenses

- 4.2.1 Persons employed by the United States Postal Service engaged in the delivery or collection of mail by vehicle and have committed a felony or other serious offense shall be arrested at the scene. The arresting officer(s) shall insure notification of the district postal inspector and shall remain with and safeguard the vehicle and its contents until the arrival of the postal inspector or other postal employee.
- 4.2.2 Persons engaged in the delivery or collection of mail on foot and have committed a felony or other serious offense shall be arrested and taken to the police station or unit office with any and all mail he/she may be carrying and the arresting officer shall insure the safety of the mail until the district postal inspector can be notified and the mail turned over to the postal inspector or other postal employee.

5.0 CITY EMPLOYEE / OFFICIAL

- 5.1 Persons employed by the City of Pittsburgh or are an elected or appointed official of the City of Pittsburgh, and who are guilty of a minor offense, shall be treated no differently than any ordinary citizen by the arresting officer.
- 5.2 Persons employed by the City of Pittsburgh or are an elected or appointed official of the City of Pittsburgh, and have committed a felony or other serious offense shall be arrested at the scene.
- 5.3 Police Officers are reminded that they retain the same level of discretion with City Employees and City Officials as they have with any other citizen. The officer may choose to take police action or decline to take police action, as permitted by law, based on the totality of the circumstances and the officer's best judgment.
- 5.4 In all cases involving a City employee or a City Official, a supervisor shall be notified of the police contact and given a complete description of that contact. The supervisor will ensure that the Zone Commander and the Duty Commander are both notified.

6.0 DELIVERY OR WORK VEHICLES

- 6.1 Delivery or Work Vehicles are any vehicles that are owned by a company for the sole purpose of conducting the business of the company, i.e. FedEx or UPS truck, Columbia Gas van/truck.
- 6.2 In any situation where the driver of a delivery or work vehicle has been physically arrested and the vehicle is not to be towed, the arresting officer shall make a reasonable effort to notify the company of the location of the vehicle.
- 6.3 In circumstances where the vehicle will be towed to the auto pound, the arresting officer shall notify a supervisor of the impending tow. The supervisor shall make a determination if the vehicle will be towed or a reasonable amount of time will be afforded the company to send a representative to recover the vehicle before the vehicle is towed.

7.0 MEDICAL TRANSPORTS**7.1 Minor Offenses**

- 7.1.1 Persons employed in such a capacity where they are engaged in the delivery or collection of perishable medical body parts/organs/blood, and is guilty of a minor offense, shall not be taken into custody but shall be required to report to the station or unit to which the arresting officer is assigned at a time designated by the arresting officer.

- 7.1.2 Persons employed in such a capacity where they are engaged in the transport of persons for medical reasons, and are guilty of a minor offense, shall not be taken into custody but shall be required to report to the station or unit to which the arresting officer is assigned at a time designated by the arresting officer.
- 7.1.3 The arresting officer shall secure such information as is necessary to insure the person's appearance at the station.

7.2 Felonies Or Other Serious Offenses

- 7.2.1 Persons employed in such a capacity where they are engaged in the delivery or collection of perishable medical body parts/organs/blood and have committed a felony or other serious offense **may** be arrested at the scene. The arresting officer(s) shall insure notification of the employer or the nearest hospital to arrange for pick up of the medical body parts/organs/blood.
- 7.2.2 Persons employed in such a capacity where they are engaged in the transport of persons for medical reasons, and are guilty of a felony or serious offense **may** be arrested at the scene. The arresting officer(s) shall insure notification of the employer or the nearest hospital to arrange for pick up of the person being transported.

- 7.3 Officers and supervisors shall use their discretion and weigh all known consequences when deciding to arrest or detain the driver of a medical transport vehicle.

8.0 PRIVATE TRANSPORTS

- 8.1 Persons who may be engaged in the private transport of persons who may be physically, intellectually or emotionally disabled, elderly, young juveniles or who are being transported for medical reasons, and have committed a summary offense for which a citation is appropriate, shall not be taken into custody but shall be issued a citation as per *General Order #44-2, Arrests – Summary (Non-Traffic) Citations*.
- 8.2 Persons who may be engaged in the **private** transport of persons who may be physically, intellectually or emotionally disabled, elderly, young juveniles or who are being transported for medical reasons, and have committed a serious, felony **may** be arrested at the scene.

9.0 DISCRETION

- 9.1 As a matter of consideration officers should give due contemplation to the proper handling of passengers that may be left stranded if the driver is arrested, especially when on limited access highways or secluded areas.
- 9.3.1. Officers should certainly recommend that passengers are free to make their own arrangements from the area when a driver is arrested and passengers are left remaining.
- 9.3.2 However, it is not unreasonable to offer assistance, if possible, in the form of transport, to a sensible location (especially for a juvenile, elderly person, physically or mentally disabled, etc.).

Approved By:



Scott Schubert
Chief of Police