

CHAPTER 8
SPECIAL RELATIONSHIPS
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CHAPTER 8

SPECIAL RELATIONSHIPS

1. POLICY.

- a. Employees establishing a special relationship with members of the public shall provide all reasonable assistance and protection while carrying out their responsibilities.
- b. All commanders shall ensure all uniformed employees, Public Safety Dispatchers, Public Safety Operators, Motor Carrier Specialists, and Commercial Vehicle Inspection Specialists are trained annually on the contents of this manual and, through civil liability training, ensure understanding of the terms, issues, and responsibilities required by the special relationship doctrine, as described below. All other nonuniformed employees who come in contact with members of the public should also receive such training. Training shall be entered into the Employee Training Records System.

2. GENERAL.

- a. A **Peace Officer** owes a duty of care to the public when the officer:
 - (1) **Places a person in peril;**
 - (2) **Affects or increases the risk of harm** to a person by specific conduct;
 - (3) **Creates a special relationship by making an expressed or implied promise** to undertake specific conduct on behalf of an individual and that individual detrimentally relies on that promise; or
 - (4) **Places a person in custody.**
- b. There may also be liability attached to nonuniformed employees because of an act or omission during the course and scope of their employment with the Department.
- c. The mere provision of police service to the general public cannot be construed as the type of conduct which establishes a special relationship.

3. PROCEDURES.

- a. Employees are to exercise reasonable care for others once a special

relationship has been established.

b. Employees shall not place motorists, passengers, or pedestrians in a position of foreseeable danger from either traffic or other potentially hazardous factors after contact has been made.

c. All nonuniformed employees handling 911 or other emergency calls shall remain on the line with members of the public until the call has been successfully transferred to the appropriate allied agency, departmental communications center, or other departmental personnel.

d. Any uniformed employees establishing a special relationship as defined in this manual should remain at the scene until one or more of the following occurs:

(1) They are properly relieved by a departmental employee.

(2) They have relinquished the scene management responsibilities to an on-scene representative of the governmental agency having primary responsibility for the incident.

(3) They have learned of a reasonably apparent emergency requiring their immediate attention elsewhere.

(4) They have received direction from a supervisor to assume duties elsewhere.

(5) A peace officer's assistance and/or protection is no longer reasonably necessary.

e. Nothing in this manual shall be construed as requiring an officer to remain with a disabled motorist or other person after all reasonable steps have been taken to resolve the incident, so long as no reasonable foreseeable danger to the individual or other traffic exists.