

Vehicle Pursuit Driving

15.1 Purpose

To establish guidelines for vehicle pursuits requiring emergency operation of Departmental vehicles for the City of Winona Police Department

15.2 Policy

All emergency vehicle operations shall be conducted in strict accordance with existing statutes. Officers engaged in emergency vehicle operations shall utilize both audible (siren) and visual (emergency lights) emergency warning equipment when engaged in a vehicle pursuit.

All personnel operating Departmental vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance, and no task shall be expedited with such emphasis that the principles of safety become secondary. There are no tasks in the Department of such importance that they justify the reckless disregard of the safety of innocent persons. Departmental personnel will be held strictly accountable for the consequences of their reckless disregard for the safety of others.

This policy is effective the 4th day of January, 2005

15.3 Definitions

1. Vehicle Pursuit – The active attempt by one or more police officers to apprehend a suspect operating a motor vehicle while the suspect is trying to avoid capture by using high speed driving or other evasive tactics such as driving off the highway, making sudden or unexpected movements, or maintaining legal speed but willfully failing to yield to the officer's signal to stop
2. Serious Felony – A felony that involves an actual or threatened attack, which the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury, including, without limitation, aggravated assault, armed robbery, murder, or burglary of a dwelling.
3. Roadblock – Any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a highway in order to effect the apprehension of an actual or suspected violator in a motor vehicle
4. Primary Pursuing Unit – The police unit that initiates a pursuit or any unit that assumes control of the pursuit.

15.4 Procedures

1. Vehicle pursuit is justified only when the officer knows or has reasonable grounds to believe the suspect presents a clear and immediate threat to the safety of other motorists; suspect has committed or is attempting to commit a serious felony; or when the necessity of immediate apprehension outweighs the level of danger created by the vehicle pursuit, as in the case of a serious traffic violation such as DUI

A. Initiating/Primary Unit Responsibilities

1. The responsibility for the decision to initiate a vehicle pursuit rests with the individual officer. The officer initiating a pursuit shall, in all cases, notify the dispatcher as soon as reasonably possible that a pursuit is underway and provide the following information:
 - a. Identification of unit initiating pursuit;
 - b. Location, speed and direction of travel;
 - c. Vehicle description, including license number, if known;
 - d. The specific reason for the pursuit, including known laws violated;
 - e. Number of occupants in pursued vehicle, if known;
 - f. Traffic and weather conditions;
 - g. Other pertinent information, suspicious actions, driving behavior.
2. Failure to provide the above information may be cause for the on-duty patrol sergeant or other supervisor to order termination of the pursuit.
3. The initiating or primary unit shall be in field command, and bear the operational responsibility for the pursuit unless relieved by a supervisor.
4. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the on-duty sergeant or other supervisor.
5. The primary unit may maintain pursuit as long as it is safe to do so, or until directed to terminate the pursuit by the on-duty sergeant or other supervisor, or until the suspect is stopped.
6. The decision to abandon pursuit may be the most intelligent course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit. A vehicle pursuit shall be terminated under any of the following circumstances:
 - a. If, in the opinion of the pursuing officer, on-duty sergeant or other supervisor, there is a clear and unreasonable danger to the officer and other users of the highway created by pursuit that outweighs the necessity for immediate apprehension.
 - b. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
 - c. The prevailing traffic, roadway and environmental conditions indicate the futility of continued pursuit.
 - d. The pursued vehicle's location is no longer known.
 - e. The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a non-serious felony and the safety factors involved are obviously greater than a juvenile can cope with.
7. The termination of a pursuit does not prohibit the following of a vehicle at a safe speed, or remaining in the area to reinitiate pursuit if the opportunity and conditions permit.

B. Assisting Unit Responsibilities

1. Assistance will be coordinated by the dispatcher under the direction of the on-duty patrol sergeant or other supervisor. The on-duty patrol sergeant or other supervisor and the primary unit will be advised of the identity and location of backup units who can assist.
2. The active pursuit will normally involve no more than two units: the primary unit and one backup unit. If more assistance is specifically requested, the amount will be determined by
 - a. Nature of the offense
 - b. Number of suspects
 - c. Whether the participating units have more than one officer
 - d. Other clear and articulated facts that would warrant the increased hazard.
3. Only the on-duty patrol sergeant or other higher ranking supervisor may authorize more than two units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit but shall not actively participate, and shall not respond or parallel the pursuit on adjacent streets unless specifically authorized to do so.
4. The assisting unit, upon joining the pursuit, shall immediately notify the dispatcher of its identity. If the primary unit is a one-man unit, the assisting unit may assume communications responsibility, allowing the primary unit to devote full attention to driving.
5. The assisting unit will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required.
6. Assisting units shall, to the extent reasonably possible, avoid intersecting the path of an oncoming vehicle.
7. If the primary unit becomes disabled, the assisting unit will become the primary unit. The dispatcher will notify the on-duty patrol sergeant and other units that a new back-up is needed, and the next unit to join the pursuit will be designated the backup unit.

C. Supervisory Responsibilities

1. Patrol Captain

- a. The patrol captain shall assume overall command and exercise control through the on-duty patrol sergeant for the conduct of the pursuit.

2. On-Duty Patrol Sergeant/Supervisor

- a. Upon being notified of the pursuit, the on-duty sergeant/supervisor shall verify the following:
 1. No more than the required or necessary units are involved in the pursuit.
 2. Proper radio procedures are utilized.
 3. Affected allied agencies (Sheriff's office, other jurisdictions, Highway Patrol) are being notified as required.

- b. The on-duty sergeant will continue to direct the pursuit and approve or order alternative tactics, such as the use of a roadblock and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or backup unit, the on-duty sergeant/supervisor may order termination of the pursuit
- c. As with any tactical field problem, it is not necessary that the on-duty sergeant/supervisor be physically present in order to begin coordination and assert control of the pursuit

D. Emergency Vehicle Operations and Tactics

1. Emergency lights and sirens will be activated immediately upon initiating a vehicle pursuit and will remain activated until the pursuit is terminated
 2. The pursuing officers will give maximum attention to their operation of Department vehicles and maintain maximum control of vehicles during this pursuit. Speed adjustments shall be made in consideration of traffic and road condition
 3. There will be no caravanning by field units not directly involved in the immediate pursuit. All units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or not, shall space themselves at a distance which will ensure proper breaking and reaction time in the event the lead vehicle stops, slows, or turns.
 4. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing vehicle.
 5. For reasons of personal and public safety, firing a weapon at a suspect vehicle from a police vehicle is generally prohibited and should be done only in the most extreme circumstances. (E.G. violator is shooting at officers or citizens)
 6. If a violator has committed a non-serious felony, misdemeanor or traffic violation the pursuit will be evaluated by the sergeant/supervisor for termination purposes. In the case of a serious felony, the pursuit may be continued as long as, in the opinion of the initiating officer, it can be done with full regard to the safety of other motorists and innocent persons
 7. During the pursuit, officer traffic should be passed on the left since motorists are required to pull to the right of the roadway at the approach of an emergency vehicle. Only under extreme circumstances will officers pass on the right side of non-involved vehicles.
- E. Roadblocks** – Will be used as directed by the Department directive regarding roadblocks.

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F. Reports Required

1. A full report of each pursuit will be made using bill of sale of the person. The report will be prepared by the on-duty sergeant supervisor giving special attention to communication with this department, speeds, direction and distance traveled, and arrests. Air damage to property or accidents will be reported on the appropriate report forms.
2. If a police vehicle is involved in an accident, the on-duty patrol sergeant's supervisor will be immediately notified in the pursuit to conduct an accident investigation. The officer involved in the accident will only discuss the accident in a written report for the supervisor or the investigation officer.
3. The officer involved will complete a memo to his supervisor detailing the circumstances. If the officer is minor, a report of personal injury and a report of on-incident accident to city property will be completed. If the officer is incapacitated, the supervisor will contact the appropriate agencies.
4. All reports will be completed prior to the supervisor's final computer signature date.

G. Supervisory Notification

1. The sergeant supervisor shall advise the sergeant of the officer's pursuit if the pursuit is of a significant nature and if fatalities or damage to property is involved, the sergeant supervisor shall notify the Assistant Chief of Police.
2. The Assistant Chief of Police, if deemed necessary, will notify the Chief of Police.
3. All required reports forms will be forwarded to the Chief of Police via the chain of command.

MAYOR, CITY OF WINDONA, MISSISSIPPI

ATTEST

CITY CLERK