

Vehicle Pursuits

306.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for making decisions with regard to vehicular pursuit.

306.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized emergency vehicle - a Department vehicle equipped with emergency lights (visible from front and rear), siren and police radio may engage in a vehicle pursuit.

Primary unit - the police unit, which initiates a pursuit or any unit which assumes control of the pursuit.

Secondary unit - any police vehicle, which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance. The secondary unit should assume radio communication to allow the pursuing unit to focus on the suspect vehicle.

Vehicle pursuit - An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

306.2 POLICY

Officers will conduct vehicle pursuits in accordance with training, policy and law. Regardless of the reason for the vehicle pursuit, officers will place a priority on public safety and terminate the vehicle pursuit when the danger to the public outweighs the reason for the stop.

306.3 INITIATION OF PURSUIT

- (a) The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
- (b) Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when properly directed to do so. Pursuit may also be justified if the officer reasonably believes that the suspect, if allowed to flee, would present a danger to human life or cause serious injury.
- (c) In deciding whether to initiate pursuit, the officer will take into consideration:
 1. Road, weather and environmental conditions.
 2. Population density and vehicular and pedestrian traffic.
 3. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued.
 4. The seriousness of the offense.

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- (d) The Department prohibits officers from initiating or joining a vehicle pursuit with civilian passengers, unless the passenger meets the criteria in the general order Ride-Along Program.

306.4 PURSUIT OPERATIONS

- (a) Units chasing the suspect vehicle will activate both the emergency lights and siren for public safety. The siren will be kept on until either the pursuit ends or the pursuing officer disengages from actively chasing the suspect vehicle.
- (b) Upon engaging in pursuit, the officer will notify Communications of the location, direction and speed of the pursuit, traffic conditions (both vehicular and pedestrian), the description of the pursued vehicle (including license plate if known) and the initial purpose of the stop. The officer will keep communications updated on the pursuit.
- (c) Communications personnel will notify an available uniform supervisor of the pursuit, clear radio channel of non-emergency traffic, perform a record check on the fleeing vehicle and relay necessary information to other officers and jurisdictions.
- (d) When engaged in pursuit, officers have a legal responsibility to drive with due regard for the safety of all people. Units will follow behind all vehicles at a safe distance to prevent accidental rear-end collisions.
- (e) Unless circumstances dictate otherwise, a pursuit will consist of no more than three police vehicles to minimize the hazards to public safety. Secondary units will begin to disengage when a canine unit or PIT certified unit joins the pursuit. The purpose of disengaging is to abide-by the three unit guideline.
- (f) Units will not pass each other unless a police vehicle is disabled, or authorized by the Command Supervisor or front car.

306.5 COMMAND SUPERVISOR RESPONSIBILITIES

- (a) When Communications alerts an available uniform supervisor of a vehicle pursuit, the supervisor assumes command of the incident (Command Supervisor) and will acknowledge their role as Command Supervisor via radio.
- (b) Any officer, regardless of assignment, holding the rank of sergeant or above not actively engaged in the pursuit is responsible to take the role of Command Supervisor. Upon taking the role of Command Supervisor, the supervisor must announce their command via radio.
- (c) The Command Supervisor will monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used, and will have the discretion to terminate the pursuit.
- (d) The Command Supervisor has a duty to control the number of police cars, beyond the three car limit, actively chasing the suspect vehicle.
- (e) Where possible, the Command Supervisor will respond to the location where a vehicle has been stopped following the pursuit.

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- (f) When a pursuit results in serious bodily injury, a fatality, damage to police vehicles or damage to a third party vehicle, then the Command Supervisor, either through direct action or delegation, will remove the MVR tapes / DVDs and turn them in to the MVR and Photo Media Drop-box before the end of shift.

306.6 PURSUIT TACTICS

- (a) Officers will not normally follow the pursuit on parallel streets unless authorized by the Command Supervisor, or the purpose is to get ahead of the pursuit to deploy a Tire Deflating Device (TDD) or deter the public from access to the pursuit.
- (b) When feasible, available patrol units having the most prominent markings and emergency lights will be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit will disengage when a marked unit becomes available.
- (c) Motorcycles may not be used in a high-speed vehicle pursuit, and its operation will follow department policy on the use of motorcycles.
- (d) All intervention tactics short of deadly force, such as TDD, precision Immobilization Technique (PIT), and rolling roadblock (with appropriate advance warning) should be used when it is possible to do so safely, and when the officers utilizing them have received appropriate training in their use.
- (e) The Command Supervisor must authorize the use of a roadblock, rolling roadblock or PIT.
- (f) Decisions to discharge firearms at or from a moving vehicle, or ramming the suspect vehicle, may only be used when deadly force is justified.
- (g) Once the pursued vehicle is stopped, officers will utilize appropriate officer safety tactics and will be aware of the necessity to utilize only reasonable and necessary force to take suspects into custody.

306.7 FORCIBLE STOPPING TECHNIQUE GUIDELINES

- (a) When using a TDD, officers should:
 - 1. Stop traffic in all directions prior to deployment.
 - 2. Place officers and civilians behind protective cover.
 - 3. Notify all police units about the TDD's exact location.
 - 4. Never use to stop motorcycles, bicycles, three-wheeled vehicles, golf carts or all-terrain vehicles.
- (b) Using a boxing /rolling roadblock or PIT maneuver may damage a police vehicle. If a police vehicle is damaged as a result of the technique then an accident report is not needed.
- (c) The PIT may only be used when speeds do not exceed 50 miles per hour, and authorized by a Command Supervisor. If used at a speed of greater than 50 mph, it must be a deadly force issue.

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- (d) When applying a roadblock:
 - 1. Officers must never block the entire roadway unless deadly force is authorized.
 - 2. Police vehicles used in a roadblock will activate their emergency lights to warn the violator to stop.
 - 3. Never set up a roadblock on a curve, hill crest or intersection.
 - 4. Do not intentionally blind the suspect with lights (e.g., head lamps, spotlight).
 - 5. All vehicles used in a roadblock must be un-occupied.

306.8 TERMINATION OF PURSUIT

- (a) Units will terminate a vehicle pursuit under any one of the following conditions:
 - 1. Command Supervisor (or higher-ranking authority) or any pursuing unit orders the pursuit terminated.
 - 2. Risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
 - 3. Suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers and apprehension at a later time is feasible.
- (b) For officer safety, units must terminate a pursuit if the unit has no radio communication with a law enforcement dispatch center.
- (c) Units must notify Communications when terminating a pursuit. Upon pursuit termination, all units will deactivate their emergency vehicle equipment (lights/siren) and resume driving in compliance with posted traffic laws.

306.9 INTER- AND INTRA-JURISDICTIONAL PURSUITS

- (a) The pursuing officer will notify Communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line.
- (b) Pursuit into a bordering state will conform with the law of both states and any applicable inter-jurisdictional agreements.
- (c) Units will follow the South Bend Police Department vehicle pursuit policy even when entering another jurisdiction. However, any inter-local agreements and state law will supersede Department policy when applicable.
- (d) If an outside police agency is involved in a vehicle pursuit, regardless if it is within or outside South Bend City limits, then the officer may only join if the pursuing agency has requested assistance or a supervisor has granted permission.

306.10 AFTER-ACTION REPORTING

- (a) The Department will require a written report and conduct an informal and formal administrative review of each pursuit.

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- (b) Whenever an officer engages in a pursuit, the Command Supervisor will conduct an informal pursuit review with the completion of the Department's vehicle pursuit form by the end of shift and submit it to the Officer of Professional Standards. Do not send the form to Records for filing.
- (c) Reviewing MVR footage and other collected data, the lead Emergency Vehicle Operation Course (EVOC) instructor will generate a written report on a quarterly basis (January, April, July and October). The EVOC instructor(s) report(s), and the Office of Risk Management (ORM), will critically evaluate police pursuit activity and identify any additions, deletions or modifications warranted in departmental pursuit procedures. The report will be forwarded to the following positions:
 - 1. Chief of Police.
 - (a) The Chief of Police has the discretion to appoint another reviewer to assist the lead EVOC instructor.
 - 2. Uniform Division Chief.
 - 3. Training Bureau Commander.
 - 4. Office of Professional Standards.
- (d) The Office of Professional Standards will write an annual analysis report of the previous years' pursuits, and submit it to the Chief of Police no later than January 31 of each year.

306.11 REGULAR AND PERIODIC PURSUIT TRAINING

Officers who drive police vehicles will be given initial and periodic update training in the Department's pursuit policy and in safe driving tactics.