

HAWAII POLICE DEPARTMENT - MOTOR VEHICLE PURSUIT

GENERAL ORDER NO.

602

I. POLICY

This department's primary concern in pursuit situations is the safety and protection of all citizens and officers. This policy is to be used as a guide to making intelligent and acceptable decisions on initiating or continuing pursuit.

A. The primary goal is to avoid excessive or unjustifiable risks.

B. The key factors to be considered when initiating or continuing a pursuit are:

1. Justification
2. Public and personal safety
3. Alternatives
4. Control

II. DEFINITION

A. Motor vehicle pursuit is an effort by a police officer operating a motor vehicle to stop another vehicle when:

1. An occupant of the other vehicle is a suspected violator of the law, and
2. The driver of the other vehicle appears to be deliberately ignoring lawful commands to stop, or is fleeing from the police.

B. Primary pursuit vehicle - The police vehicle which initiates or resumes pursuit.

C. Backup pursuit vehicle - A second police vehicle which is directed to assist in the pursuit, and which provides backup when the stop is effected.

D. Support/standby vehicles - Police vehicles which are directed to monitor the pursuit, or to position themselves in key locations.

III. GENERAL CONSIDERATIONS

A. Motor vehicle pursuit may be hazardous because of the high speeds and maneuvers involved. Therefore, in each decision to engage in motor vehicle pursuit, the need to apprehend the suspect must be weighed against the need to avoid harm to persons and property.

B. There is no set formula to cover all pursuit situations because of the variables and complexities involved. Decisions about pursuit must be based on common sense, training, experience and departmental guidelines on the situation at hand.

C. Pursuit must be carried out in accordance with existing state laws, county ordinances, and departmental policies relating to the operation of emergency vehicles.

IV. RESTRICTIONS

A. Motor vehicle pursuit may only be conducted using county owned or subsidized vehicles equipped with roof mounted blue lights and sirens.

B. No more than two police vehicles should be in actual pursuit of any one vehicle at any time. C. Officers are forbidden from discharging firearms from moving vehicles. D. Ramming, boxing-in or blocking the roadway with police vehicles is prohibited in pursuit situations.

E. Officers not directed to participate in the pursuit shall not violate traffic regulations in order to observe, engage in, or position themselves near the pursuit.

V. PROCEDURES

Access to Section V withheld based on opinion by Office of Information Practices, May 8, 1995.

VI. PURSUIT TACTICS

Access to Section VI withheld based on opinion by Office of Information Practices, May 8, 1995.

VII. TERMINATION OF PURSUIT

A. Pursuit shall be terminated under any one of the following conditions:

1. When the suspect is being pursued for a violation, misdemeanor, or non-violent felony offense, and the suspect's identity is known to the pursuing officers.

2. When the suspect vehicle proceeds the wrong way down a divided highway or one-way street.

3. When the risk created by the pursuit is unreasonable given the nature of the offense for which the suspect is being pursued and the conditions under which the pursuit must be conducted.

a. As stated previously, the key factor for initiating or continuing a pursuit is justification.

b. An assessment of pursuit conditions and attendant risks should include:

- 1) Vehicle speeds;
- 2) Volume of traffic on the roadway;
- 3) Pedestrian traffic in the area;
- 4) Weather and road conditions;
- 5) Visibility;
- 6) Time of day.

4. When the whereabouts of the pursued vehicle are no longer certain.

5. When the pursuing units lose radio contact with dispatch.

B. The decision to terminate shall be made by the pursuit supervisor, or if none is available, by the primary pursuit vehicle.

VIII. REVIEW OF MOTOR VEHICLE PURSUITS

A report on each motor vehicle pursuit involving damage or injury shall be prepared by the participating officers as soon as practicable, reviewed by the appropriate district commander(s), and forwarded to the Office of the Chief through the chain of command.

A. The pursuit supervisor shall submit a memorandum to the Chief of Police on any motor vehicle pursuit, describing;

1. The reason for the pursuit;
2. Description of the pursuit, including traffic/roadway conditions and number and identity of police units involved;
3. If actions of involved officers conformed to this policy;
4. Any deviation from policy, and the reasons for the deviation;
5. Any unusual circumstances or actions;
6. Supervisor's conclusions on whether the pursuit was handled properly, or what could have been done differently.

B. Should the pursuit have resulted in injury or damage to police personnel or equipment, the above-listed issues shall be covered in the accident/damage reports, and separate memos on this topic are not necessary.

C. These memos shall be reviewed by the Assistant Chief of the Administrative Bureau to determine if training needs must be addressed, or if policy changes should be considered.

VICTOR V. VIERRA
CHIEF OF POLICE

Revised: 05-13-91