

STANDARD OPERATING PROCEDURE
State Form 39870
Reference No.

ENF-001

Agency

INDIANA STATE POLICE

Subject

Pursuit/Emergency Driving and Roadblocks
No. of Pages

Special Instructions

Replaces ENF-001 dated April 1, 1999
Effective Date

July 25, 2001

I. PURPOSE

Establishes guidelines for pursuits, emergency driving, and the implementation of roadblocks.

II. POLICY

Pursuits shall be initiated only when an actual or suspected law violator clearly exhibits the intention of avoiding arrest by using a vehicle to flee or when an actual or suspected law violator refuses to stop and uses a vehicle to flee. Personnel responding to emergency calls or initiating a pursuit of detected violators shall engage the required emergency lights and/or siren of the state police commission when it is being used as an authorized emergency vehicle.

III. PROCEDURE

A. In compliance with IC 9-21-1-8, the person who drives an authorized emergency vehicle; when the vehicle is using audible or visual signals, as required by law and responding to an emergency call or in the pursuit of an actual or suspected violator of the law, may:

1. Park or stand, notwithstanding other provisions of IC 9-21;
2. Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation;
3. Exceed the maximum speed limits if the person who drives the vehicle does not endanger life or property; and/or
4. Disregard regulations governing direction of movement or turning in specified directions.

B. The foregoing privileges do not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor shall such privileges protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.

C. A motor vehicle pursuit is justified only when the necessity of immediate apprehension clearly outweighs the level of danger created by the pursuit.

D. Totally encompassing guidelines cannot be established to cover all types and circumstances of emergency and pursuit driving. However, officers involved in emergency driving or vehicular pursuits, will be held accountable for their decisions made during the pursuit and must constantly strive to use good judgment and observe for the unexpected variables

that
spontaneously occur.

E. Personnel shall exercise extreme caution in all emergency and pursuit driving situations; as dictated by the conditions of the highway, density of vehicular and/or pedestrian traffic, visibility, terrain, and all other circumstances relating to the probability of a crash.

F. Personnel shall recognize the limitations of emergency equipment. Reliance on the safety of required emergency lighting and siren, under crowded traffic conditions, will increase the probability of a crash.

G. Emergency and pursuit driving in unmarked patrol cars require extra caution by the driver. Drivers of all unmarked vehicles shall relinquish a pursuit to marked vehicles, as soon as they become available during a pursuit.

H. Engaging in emergency or pursuit driving will normally be a discretionary decision on the part of the individual officer.

I. Emergency or pursuit driving shall not be initiated when non-departmental personnel or persons in custody are passengers in the vehicle.

J. When emergency or pursuit driving has been initiated, the appropriate district shall be notified by radio. The officer shall also notify the district of the description of the suspect vehicle (and suspect, if available), location, direction of travel, and reason for the pursuit.

1. The district duty officer shall immediately report to the communication center to closely monitor all radio traffic concerning the pursuit, personally take command of the incident, control the number of units involved, and determine if the pursuit should continue after evaluating all available information.

2. The district duty officer or other commanding officer shall direct the pursuit to be terminated when public safety is better served by abandonment rather than continuation of the pursuit.

3. If the suspect in the pursued vehicle has been identified, termination of the pursuit may be the best course of action. If the pursuit continues, the pursuing officer must constantly question and evaluate if the seriousness of the crime justifies the increased dangers of the continued pursuit.

4. Other available officers shall maintain perimeter control unless given other instructions by the district duty officer.

5. Caravan situations shall be avoided.

K. When an emergency pursuit has been initiated, the telecommunications officer shall:

1. Immediately notify the district duty officer and dispatch the route of travel and a description of the vehicle and occupants;

2. Advise other units to hold all non-emergency radio transmissions;

3. Use discretion and brevity in all radio transmissions; and

4. Upon termination of the pursuit and any subsequent related emergency, (e.g. vehicle crashes and foot pursuits) initiate a dispatch for resumption of routine radio traffic.

L. The Use of Deadly Force policy, stated in the Department

regulations,
shall be a primary consideration governing pursuits and subsequent
roadblocks.

1. Discharging firearms at or from a moving vehicle is prohibited
unless the
offender is employing deadly force against the employee or a third
person.

2. Using a police vehicle as a weapon shall be viewed with the same
regard
as using a deadly weapon. Such use shall be considered only as a last
resort when the officer reasonably believes the officer must use such
force
to prevent imminent serious bodily injury to the officer or a third
person.

3. A police vehicle shall not be used to ram another vehicle.

M. Roadblocks shall be employed only as a last resort.

1. Emergency vehicle lighting shall be in operation when a police
vehicle is
used as a stationary roadblock.

2. Commissions used as stationary roadblocks shall not be occupied.

3. Privately owned vehicles shall not be commandeered to be used as a
roadblock.

N. Roadblocks shall be set up where it will afford clear visibility to
traffic in all directions and to all highway users.

1. An escape route through the roadblock must be established. The
escape
route must be established in such a manner to be maneuvered through at
a
reasonable speed.

2. Remove vehicles and people not associated with the roadblock.

3. Rolling roadblocks are not recommended but may be used in circumstances where it is necessary to protect a third party.

O. Pursuits that cross state lines shall only be made if the person(s) being pursued has committed or is suspected of having committed a felony that involved the use of deadly force or resulted in bodily harm to another party.

1. After crossing a state line, Department personnel shall merely keep the pursued vehicle in sight until the agency having jurisdiction assumes the pursuit role.

2. If the other state's agency has no officers available or elect to not participate in the pursuit, Department personnel shall immediately terminate the pursuit.

P. At the completion of all pursuit situations, a Vehicle Pursuit Report (Stock #324) of the incident shall be forwarded, through channels, to the commander of the Field Enforcement Division by the involved officer's immediate supervisor. Although catching up to a suspect's vehicle may entail emergency driving, a Vehicle Pursuit Report is not required unless a suspect has attempted to flee from an officer using a vehicle after the officer has, by audible or visible means, identified himself and ordered the person to stop.

1. For the purpose of this standard operating procedure, a vehicle pursuit is defined as pursuing or following a person who knowingly or intentionally flees from a law enforcement officer after the officer has, by visible or

audible means, identified himself/herself and ordered the person to stop...
when done with intent to apprehend or arrest.

2. A Vehicle Pursuit Report (Stock #324) is required when the above definition has been met.

Q. Personnel using a Department issued Stop Stick(s) shall set up a roadblock, as prescribed in this SOP and shall adhere to the following guidelines.

1. Use of three-foot Stop Stick(s) in pursuit situations.

a. Place your commission at a location conducive to the proper operation of the roadblock where you can use it as protection from the fleeing vehicle.

b. Assemble and position the three-foot Stop Stick(s) with the nylon cord attached.

c. Connected or disconnected three foot Stop Stick(s) may be tossed into the path of a pursued vehicle, when inappropriate to use the guidelines described above.

2. Use of one foot Mini-Stop Stick(s) in stationary vehicle situations.

a. One-foot Mini-Stop Stick(s) can be used to prevent a vehicle(s) from being moved by a suspect attempting to flee a scene.

b. One-foot Mini-Stop Stick(s) may be used to prevent movement of a vehicle(s) that is, or possibly will be, evidence.

3. The three-foot Stop Stick(s) and the one-foot Mini-Stop Stick(s) are designed for specific functions and are not interchangeable in use.

a. The three-foot Stop Stick is designed to puncture a tire in motion.
The unit is omni-directional allowing it to function regardless of which surface is impacted by a tire in motion.

b. The one-foot Mini-Stop Stick is designed to puncture a tire going in motion from a stationary position. The one-foot Mini-Stop Stick must be deployed with the white printed side facing the pavement and one of the either remaining sides chocked against a stationary tire.

4. Stop Sticks are not to be used as a hand weapon.

5. Stop Stick sleeves, if used:

a. Shall contain no more than three (3) stop sticks;

b. May be folded with enclosed Stop Sticks and placed in the trunk lid holder; and

c. May be used in conjunction with the companion reel by attaching the line to the D ring on the sleeve thus allowing the officer to pull the loaded sleeve into the path of a target vehicle. The line is of sufficient strength to maneuver the loaded sleeve, but will break before causing injury to the officer should it become entangled on the target vehicle.

R. The following procedures shall be utilized when a Department issued Stop Stick(s) is deployed:

1. Record the incident per SOP ENF-001 using the Vehicle Pursuit Report form, Stock #324. Information regarding the effectiveness and results shall be placed on page two in the Comments section;

2. Commanders shall request replacement Stop Sticks from quartermaster using Stockroom Request - Shipper, Form #536. A copy of the Vehicle Pursuit Report shall be attached to the Stockroom Request - Shipper. Upon receipt of these forms, quartermaster shall initiate replacement; and

3. The Quartermaster Section shall notify the Stop Stick, Inc. Company and advise them of the deployment and necessary replacement. The responsible commander shall return the used Stop Stick(s) to the Quartermaster Section to be sent to Stop Stick, Inc. If it is relatively evident that a deployed Stop Stick(s) was used during an incident that will end up in litigation, the Stop Stick itself should be held as evidence until all legal avenues have been exhausted.

5. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies, and procedures.