



POLICE VEHICLE PURSUITS

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I. PURPOSE

It is the purpose of this policy to state the guidelines to be followed during vehicular pursuits.

II. POLICY The initiation of a pursuit is justified when, in the officer's judgement, a suspect exhibits the intent to avoid arrest using a motor vehicle to flee. Initially the officer must determine if the necessity of immediate apprehension outweighs the level of danger created by the pursuit. This evaluation must continue throughout the course of the pursuit by the officer and his/her supervisor. All pursuits will be conducted in strict accordance with section 321.231 of the Code of Iowa and all emergency vehicles will utilize both audible and visual signaling devices when engaged in pursuits.

III. DEFINITIONS

321.231 Authorized emergency vehicles and police bicycles.

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected perpetrator of a felony or in response to an incident dangerous to the public or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.
2. The driver of any authorized emergency vehicle, may:
 - a. Park or stand an authorized emergency vehicle, irrespective of the provisions of this chapter.
 - b. Disregard laws or regulations governing direction of movement for the minimum distance necessary before an alternative route that conforms to the traffic laws and regulations is available.
3. The driver of a fire department vehicle, police vehicle, or ambulance, or a peace officer riding a police bicycle in the line of duty may do any of the following:
 - a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
 - b. Exceed the maximum speed limits so long as the driver does not endanger life or property.
4. The exemptions granted to an authorized emergency vehicle under subsection 2 and for a fire department vehicle, police vehicle or ambulance as provided in subsection 3 shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of section 321.433, or a visual signaling device approved by the department except that use of an audible or visual signaling device shall not be required when exercising the exemption granted under subsection 3, paragraph "b" of this section when the vehicle is operated by a peace officer, pursuing a suspected violator of the speed restrictions imposed by or pursuant to this chapter, for the purpose of determining the speed of travel of such suspected violator.
5. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the driver's reckless disregard for the safety of others.

Pursuit - For the purpose of this policy, pursuit means chasing a fleeing suspect.

IV. PROCEDURES

- A. Initiation: The pursuing officer must carefully consider the safety of persons and property before engaging in a vehicular pursuit. Some of the factors that should be considered when determining whether to initiate, continue or terminate a vehicular pursuits are:
1. Time of day - high speed pursuits occurring during a time when there is a high level of activity (businesses, schools), are normally more hazardous than those occurring during periods of low activity.
 2. Volume of vehicular traffic - pursuits occurring during periods of heavy traffic flow are more hazardous than those occurring at other times.
 3. Location of pursuit - pursuits through residential areas or along streets near or adjacent to schools are normally more hazardous than those in lightly populated areas.
 4. Weather conditions.
 5. Road conditions.
 6. Speed involved.
 7. Nature of the offense - pursuits for persons suspected of involvement in felonies are viewed as more justifiable than those for persons suspected of traffic or other misdemeanor violations. However, there shall be no assumption that the commission or suspected commission of a felony constitutes automatic authorization to pursue by vehicle.
 8. The condition of the police vehicle should be considered.
 9. Consideration should be given to the driving skills of the pursuing officer.
 10. Can the offender be identified and therefore apprehended by other means?
- B. Officers shall be familiar with and use the following Pursuit Decision Matrix as guidance in determining whether to initiate or continue a pursuit. The Pursuit Decision Matrix is very similar to the Use of Force Continuum as set out in the Department's Use of Force policy. It is a guide designed to assist the officers in their use of discretion and shall be followed when making vehicular pursuit decisions. The degrees of risk associated with vehicular pursuit in specific circumstances are defined as follows:

PURSUIT DECISION MATRIX GUIDES

LOWER RISK

1. Marked vehicles
2. Straight roads, good surfaces, clear line of sight
3. Few intersections
4. Few or no pedestrians
5. Good weather
6. No hazardous maneuvers by violator
7. Speeds at or less than 20 m.p.h. over the posted limit
8. Officer is calm and in control
9. Lack of special circumstances (i.e., school zones, hospitals, etc.)

MODERATE RISK

1. Some intersecting streets (i.e., residential area)
2. Light pedestrian traffic
3. Moderate traffic, little congestion
4. Speeds 20 m.p.h. greater than the posted speed limit
5. Officer generally calm, under control
6. Some hazardous, but not extreme maneuvers (i.e., crossing center line to pass vehicles, sudden lane changes) by the violator.

HIGH RISK

1. Frequent intersecting streets (i.e., a business district)
2. Poor weather, slippery streets, low visibility
3. Blind curves or intersections, narrow streets
4. Numerous pedestrians
5. Heavy, congested traffic
6. Speed twice the posted speed limit, **or** greater than 80 m.p.h.
7. Extremely hazardous maneuvers (i.e., driving against oncoming traffic, failing to stop for red lights) by the violator
8. Numerous vehicles in pursuit
9. Officer excited, not in full control of emotions
10. Existence of special circumstances (i.e., school zones, hospitals, etc.)

NOTATION

The courts have decided that the officer will be judged from the perspective of a reasonable officer on the scene (Graham V. Conner). With this in mind, officers should give serious consideration to all of the factors before deciding to initiate a pursuit and continue to evaluate the need to pursue versus terminating the pursuit.

PURSUIT DECISION MATRIX

NATURE OF OFFENSE	LOW RISK	MODERATE RISK	HIGH RISK
VIOLENT FELONY IMMINENT THREAT	May Pursue. Continue To Assess Risk.	May Pursue. Continue To Assess Risk.	May Pursue. Discontinue If Risks Exceed Known Threat To Public Safety If Capture Is Delayed.
FELONY-VIOLENT CRIMES	May Pursue. Continue To Assess Risk.	May Pursue. Continue To Assess Risk.	May Pursue. Discontinue If Risks Exceed Known Threat To Public Safety If Capture Is Delayed.
FELONY-PROPERTY CRIMES	May Pursue. Continue To Assess Risk	May Pursue. Continue To Assess Risk	Discontinue <u>OR</u> Do Not Pursue
MISDEMEANOR OR TRAFFIC VIOLATIONS THAT ARE SAFETY RELATED	May Pursue. Continue To Assess Risk.	Discontinue <u>OR</u> Do Not Pursue	Discontinue <u>OR</u> Do Not Pursue
MINOR INFRACTIONS THAT ARE NOT SAFETY RELATED	DO NOT PURSUE	DO NOT PURSUE	DO NOT PURSUE

HIGH RISK

Violent Felony -
Imminent Threat

May Pursue Continue to Assess Risk

May Pursue

Continue to Assess Risks

May Pursue. Discontinue if Risks Exceed Known Threat to Public Safety if Capture is Delayed.

Felony - Violent Crime

May Pursue

Continue to Assess Risk

May Pursue

Continue to Assess Risk

May Pursue. Discontinue if Risks Exceed Known Threat to Public Safety if Capture is Delayed

Felony - Property Crime

May Pursue

Continue to Assess Risk

May Pursue

Continue to Assess Risk

Discontinue or Do Not Pursue

Misdemeanors, and Traffic Violations That Are Safety Related

May Pursue

Continue to Assess Risk

Discontinue or Do Not Pursue

Discontinue or Do Not Pursue

Minor Infractions That Are Not Safety Related

Do Not Pursue

Do Not Pursue

Do Not Pursue

- C. Notification - When a motor vehicle pursuit is initiated, it shall be immediately reported to the Emergency Communications Dispatcher by the initiating officer. The initial information will include:
1. The reason for the pursuit
 2. The location, speed, and direction of travel
 3. The description of the fleeing vehicle, including license plate number.
 4. The number of occupants and description of occupants if observed.
 5. The officer will update the information as it becomes available or changes.
- D. Communication Center Responsibilities - Communications during a pursuit is vital to the safe apprehension of the offender as well as the safety of the officers and bystanders. The communications center will have the following responsibilities:
1. Immediately upon receiving information that an officer is in pursuit, the ECO will advise all other non-emergency radio traffic to stand by and give the pursuing officer priority use of PD1. The ECO will advise the pursuing officer of any pertinent information concerning the area of the pursuit.
 2. Notify a watch commander/supervisor of the pursuit in progress.

3. The ECO shall record on the CAD log all the information furnished by the officer during the pursuit.
4. As long as the pursuit is continued, the ECO will manage the pursuit communications by re-broadcasting transmissions of relevance to other units involved.
5. Contact surrounding agencies and advise them of the pursuit. We do not encourage involvement of other agencies in the pursuit other than for perimeter control and assistance in attempts to identify the violator unless specifically requested otherwise.
6. When the pursuit leaves the city limits, or it is reasonably imminent that it will, the ECO will contact the appropriate law enforcement agency with necessary information.
7. As time permits, the ECO will run vehicle and registered owner information and broadcast pertinent information.

E. Supervisory Responsibilities

1. A supervisor shall assume control of all pursuits. This can be accomplished through radio communications. Supervisors will monitor all pursuits and approve any special tactic that will be used.
2. In the event the supervisor initiates the pursuit, they should relinquish that position as soon as another unit becomes available and assume control of the pursuit as specified in subparagraph (1) above.
3. The supervisor's foremost considerations shall be officer and bystander safety, methods of identifying the fleeing suspect, tactics to stop the fleeing vehicle, and coordination of all officers.
4. Supervisors shall intervene and correct any misuse of police personnel involved in the pursuit.
5. The supervisor may, at any time, order the termination of the pursuit when, in their judgement, the necessity of apprehension is outweighed by the level of danger created by the pursuit.
6. Supervisors shall also assure that sufficient patrol strength is maintained within the city to handle routine calls for service.
7. The supervisor in charge of the incident shall approve any special tactics to stop the vehicle.

F. Pursuit Tactics

NOTE: Pursuit at high speeds under the best of conditions is an extremely dangerous situation. Any tactic contemplated when high speed is involved, requires advance planning, taking into consideration the factors surrounding the incident at hand. Safety is the foremost consideration. The following are some possible alternatives to consider when determining methods of stopping the fleeing vehicle.

1. Consider alternatives, through radio communication and the assistance of other police officers. A determination should be made as to whether the offender can be identified and apprehended later.
2. Give the offender an opportunity to stop by placing a patrol vehicle alongside the road with pursuit lights on and an officer in a safe location directing the suspect to stop.
3. Use fuses or traffic cones to set up an apparent roadblock in advance of the pursued vehicle. Remember to clear the road and select a safe location.
4. Use tire deflation devices to bring vehicles to a controlled stop.
5. Do not use the spotlight focused on the back window of the pursued vehicle.
6. Stationary roadblocks - because of the inherent danger of the use of stationary roadblocks in pursuit situations, it is the policy of this department that stationary roadblocks will be used for the purpose of stopping fleeing vehicles only:
 - a) As a last resort, in those exigent cases where the use of deadly force would be justified to prevent injury or death to the officer or other persons, a stationary roadblock may be considered. If suitable materials such as construction barricades are not available, unoccupied police vehicles with emergency lights in operation may be used, as directed by the watch commander/supervisor.
 - b) Stationary roadblocks will only be set up with the authorization of the supervisor in charge of the incident. To avoid creating an unnecessary hazard to pursuing officers and innocent persons, the roadblock will be located in an area of high visibility which provides a safe stopping distance for oncoming traffic. Under no circumstances will roadblocks be barricaded by occupied or private vehicles and all efforts

will be made to remove private vehicles from the path of the pursuit.

6. Moving roadblocks are prohibited without the express authorization of the supervisor in charge of the incident.
7. Ramming will only be considered to stop a fleeing vehicle as a last resort, and then only in those extreme cases where the use of deadly force is justified to prevent injury or death to the officer or other persons. The officer must consider the extreme danger to himself/herself, occupants of other vehicles and other users of the roadway. Permission to make deliberate contact with the offender's fleeing vehicle will be received from the supervisor prior to initiation of the act.
8. Specialized Police Vehicles
 - a) Officers operating unmarked vehicles, equipped with visual and audible signaling devices, may engage in pursuits only when the fleeing vehicle presents an immediate threat to persons or property and then only until a marked unit is available to assume the pursuit, at which point the unmarked will withdraw and serve only in a support role.
 - b) Police vehicles without emergency equipment, i.e., visual or audible signaling devices, **SHALL NOT ENGAGE IN PURSUITS** with one exception. In those cases where the fleeing vehicle presents an immediate threat of death or serious injury, they may participate until marked police units arrive.
9. Following the Fleeing Vehicle
 - a) All units will be spaced in such a manner to allow time to react to evasive maneuvers of the fleeing vehicle or another police vehicle. Officers will not pursue the fleeing vehicle the wrong way on interstate or controlled access roadways, or one way streets, unless specifically authorized to do so by a supervisory officer.
10. Aid to Outside Agencies
 - a) Whenever units of another law enforcement agency are engaged in a pursuit and request assistance from the Department, the requesting agency shall advise the emergency communications center of the nature of the offense and the description of the fleeing vehicle before a police vehicle from the Department joins in the pursuit. If an outside agency contacts an Iowa City officer directly, requesting assistance in a pursuit, it will be the responding

- officer's responsibility to advise communications of the request.
- b) The watch commander/supervisor is to be made aware of the request to aid in a pursuit and the circumstances surrounding it. The watch commander/supervisor must approve the request before any action is taken.
11. Firearms
- a) Except under the following circumstances, shooting from or at a moving vehicle is prohibited.
 - (1) When an occupant of the fleeing vehicle is utilizing deadly force against the police officer or other persons.
 - (2) As a last resort to prevent death or serious injury to the officer or other person(s).
 - (3) As a last resort to apprehend a person who has just committed a felony resulting in death or serious injury.
 - b) The discharge of firearms shall not be utilized when the circumstances do not provide a high probability of striking the intended target or when there is a substantial risk to the safety of other persons, including risks of causing vehicle accidents.
12. Number of Pursuit Vehicles
- a) The pursuit should be limited to two vehicles, a primary unit and a secondary unit. Other officers will be kept informed of the pursuit and should be in a position to assist if the pursuit enters their area of responsibility.
 - b) There will be no caravan of police vehicles attempting to join the pursuit.
 - c) There will be no attempt by officers engaged in the pursuit to pass other units involved in the pursuit unless permission is given by the supervisor in charge of the pursuit.

TERMINATION OF PURSUIT

- A. Pursuit shall be terminated under any one of the following reasons:
 - 1. A supervisor or higher authority orders the pursuit terminated.
 - 2. Upon the determination of the pursuing officer or supervisor that, the danger to the officers or others in the area outweighs the necessity for immediate apprehension.
 - 3. The offense is a traffic infraction, misdemeanor or other non-violent felony and the identity of the violator is known.

4. Visual contact is lost or the distance between the officer and the pursued vehicle is so great that further pursuit is futile.
 5. The pursuing officer believes that the fleeing vehicle is being operated by a juvenile and the offense constitutes a traffic infraction, misdemeanor, or non-violent felony.
 6. When there is an equipment failure involving the emergency lights, siren, radio, brakes, steering or other essential mechanical equipment.
- B. While not necessarily dictating immediate action, serious and continuing consideration should be given to termination of a pursuit under the following conditions:
1. Environmental factors such as rain, fog or darkness substantially increase the danger of the pursuit.
 2. Road conditions are congested by traffic or pedestrians, such as, at rush hour or in the area of any school.
- C. The termination of a pursuit does not prohibit following the pursued vehicle at a safe speed or remaining in the area to re-initiate contact if circumstances dictate.

REPORTING

- A. The pursuing officer and watch supervisor will forward a written report detailing the pursuit to the Division Commander before completing their tour of duty. The report shall include:
1. Evaluation of the circumstances involved.
 2. If the initiating officer followed the required procedures.
 3. Were there other units involved and did they follow procedures.
 4. Did communications perform their responsibilities.
 5. Did supervisors perform their responsibilities.
 6. Was force used to stop the vehicle, i.e. roadblocks or controlled stopping devices.
 7. Were procedures followed regarding termination of pursuits.

- B. The supervisor of the unit initiating the pursuit shall be responsible for submission of a written analysis and critique of the pursuit through the chain of command to the Chief of Police. The report shall include an evaluation of the pursuit referring to the circumstances and adherence to this policy.
- C. A vehicular pursuit is deemed a "use of force", hence a Use of Force report must be completed.
- D. As a vehicular pursuit is deemed a "use of force", the Department's Use of Force policy and Use of Force continuum apply to vehicular pursuits.

R. J. Winkelhake, Chief of Police

WARNING

This directive is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of this directive will only form the basis for departmental administrative sanctions.