



KANSAS CITY, MO. POLICE DEPARTMENT

PROCEDURAL INSTRUCTION

DATE OF ISSUE
2/24/04

EFFECTIVE DATE
3/10/04

NO.
04-1

SUBJECT

Pursuits and Emergency Police Vehicle Operations

AMENDS

REFERENCE

304.022, 544.157, 544.216 and 568.060 RSMo.
Patrol Bureau Memorandum 02-13

RESCINDS

Procedural Instruction 02-10

I. PURPOSE

The purpose of this procedural instruction is to set guidelines for the safe emergency operation of police vehicles, the pursuit of motor vehicles within and outside the city, and the use of a tire deflation device.

II. ADMINISTRATIVE GUIDELINES

- A. All members will abide by the city traffic ordinances and state motor vehicle laws and regulations, unless operating Code One.
- B. All members will use seat belts when operating a police vehicle.
- C. The use of both stationary and rolling roadblocks is **prohibited** by the Kansas City, Missouri Police Department.
- D. The use of push bars in a pursuit is **prohibited**.

III. DEFINITIONS

- A. **Controlling Supervisor/Commander** - Kansas City, Missouri Police Department supervisor or commander who assumes verbal control of the pursuit.
- B. **Emergency** - When it is believed that the immediate presence of the police is required to protect the physical safety or well being of a person.
- *C. **Emergency Operation/Code One** – An emergency police vehicle traveling with activated red light(s) and siren. Officers will operate Code One on assist-the-officer calls, emergency calls-for-service, while in a vehicle pursuit, or in any other situation when, in the officer's discretion, an emergency exists and such operation is reasonable and necessary.
- D. **Emergency Police Vehicle** – A police vehicle equipped with a siren and one or more red light(s).
- E. **Momentary Activation** – The brief activation of red lights and/or siren to gain the pursued driver's attention. Red light(s) and siren activated in an attempt to

stop a traffic violator or conduct a car or pedestrian check does not constitute a pursuit.

- F. **Pursuit** - An event which occurs when an officer operating a police vehicle attempts to stop a vehicle by activating both the red light(s) and siren, and the driver of the pursued vehicle tries to avoid capture by using high speed driving or other evasive tactics.

NOTE: It is **not** a pursuit when an officer activates his/her emergency equipment in order to catch up to a vehicle to conduct a traffic violation or car check. Officers must use both red light(s) **and** siren if it is necessary to exceed the posted speed limit or violate any other traffic law in order to catch up to a vehicle.

- G. **Pursuit Police Vehicle**

1. **Primary Pursuit Vehicle** - A police vehicle that initiates or assumes control of the pursuit and is the vehicle closest to the pursued vehicle.
2. **Secondary Pursuit Vehicle** - A police vehicle that directly follows the primary vehicle at a **safe distance**. The officer of this vehicle will be immediately available to assume the position of the primary vehicle and to assist the primary vehicle when the pursued vehicle stops.
3. **Other Pursuit Vehicle** – Any other police vehicle that becomes involved in a chase, whether attempting to overtake or parallel other (police or suspect) vehicles.

- H. **Roadblock** - Any restriction or obstruction utilized or intended for the purpose of preventing free passage of a motor vehicle in order to effect the apprehension of a pursued vehicle.

- I. **Tire Deflation Device** - A manually deployed device containing a multitude of hollow steel spikes which when struck causes a rapid, controlled deflation of a vehicle tire. **The use of a tire deflation device is not considered a roadblock.**

- *J. **Dangerous Felony** – According to state statute, this term applies to the following offenses: first degree arson, first degree assault, attempted forcible rape if physical injury results, attempted forcible sodomy if physical injury results, forcible rape, forcible sodomy, kidnapping, murder, first degree assault of a law enforcement officer, first degree domestic assault, first degree robbery, first degree statutory rape (when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense), first degree statutory sodomy (when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense), and abuse of a child pursuant to subdivision (2) of subsection 3 of Section 568.060 RSMo.

IV. PROCEDURE

This directive has been organized into annexes for easy reference.

ANNEX A Police Vehicle Emergency Operation (Other Than Pursuits)

ANNEX B Police Vehicle Pursuit Procedure

ANNEX C Police Vehicle Pursuits Involving Other Jurisdictions

ANNEX D Tire Deflation Device

Richard D. Easley
Chief of Police

Adopted by the Board of Police Commissioners this _____ day of _____ 2004.

Karl Zobrist
President

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POLICE VEHICLE EMERGENCY OPERATION (Other Than Pursuits)

- A. During emergency operation, officers will drive with due regard for the safety of all persons. Consideration must be given to:
1. Urgency of the situation
 2. Weather and roadway conditions
 3. Visibility
 4. Volume and speed of other vehicle traffic
 5. Ability to control the vehicle at the speed driven
- B. When responding to a call, officers are given the discretion to:
1. Operate Code One in situations when not dispatched Code One.
NOTE: Truck/Van chassis vehicles may only respond Code One when, in the discretion of the officer, it is necessary to preserve life, prevent serious personal injury, or protect property in immediate danger of destruction.
 2. Revert to non-emergency operation, when operating Code One, and if circumstances dictate, officers will notify the dispatcher of the change in status.
- C. As soon as practical, officers will notify the dispatcher of the nature of any situation requiring self-initiated emergency operation.
- *D. Vehicles operating Code One may proceed past a red signal, stop sign or through an uncontrolled intersection, but only after slowing down as may be necessary for safe operation.
NOTE: An uncontrolled intersection is described as an intersection where neither direction has any type of traffic control.
- E. Officers may utilize the yelp siren function through intersections or as needed.
- F. Police vehicles will yield to ambulances and fire equipment operating as emergency vehicles.
- G. Officers should not pass to the right of a vehicle in traffic during Code One Operation unless absolutely necessary, and should anticipate the possibility of a citizen's vehicle moving to the right in front of the police vehicle.

- H. If advised by a supervisor/commander to discontinue Code One Operation, an officer **will comply immediately.**
- I. Police vehicles will be parked so that other emergency vehicles will have access to the scene.

POLICE VEHICLE PURSUIT PROCEDURE

A. Because of possible risks that may be associated with pursuit driving, all officers must recognize and accept the fact that a decision not to pursue may sometimes be the safest and most professional course of action.

B. Factors Of Pursuit

The following factors and any other relevant factors will be considered before and during any pursuit to determine if the pursuit should be initiated, continued, or terminated:

- 1. Seriousness of the known violation or suspected crime**
- 2. Weather and roadway conditions**
- 3. Volume and speed of other vehicular traffic**
- 4. Presence of pedestrians, schools, parks**
- 5. Speed of pursuit**
- 6. Type of area**
- 7. Familiarity of area by officer**
- *8. Safety of the public in the area of the vehicle pursuit**
- *9. Safety of the officers in the area of the vehicle pursuit**
- *10. Quality of communications between the pursuing officers, the dispatcher and the supervisor**
- *11. Whether the suspect being pursued is readily identifiable or subject to capture at another time**

C. Initiating or Continuing Pursuit

- *1. Officers will not initiate a vehicle pursuit unless they determine that there is reasonable belief that the suspect presents a clear and immediate danger to the safety of others. Factors involved in this decision may include the commission of a violent felony. This consideration should be continually evaluated during the pursuit. If the officer decides to initiate a pursuit, Code One operation will be utilized throughout the entire duration of the pursuit.**

- *NOTE:** Officers **will not** initiate a vehicle pursuit if the suspect vehicle is a stolen auto **unless** it has been involved in a violent felony. This prohibition includes situations such as a serious traffic violation and DUI's, except where the suspect vehicle presents a clear and immediate danger to the safety of others.
- *2. Officers will not initiate or continue a pursuit when, in the officer's opinion, the danger to the public or officer created by the pursuit exceeds the danger presented by the offender remaining at large. **Note: Unless prior approval is obtained from a supervisor AND the operator of the vehicle being pursued is fleeing the scene of a felony to avoid a felony arrest, pursuits are prohibited against the traffic flow of a four-lane divided highway. Paralleling on such highways is permitted.**
 3. The discretionary decision to initiate, continue, or become involved in a pursuit will be based upon factors known to the officer at the time the officer initiates the pursuit.
 4. A person whose identity is known, who has not been involved in a violent felony, and who can be apprehended at a future time generally should not be the subject of a pursuit.
 5. An officer should generally not become involved in any pursuit when a prisoner or any other non-department member is a passenger in the police vehicle. This does not apply to department-authorized ride-alongs.
 6. Only a vehicle equipped with both an operating red light(s) and siren will engage in a pursuit.
 7. Unless there is an immediate threat to the safety or well being of a person, the following police vehicles should not become involved in pursuits: unmarked cars, motorcycles, four-wheel drive vehicles, and truck/van chassis vehicles.
 8. A pursuit will be limited to only the primary and secondary vehicles. Other officers will become involved in a pursuit **only** at the direction of the controlling supervisor/commander.
 - *9. Officers shall keep the public and their personal safety foremost in their minds.
 - *10. The element of personal challenge to the officer must never enter into a decision to pursue.
 - *11. All officers shall be obliged to report any violation of this policy to the supervisor in charge or face disciplinary action.

D. Other Pursuit Issues

1. When the primary vehicle or secondary vehicle experiences equipment failure involving an emergency signal device, radio, brakes, steering, or other essential mechanical equipment, that vehicle will discontinue its involvement in the pursuit.

2. Once the police helicopter has the pursued vehicle in sight, the helicopter will begin calling the chase. The primary and secondary vehicles may continue Code One operation but should defer to the helicopter as the main chase vehicle.
3. Police vehicles will not be used to ram pursued vehicles.

E. Terminating Pursuit

1. A pursuit will be terminated when:
 - a. In the discretion of the officer, the danger to the public or officer(s) created by the pursuit exceeds the danger presented by the offender remaining at large.
 - b. Immediate medical assistance is needed by anyone injured as a result of the pursuit and there is not a secondary vehicle to provide assistance.
 - c. A supervisor/commander orders the pursuit terminated.
 - d. **Either** the primary or secondary vehicle elects to terminate.
 - e. The primary and secondary vehicles lose contact with the pursued vehicle.
 - f. The pursuit fails to meet the criteria outlined in Annex B, Section C. The officer will be responsible for terminating the pursuit.

NOTE: Terminating a pursuit consists of stopping the police vehicle or turning away from the direction of the pursuit.

2. An officer **will not** be criticized or disciplined for terminating a pursuit when, in that officer's opinion, the lives or property of others would have been at undue risk if the pursuit had continued.

F. Initiating/Primary Vehicle Officer's Responsibilities

1. Activate both the red light(s) and siren immediately while attempting to stop any vehicle that refuses to stop and at any time while remaining behind or following the vehicle until the pursuit is terminated.
2. Notify dispatcher of pursuit and give the following information in the initial transmission:
 - a. Radio number
 - b. Location, direction, and speed
 - c. Vehicle description

- d. Occupant information
 - e. Reason for the pursuit
 - f. Any additional pertinent information (e.g., party armed, weather and street conditions and the volume and speed of other vehicular traffic)
3. Ensure the in-car camera and audio are both activated upon initiation of pursuit.
 4. Attempt to transmit a location, speed, traffic density, and driving demeanor of driver being pursued every two blocks or whenever the pursued vehicle changes direction.
 5. Continually evaluate the need to apprehend the suspect(s) against the risk to the public.

G. Secondary Vehicle Officer's Responsibilities

1. Activate both the red light(s) and siren.
2. Maintain a **safe distance** behind the primary vehicle.
3. Assist the primary vehicle during the pursuit and at the point of termination.
4. Do not overtake the primary vehicle unless requested to do so by the primary vehicle or controlling supervisor/commander.
5. Be prepared to assume the role of the primary vehicle if the primary vehicle relinquishes its position or cannot continue.
6. Take over radio transmissions if requested by the primary vehicle, dispatcher, or supervisor/commander.
7. Give immediate medical assistance to anyone injured as a result of the pursuit.

H. Other Vehicle Officer's Responsibilities

1. Only operate Code One if given permission by a supervisor to become involved in or get ahead of the pursuit for purposes of traffic control or to deploy stop sticks.
2. Notify the dispatcher if you are running Code One.

I. Dispatcher Responsibilities

1. Broadcast the location, direction, and description of the pursued vehicle, occupant description(s), reason for pursuit, and any additional information upon initiation of a pursuit. **Relay additional pursuit location and direction only as necessary.**

2. Designate a secondary vehicle in a pursuit. If the primary or secondary vehicle is unable to continue, then designate another police vehicle to become the secondary vehicle.
3. Designate a controlling supervisor/commander of the pursuit.
4. Notify all other divisions and/or jurisdictions that are affected by a pursuit as soon as possible.
5. Notify one of the following:
 - a. The commander/assistant division commander of the patrol division where the pursuit was initiated, and;
 - b. The duty officer or;
 - c. The Patrol Bureau Night Commander
6. Hold the air on all pursuits.
7. Attempt to contact a police helicopter crew to assist in the pursuit.
8. Notify the primary and secondary vehicles when the police helicopter crew has assumed control of the pursuit.
9. Notify all patrol divisions involved in the pursuit of the deployment locations of the tire deflation devices.
10. Complete the Pursuit Log.

J. Helicopter Crew's Responsibilities

1. Disengage from any non-life-threatening call to assist in the pursuit.
2. Assume responsibility for the pursuit, once the pursued vehicle is under observation.
3. Advise the dispatcher once responsibility of the pursuit has been assumed.
4. Broadcast the direction and location of the pursued vehicle.
5. Terminate following the pursued vehicle if the helicopter's presence substantially escalates the pursuit, or the danger to the public or officer exceeds the danger presented by the offender remaining at large.

K. Controlling Supervisor/Commander's Responsibilities

1. Obtain information about the pursuit such as location, speed, traffic density, and reason for pursuit.

2. Monitor the progress of the pursuit, evaluate the circumstances known at the time, and make the decision to continue or to order the pursuit terminated.
3. Order the pursuit terminated when the facts or circumstances do not justify continuing the pursuit.
4. Move in the direction of the pursuit.
5. Respond to the termination point of the pursuit if arrest(s), injuries, death, or property damage has occurred, stop sticks were successfully deployed, or the suspect vehicle has been recovered.

NOTE: Another supervisor may respond or be dispatched to the termination point of the pursuit and provide the necessary supervision until the controlling supervisor/commander arrives at the scene.

- *6. Complete a **Vehicle Pursuit Report (Form 198 P.D., Revised)** in conjunction with the PBR (Patrol Bureau Report) prior to the end of the respective shift. (Refer to Patrol Bureau Memorandum entitled, "Field Services Bureau Report Replacement – Patrol Bureau Report.)
 - a. Should the supervisor end their tour of duty prior to completion of the Vehicle Pursuit Report and PBR, he/she will ensure that either the desk sergeant or another supervisor completes the Vehicle Pursuit Report and PBR.
 - b. **All vehicle pursuits, regardless of the duration, will be entered into the PBR system utilizing the Vehicle Pursuit Report.**
 - c. Only during normal Patrol Bureau Office hours, will the supervisor notify the Patrol Bureau Office by telephone in conjunction with utilizing the PBR system.

***NOTE:** It may be necessary to review the chase videotape to determine the Vehicle Pursuit Report and PBR information.

POLICE VEHICLE PURSUITS INVOLVING OTHER JURISDICTIONS

A. Pursuits Into Other Jurisdictions

1. Once outside their jurisdiction, officers will terminate the pursuit immediately if the pursuing officers lose visual contact with the vehicle being pursued.
2. When a pursuit enters another jurisdiction, the controlling supervisor/commander will assess the situation and decide whether to continue or order it terminated.
3. Arrests made by officers in another jurisdiction following a pursuit will be made in accordance with current policy and state statute. Members may refer to the written directive entitled, "Detaining and Questioning Persons; Arrest; Search and Seizure" for further instruction.

B. Pursuits Into Kansas City By Other Jurisdictions

1. Officers will not become involved in a pursuit by an outside agency unless assistance is specifically requested by that agency and authorized by a field supervisor/commander.
2. Before authorizing an officer to engage in the pursuit, the supervisor/commander will ascertain the reason for the outside agency's pursuit.
3. The field supervisor/commander who authorizes an officer to engage in a pursuit initiated by an outside agency will assume the responsibilities of the controlling supervisor/commander.
4. If an officer engages in a pursuit initiated by an outside agency and the pursuit leaves the city limits of Kansas City, Missouri, the officer will terminate his/her involvement in the pursuit unless the controlling supervisor/commander approves continuing.
5. An officer who engages in a pursuit initiated by an outside agency will follow all department policies regarding pursuits.

TIRE DEFLATION DEVICE

A. General Information

1. Tire deflation devices are used during vehicle pursuits, and when struck, cause a rapid, controlled deflation of a vehicle's tire(s). These devices are installed in Patrol Division vehicles.
2. The tire deflation device is made of a water resistant, laminated, paperboard housing which contains three rows of twelve quills. Each quill has a Teflon coated steel spike attached to the tip. When a moving tire rolls over the tire deflation device, the Teflon coated spikes pierce the tire and the hollow quills are inserted, causing a controlled deflation without causing catastrophic failure.
3. Tire deflation devices will be carried in the nylon sleeve and secured in the carrying tray attached to the vehicle's trunk lid when not being utilized.
4. The cord reel will be attached to the nylon sleeve and properly secured to the underside of the vehicle trunk by the velcro holder.
5. Tire deflation devices are designed to be utilized on a hard surface (concrete or asphalt) and for vehicles traveling in excess of 35 M.P.H.

B. General Procedures

1. Tire deflation devices will only be utilized on four wheeled vehicles, and **will not** be used on the following vehicles:
 - a. Motorcycles;
 - b. Any vehicle transporting a hazardous material;
 - c. Any passenger bus or van transporting passengers;
 - d. Any vehicle that would pose an unusual hazard to innocent persons.
2. Tire deflation devices should not be deployed in locations in which the geographical configuration would increase the risk of injury to the suspect or others. This includes roadways bounded by steep descending or ascending embankments, curves, bridges, or other locations where the safety of other traffic cannot be reasonably assured.
3. Members will deploy the device in such a manner so as not to impose an unnecessary risk to other traffic.

4. The police vehicle will be placed at the deployment location in a position that does not interfere with the path of the suspect. ***The police vehicle will not be used to create a roadblock situation.***
5. The member will remain outside of his/her vehicle when deploying the tire deflation device, and utilize any available cover or stand at a location providing the best safety to the member.
6. The member should have adequate line of sight in all directions in order to observe and react to the pursuit and other traffic at the deployment location.

C. Deployment of Tire Deflation Devices

1. Only members with properly documented training may use or deploy tire deflation devices.
2. Once a location has been determined for deploying the tire deflation device, the deploying member will properly position his/her vehicle, activate all visible emergency equipment, and:
 - a. Notify the dispatcher of the deployment location, including lane(s). The dispatcher will activate an alert tone signal and broadcast the location to all patrol divisions involved in the pursuit, then ensure that the controlling supervisor copied the information.
 - b. Remove the nylon sleeve, which contains the tire deflation device, from the carrying tray and ensure the cord reel is still attached.
 - c. Deploy the nylon sleeve (with tire deflation device) into the roadway.
 - d. Stretch the nylon cord to either side of the roadway, ensuring there is enough slack to allow the cord to lay flat on the ground.

NOTE: Never attach the nylon cord to any part of the body or hold it in your hand.

- e. Pull the device out of the roadway to allow pursuing vehicles to proceed once the suspect vehicle has driven over or avoided the tire deflation device and notify the dispatcher that it has been removed.
- f. Remove the device if the suspect vehicle turns off prior to encountering the device and notify the dispatcher that it has been removed. Return the device to the vehicle.
- g. **Stop sticks will not be deployed during a pursuit if they are not contained within the sleeve with the cord reel attached.**

3. If an outside law enforcement agency is involved in a vehicle pursuit within our city limits, tire deflation devices may be utilized at the discretion of a field supervisor/commander. However, all procedures set forth in Annex C, of this policy, must be adhered to.

D. Care and Maintenance

1. Attempt to keep the tire deflation device dry. It is a water-resistant device, but is not waterproof. If deployed in wet weather, but not used, dry off the device before returning it to the proper storage position.
2. Extra caution should be used when stacking items in the trunk of a vehicle where the tire deflation device-carrying tray is installed. Ensure items are not stacked too high and do not obstruct the tire deflation device when the trunk is being closed.

E. Reporting Requirements

1. Information regarding damages incurred due to an impact made with a tire deflation device will be included in any report taken as a result of the pursuit (e.g., Offense Report, Form 189 P.D., or Investigation Arrest Report, Form 189B P.D.) If these reports are not applicable, then an Interdepartment Communication, Form 191 P.D., will be completed.
 - a. The reporting member will include the location where the tire deflation device was utilized, any damage caused to vehicles or property, and all circumstances that contributed to the damage.
 - b. If a police department vehicle sustains tire damage as a result of a tire deflation device, a copy of all reports will be forwarded to the Fleet Operations Unit. All other damage to a police vehicle will be reported in accordance with the Procedural Instruction entitled, "Police Vehicles-Accident Control and Vehicle Damage."
- *2. **If a citizen's vehicle sustains tire damage as a result of a tire deflation device, the reporting member will notify the Fleet Operations Manager or designee from the scene. During non-business hours members will contact the Communications Unit Supervisor to request notification of the Fleet Operations Manager or designee.**
- *3. Persons declining assistance at the scene from Fleet Operations Unit personnel should be advised to contact the Office of the General Counsel prior to making any repairs to their equipment or property. Members should not inform anyone that payment will or will not be made. Any questions concerning damage to equipment or property, other than that belonging to the police department, should be referred to the Office of the General Counsel.

*4. **Copies of all reports will be forwarded to the Office of the General Counsel, in a timely manner.**

5. Stop Stick Pursuit Reporting Form

- a. Members will complete a Stop Stick Pursuit Reporting Form anytime a tire deflation device is damaged and rendered unusable due to deployment during an actual vehicle pursuit.
- b. Members will ensure that the nine-digit serial number of all damaged Stop Sticks is noted on line 16 of the Stop Stick Pursuit Reporting Form. The serial number is located on the bar code strip attached to the Stop Stick.
- c. The Stop Stick Pursuit Reporting Form will be forwarded to the Supply Section.

NOTE: The Stop Stick Pursuit Reporting Form is utilized for inventory control and replacement purposes and should not be included as additional pages of any report(s) completed as a result of a pursuit.

F. Replacement Procedures

1. The deploying member will respond to the appropriate location with the damaged device(s) and a completed copy of the Stop Stick Pursuit Reporting Form, **which has been approved and legibly signed at the bottom, by a supervisor/commander.**
2. During normal business hours, members will respond to the Supply Section.
3. During non-business hours, members will respond to Fleet Operations.