

**THE COLONY POLICE DEPARTMENT
GENERAL ORDER**

**POLICY NUMBER: 4.7
DATE OF ISSUE: OCTOBER 1, 1996
REVISED: JUNE 1, 1997
JULY 10, 2000**

SUBJECT: PURSUIT OF FLEEING VEHICLES

PURPOSE:

It is the purpose of this order to establish policy regarding the pursuit of vehicles by The Colony Police Officers. It is essential for all officers, in determining whether or not to pursue a fleeing vehicle, to remember the mission of The Colony Police Department: Our citizens safety, security, and well being, are our highest priority.

POLICY:

Officers may pursue vehicles which fail to stop for emergency lights and siren as long as the pursuit does not create a greater hazard to the community than would be posed by the offender if he were allowed to escape. The officers decision to pursue a vehicle must be made in consideration of the following criteria:

- A. The actual offense known by the officer to have been committed by the offender.
- B. The likelihood of successfully apprehending the offender by pursuing him, and the likelihood of apprehending the offender at a later time if the vehicle is not pursued.
- C. The officer's own skill, experience, training in pursuit driving.
- D. The officer's familiarity with the area.
- E. The type and condition of the officer's vehicle and the pursued vehicle; special consideration must be given if the pursued vehicle is a motorcycle.
- F. Traffic conditions to include density, speed of other vehicle, the pursued vehicle and the officer's vehicle.
- G. Road conditions to include width, number of lanes, hills, curves, control devices, and surface type.
- H. Type of area and congestion to include residential, business, school, and churches.
- I. Time of day, day of week, and light conditions.
- J. Weather and visibility.
- K. The driving behavior of the offender and the offender's age.

This criteria must be considered before a pursuit is initiated and be reevaluated continually throughout its duration by both the pursuing officer and the on-duty supervisor.

The on-duty supervisor will be responsible for the managing of the pursuit. The supervisor will immediately analyze the pursuit on the listed criteria and determine the feasibility of allowing the pursuit to continue. The supervisor will immediately, upon being notified of the pursuit, either authorize its continuation or order the pursuit to terminate. The officers involved in the pursuit will immediately terminate the pursuit if too hazardous. Officers will not, under any circumstances, pursue a vehicle when they have a prisoner in their car or anyone else who is not a The Colony Police Officer.

In any pursuit, officers will adhere to state law regulating the operation of an authorized emergency vehicle specifically Article 11, Sec 24 of the Texas Traffic Laws Uniform Act.

DEFINITIONS:

1. Pursuit- For the purpose of this policy, a pursuit is a situation where the driver of a vehicle being followed by a police vehicle fails to stop for the emergency lights and siren of said vehicle and continues to operate and/or make attempts to evade the officer.
2. On-Duty Supervisor- The supervisor or O.I.C. (officer-in-charge) assigned to the shift as a supervisor and is on-duty at the time of the pursuit.
3. Roadblocks- Any method used to stop a moving vehicle fleeing or failing to stop for a police vehicle which uses another vehicle or other barrier to block the road or other escape route. Roadblock specifically does not include using a vehicle to block a "stopped" suspect vehicle from leaving.

PROCEDURES:

I. Initiating Officer

The officer initiating a pursuit with a vehicle will:

- A. Immediately activate his emergency lights and siren, and notify Communications of the following:
 1. he is in pursuit
 2. location, direction of travel, and approximate highest speed
 3. vehicle and occupant description
 4. crime for which the offender is wanted
- B. He will then request permission to continue the pursuit from his supervisor.
- C. He will maintain a safe distance behind the offender.

- D. He will reevaluate the pursuit criteria continually throughout the pursuit.
- E. He will discontinue the pursuit when: it appears the pursuit is creating a greater danger to the community or officers than is posed by the escape of the offender, if equipment on the police vehicle fails, or if ordered to do so by the on-duty supervisor or a supervisor of higher rank than the on-duty supervisor.
- F. He will give continual updates to Communications on location, speed, and any other factors which may influence the supervisor's decisions regarding the pursuit. If a secondary unit is involved in the pursuit, the primary unit may designate that unit to handle radio communications once a supervisor has given permission for the pursuit to continue.
- G. He will not duplicate the reckless and erratic driving behavior of the pursued vehicle such as going the wrong way on one way streets or cutting through yards.
- H. When the pursuit is terminated either by order of a supervisor or at the officer's discretion, the officer will immediately turn off emergency equipment and return to operating according to traffic laws, and advise Communications that the pursuit is terminated.
- I. The officers will prepare an offense report.

II. Secondary and Backup Units

The secondary unit involved in a pursuit, and any other unit directly involved in the pursuit will:

- A. Immediately activate his emergency lights and siren.
- B. Immediately notify Communications when he has actually joined in the pursuit.
- C. Maintain a safe distance behind the initiating officer and assist in radio communications if requested by the initiating officer or directed by a supervisor.
- D. Evaluate the pursuit criteria and if he feels it is creating a greater danger to the community or to the officers involved than is posed by the escape of the offender, he will immediately notify the supervisor.
- E. He will not duplicate the reckless and erratic driving behavior of the pursued vehicle.
- F. Upon termination of the pursuit he will immediately turn off emergency equipment and return to operating according to traffic laws, and advise Communications he is no longer involved in the pursuit.

- G. File a supplement to the initiating officer's offense report, and describe in detail the events which occurred. This officer will also complete a departmental "Vehicle Pursuit" report.

III. Supervisor

The shift or on-duty supervisor will manage the pursuit. Unless the supervisor initiates the pursuit or is the only back-up available, he will not participate in the actual pursuing of the fleeing vehicle, It is the supervisors responsibility to:

- A. Either give the officers permission to continue pursuit or to terminate the pursuit; in either decision, the supervisor will notify Communications as well as the officers involved.
- B. The supervisor will constantly monitor the pursuit, analyze the situation based on the criteria previously listed, and review the feasibility of continuing the pursuit.
- C. The supervisor will immediately order the termination of the pursuit when it creates a greater hazard to the community, the officers and/or the offender, than would be posed by the suspect's escape based on the listed criteria.
- D. The supervisor will keep abreast of all changes in the pursuit and will be responsible for the proper execution of the pursuit.
- E. The supervisor will prepare a "Vehicle Pursuit" report which describes the actions and taken by the supervisor and the details of the pursuit. A copy of all radio logs and offense reports will be attached. The report is due before the supervisor ends his tour of duty. All information will be forwarded to the Chief of Police, through the Bureau Commanders.

IV. Communications

It will be Communications responsibility to:

- A. Verbally order the frequency clear of all other non-emergency traffic.
- B. Notify the shift or on-duty supervisor.
- C. Keep an accurate time log on all related radio traffic especially noting the time the pursuit started and terminated, the time a supervisor was notified, and the vehicle description and reason for the pursuit.
- D. Relay all information to the supervisor in the event he cannot receive it directly.

- E. Notify other jurisdictions when the pursuit is entering their area and provide the following information:
1. vehicle description, location and direction of travel.
 2. number of police units in pursuit.
 3. reason for pursuit.
 4. whether assistance is needed or not.
 5. notify them when the pursuit leaves their jurisdiction or is terminated.

V. Limitations

- A. Pursuits will be limited to two police units, the initiating unit and one back-up unit. A supervisor may upon evaluation of extenuating circumstances authorize additional units to be directly involved such as occupants being known to be armed and out number the officers. The supervisor will have discretion in this area.

If an unmarked unit initiates a pursuit it shall be relieved by a marked unit as quickly as possible. An unmarked unit may operate as a secondary unit if no other marked unit is available to respond as back-up. The unmarked unit may only participate in a secondary capacity if it is using fully functional emergency lights and sirens.

- B. Roadblocks are strictly prohibited.
- C. Ramming is strictly prohibited.
- D. Forcing a vehicle off the roadway is strictly prohibited.
- E. Officers will only assist other agencies in pursuit through our city and only if requested. Officers will abide by this policy at all times.

VI. Administrative Review

An administrative review will be held on all pursuits involving The Colony Police Officers. This does include pursuits by other agencies in which we become involved in the actual pursuit. The review will be to determine:

1. whether or not policy was followed.
 2. whether or not the policy needs to be revised or amended.
 3. training needs of officers involved and possible revision of training presently being conducted.
-