

# BLOOMINGTON POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### VEHICULAR PURSUIT

Reviewed by: Assistant Chief Greg Scott	Effective Date: August 7, 1991
Authorized by: Chief Clay Wheeler	Revision Date: March 11, 2019

### PURPOSE

The purpose of this policy is to establish guidelines for the initiation and continuation of vehicular pursuits.

### POLICY

Vehicular pursuit of fleeing suspects can present a danger to the lives of the public, officers, and suspects involved in the pursuit. Tactics used to stop a fleeing vehicle may be considered a use of force. It is the policy of the Bloomington Police Department to regulate the manner in which vehicular pursuits are undertaken and performed.

### DEFINITIONS

**Authorized Emergency Vehicle:** a vehicle of this agency equipped with operable emergency equipment as designated by state law.

**Boxing-in:** a technique whereby two or more patrol units move into positions around the fleeing suspect vehicle, forming a box. Once a box is formed, all officers units slow, causing the violator to slow as well.

**Caravanning:** direct participation in, or following of, a pursuit by emergency vehicles other than the primary and authorized secondary units.

**Channeling:** a form of boxing-in, or setting of conditions by emergency vehicles that directs vehicular traffic, or the suspect's vehicle, onto another roadway or into an area of limited escape.

**Primary Unit:** the police unit immediately following the suspect vehicle at a reasonable distance and that assumes primary control of the pursuit.

**Pursuit-Rated Vehicle:** an authorized emergency vehicle that is specially designed and equipped for use during high-speed pursuits.

**Secondary Unit:** any police unit that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

**Terminate:** to abandon or abort the pursuit.

**Termination Point:** the location where the pursuit comes to a conclusion.

**Trail or Trailing:** the unauthorized following of a pursuit at any distance, to include paralleling, intercepting, or tracking.

**Vehicular Pursuit:** a deliberate attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude apprehension. Examples of attempts to elude apprehension may include, but are not limited to:

- a. Accelerating above the posted speed limit or;
- b. Disobeying traffic control signs or devices or;
- c. Driving through yards or otherwise off-road in an effort to evade or;
- d. Attempting to elude the officer by making numerous quick turns demonstrating the driver is not taking a direct route to a destination.

**Violent Felony:** any crime punishable by imprisonment for a term exceeding one year that has as an element, attempted use, or threatened use of physical force against the person of another. Common violent felonies include murder, attempted murder, aggravated battery, aggravated domestic battery, rape, robbery, and kidnapping.

## **PROCEDURE**

### **INITIATION OF PURSUIT**

1. Pursuit is authorized only if the officer has a reasonable belief that the suspect, if allowed to flee, would present a danger to human life or cause serious injury. Pursuit is not authorized for misdemeanor traffic offenses, property crimes, non-violent felonies or where there is no danger to human life or threat to cause serious injury.
2. The decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
3. Unless a greater hazard would result, a pursuit should not be undertaken if the subject(s) can be identified with enough certainty that they can be apprehended at a later time.
4. In deciding whether to initiate or continue a pursuit, the officer shall take the following into consideration:
  - a. Weather and environmental conditions;
  - b. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
  - c. Officer training and experience;
  - d. Available equipment;
  - e. Speed and evasive tactics employed by the suspect;
  - f. The presence of other persons in the police and suspect vehicle; and
  - g. Any other condition or situation that would create an unreasonable risk.
  - h. A pursuit should not be initiated or engaged in while providing transportation for

any person, other than law enforcement officers.

### **PURSUIT OPERATIONS**

1. All emergency vehicle operations shall be conducted following jurisdictional laws and related regulations.
2. Upon undertaking a pursuit, the pursuing vehicle shall activate emergency lights, sirens, and cameras, and they shall remain activated for the duration of the pursuit.
3. Upon undertaking a pursuit, the officer shall notify communications of the:
  - a. Initial purpose of the stop;
  - b. Any information concerning the use of firearms, threat of force, or other unusual hazard;
  - c. Location, direction and speed of the pursuit;
  - d. Description of the pursued vehicle, including license plate number, if known; and
  - e. Number, identity, and description of any known occupants.
4. The officer shall continuously update Communications on the pursuit conditions, location, weather conditions, and presence of other traffic.
5. Communications personnel shall notify an available supervisor of the pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other officers and jurisdictions.
6. When available, the secondary unit shall immediately notify Communications that they are joining the pursuit and should assume responsibility for relaying information to Communications.
7. No pursuit shall be conducted in a direction against the lawful flow of traffic on a one-way street or lane of a divided highway.

Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles: a primary unit and a secondary unit.

- a. All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.
  - b. Caravanning and trailing is prohibited. However, officers should monitor the progress of the pursuit and be prepared to assist if directed by a supervisor.
  - c. The number of vehicles engaged in a pursuit may be adjusted to fit the situation with supervisory approval.
  - d. A supervisor who has joined the pursuit and supervises the units shall be considered an additional unit.
  - e. The supervisor shall consider units from other jurisdictions in determining the number of vehicles participating.
8. Whenever possible, pursuit-rated vehicles should be utilized.
  9. The primary unit shall become the secondary unit when the fleeing vehicle comes under air surveillance or when another unit has been assigned as the primary unit.

## **SUPERVISORY RESPONSIBILITIES**

1. Supervisors are responsible for managing all vehicular pursuits to include determining whether the pursuit should continue or be terminated.
2. When made aware of a vehicular pursuit, the appropriate supervisor shall notify Communications that he or she is monitoring the pursuit and accepting supervisory responsibility.
3. The supervisor is responsible for:
  - a. Monitoring incoming information;
  - b. Coordinating and directing activities as needed to ensure that proper procedures are used, to include ensuring that:
    - i. No more than the necessary number of units are involved;
    - ii. Where available, aircraft has been requested;
    - iii. The appropriate radio channel is being utilized; and
    - iv. Surrounding jurisdictions have been notified.
  - c. Discontinuing the pursuit when necessary.
4. A supervisor shall respond to the termination point following a pursuit.

## **PURSUIT TACTICS**

1. All officers involved in a vehicular pursuit shall wear a seatbelt.
2. Non-involved officers shall not follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
3. Available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit.

When a pursuit is initiated by other than a marked patrol unit, such unit shall disengage when a marked unit become available.

4. All intervention tactics short of deadly force such as barricade / roadblock tactics, boxing-in, ramming, low speed channeling (with appropriate advanced warning) may be used when necessary so long as the technique is employed safely in a fashion that is not reasonably calculated to cause death or great bodily harm to persons in the pursued vehicle or others in the vicinity.

Barricading roadways shall be done in such a manner as to give the pursued vehicle sufficient distance and time to stop or avoid before reaching the barricade or roadblock. Absent exigent circumstances, such barricading should not be employed by officers that have not received training on the technique.

- a. Officers shall employ only the force option that reasonably appears necessary to control the situation.

- b. The decision to use intervention tactics shall be based on careful consideration of all facts known to the officer and should be initiated when conditions permit.
  - c. A supervisor's permission should be obtained prior to the use of intervention tactics.
5. Intervention tactics should be used only when:
  - a. The officer has reason to believe the continued movement of the pursued vehicle would place others in imminent danger of serious physical injury or death; and
  - b. The apparent risk of harm, to other than the occupant of the pursued vehicle, is so great as to outweigh the apparent risk of harm involved in making the forcible stop.
6. Firearms shall not be discharged from a moving vehicle.
7. Shooting at pursued vehicles or suspects in a pursued vehicle is permitted only when consistent with rules governing the use of deadly force. Shooting at or into a vehicle is generally discouraged and should only be considered as a last resort. Consideration must be given to what would happen if the driver of the moving vehicle being incapacitated and the inherent difficulty of hitting a moving target across a changing backdrop.
8. Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics. The suspect(s) shall be taken into custody in accordance with law and agency policy, using only the amount of force reasonably necessary to affect an arrest.

#### **TERMINATION OF PURSUIT**

The primary unit and supervisor shall continually reevaluate and assess the pursuit situation including all of the initiating factors and terminate the pursuit whenever it is reasonable to believe the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

1. The pursuit may be terminated by the primary unit at any time.
2. A supervisor may order the termination of a pursuit at any time.
3. A pursuit should be terminated if the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension at a later time is feasible.
4. The pursuit should be terminated if the pursued vehicle's location is no longer definitively known.

#### **INTERJURISDICTIONAL PURSUITS**

1. The pursuing officer shall notify a supervisor and Communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line. Communications shall immediately notify law enforcement in the jurisdiction being entered by the pursuit.

2. When a pursuit extends into another jurisdiction, the responsible supervisor, or the primary unit if a supervisor is not available, shall determine if the other jurisdiction should be asked to assume the pursuit. The following should be considered:
  - a. The distance between the pursuing and pursued vehicles and the speed involved;
  - b. The pursuing officer's level of familiarity with the area;
  - c. The willingness and capability of the other jurisdiction to assume control of the pursuit;
  - d. Communication limitations at longer distances.
3. If it is determined that the control of the pursuit should be relinquished to another jurisdiction, the request shall be clearly relayed to that agency. Confirmation of their acceptance of control of the pursuit should be obtained.
4. Pursuit into a bordering jurisdiction shall conform to the laws of both jurisdictions and any applicable interjurisdictional agreements. The action of officers shall be governed by the policy of the officers' own agency.
5. Once a pursuit has been taken over by the law enforcement agency of another jurisdiction, the initial pursuing officer(s) shall cease emergency driving and proceed to the termination point.

## **PURSUIT FROM OTHER JURISDICTIONS**

Participation in a neighboring jurisdiction's pursuit is appropriate only in response to a specific request for participation. Mere notification of the existence of a pursuit shall not be construed as a request for participation. Upon such notification, the Communications Center shall clarify whether this agency is being requested to assist in the pursuit.

1. Prior to acceptance of a pursuit from another agency, the responsible supervisor shall determine the degree of this agency's involvement, if any, and provide the appropriate direction.
2. When the pursuit is assumed by this agency and where appropriate, the supervisor shall attempt to cancel units from the other agency.

## **POST PURSUIT PROCEDURES**

1. Whenever an officer engages in a pursuit, he or she shall file a written police report detailing the circumstances.
2. Further the officer shall create a Blue Team report in regards to the pursuit. This report shall be reviewed by the appropriate supervisor(s) to determine compliance with policy.
3. Any pursuit that results in a fatality, personal injury, or serious property damage shall be investigated by personnel who were not directly involved in the pursuit.
4. All videos of vehicular pursuits shall be reviewed following the incident.

5. The department shall analyze police pursuit activity at least annually and identify additions, deletions, or modifications, warranted in departmental pursuit procedures. This analysis shall consider the following implications on the department:
  - a. Policy
  - b. Equipment
  - c. Training
  - d. Philosophical approach
  - e. Interjurisdictional issues
  
6. Any vehicle involved in a pursuit where excessive speeds, travel off road, abrupt turns were made or any other action occurred which could damage a vehicle should be inspected before returning to service.

### **TRAINING**

Officers who drive police vehicles shall be given initial and periodic updated training in the agency's pursuit policy and in safe driving tactics.