

**CITY OF MANCHESTER DEPARTMENT OF POLICE
GENERAL ORDERS**

ORDER #: 405.00	SUPERSEDES: (G.O. # AND DATE - LEAVE BLANK IF NEW): 405 05-02-19
EFFECTIVE DATE: 04-23-21	ISSUING AUTHORITY: CHIEF OF POLICE

VEHICLE PURSUIT POLICY

405.00 PURPOSE

The purpose of this General Order is to establish the policy and procedure for vehicular pursuit situations and to stress that the responsibility and necessity to affect the arrest must be balanced against overall consideration of both officer safety and public safety.

405.01 DEFINITIONS

- A. **Emergency Vehicle** - Both the emergency lights and siren must be used at all times when in pursuit by marked and unmarked cars. Police vehicles not so equipped will not engage in pursuits.
- B. **Pursuit** - An attempt by a police officer driving an emergency vehicle to apprehend the occupants of a moving vehicle who are knowingly evading arrest by increasing the speed of a vehicle and by purposely ignoring the police officer's direction to stop. This definition **does not** include the driver who may simply be unaware of the officer's attempt to stop him.
- B. **Paralleling** - The operation of police units parallel to the pursuit route.
- C. **Caravanning** - The operation of police units in a line or alongside each other in a pursuit situation.
- D. **Ramming** - The intentional striking of a fleeing vehicle with a police vehicle with the intent to stop. The use of forcible stops such as ramming are a last resort measure, and should be used only when the use of deadly force is justified.
- E. **Stinger Spike System** – A tire deflation device used in stopping high-speed pursuits.
- F. **Rat-Trap II** – A compact, pocket-sized tire deflator that can be placed under a vehicle Tire to avoid a pursuit from occurring.

405.02 POLICY

Pursuits represent a dangerous and difficult task that receive much public and legal scrutiny, when accidents, injuries or death result. Pursuing officers and supervisors must justify their actions, and once they have decided to pursue must continuously evaluate the circumstances.

- A. Officers shall not initiate a high-speed pursuit when the only known violation at the time of the pursuit is a traffic violation or misdemeanor, such as Assault 4th, Stealing under \$750, etc.
- B. A high-speed pursuit should not be initiated when a driver is solely suspected of being intoxicated
- C. A vehicle pursuit may be initiated in order to affect the capture or prevent the escape of a law violator when all of the following criteria are met:
 - 1. The officer reasonably believes the suspect committed or attempted to commit a dangerous felony, EXAMPLE – NOT LIMITED TO: murder, forcible rape, forcible sodomy, assault 1st, robbery, burglary 1st, or kidnapping (not parental abduction); and
 - 2. The officer reasonably believes that the suspect, if allowed to flee, would present a danger to human life or cause serious injury to others.
- D. Pursuing officers shall not pull alongside of or in front of a fleeing motorist in an attempt to force the subject off of the roadway or into a curb, parked vehicle or any other obstacle. Pursuing units shall not make any attempt to ram the fleeing vehicle, unless such action is necessary for the preservation of life, and at such time the use of deadly force is justified as defined in General Order 410.00.

405.03 PRIMARY UNIT RESPONSIBILITIES:

The primary unit (unit initiating the pursuit) will be responsible for the following:

- A. Announcing the initiation of pursuit,
- B. Immediately advising the dispatcher of the following information that is known.
 - 1. Direction of travel and what roadway,
 - 2. Identification of vehicle, (year, make, model, color, license information, etc.)
 - 3. Reason for pursuit,
 - 4. Number and description of occupants,
 - 5. Other information that may help terminate the pursuit or resolve the incident.
- C. The dispatcher will serve as the controller for all radio messages relevant to the pursuit.
- D. The dispatcher will immediately broadcast all available information relating to the pursuit on all channels.
- E. The supervision of the pursuit rests with the supervisor or watch commander on duty.
- F. The number of the police vehicles involved in the pursuit will be limited to two vehicles, a primary and secondary unit, unless additional units are directed to participate by the dispatcher or supervisor.

- G. Additional units may be requested by the primary or secondary units.
- H. Officers will not leave their areas to become involved in a pursuit unless directed to do so by the dispatcher or supervisor. No other cars will respond to the point of termination unless directed to do so by the dispatcher or unless there is a broadcast "officer in need of aid" situation.
- I. All pursuing units will immediately comply with an order to terminate the pursuit.

405.04 SECONDARY UNIT RESPONSIBILITIES:

The secondary vehicle will be responsible for the following:

- A. The secondary unit will maintain a safe distance behind the primary unit, taking care to maintain a safe stopping distance for evasive action but maintaining visual contact.
- B. The secondary unit will be responsible for "calling" the pursuit (location, speed, etc.) over the radio.
- C. The secondary unit will not pass the primary unit unless requested to pass the primary unit and assume the primary unit role.
- D. In the event that the primary unit experiences mechanical problems or is otherwise unable to continue, the secondary unit will become the primary unit and another nearby unit will be assigned to assume the secondary unit responsibilities.
- E. The secondary unit will immediately comply with an order to terminate the pursuit.

405.05 OVERTAKING VIOLATORS:

- A. To diminish the likelihood of a pursuit, officers intending to stop a vehicle should, when practical, be within close proximity of the vehicle prior to activating the emergency lights.
- B. A driver who is suspected of operating a motor vehicle in an intoxicated condition may not realize that an officer is attempting to stop him. An officer who is following a driver that is not yielding to the emergency lights and siren, but otherwise is not taking any overt action to avoid apprehension (i.e. excess acceleration, high speeds, obvious attempts at evasion, etc.), **is not in pursuit** of the vehicle for purposes of this policy.

405.06 ROADBLOCKS:

- A. Only in the case of fleeing felons (which meets the criteria spelled out under 405.02), where escape poses a danger to life, may officers set up a stationary or rolling roadblock. The decision to erect a roadblock may only be made by the commanding officer.

The decision to erect a roadblock must consider:

1. Safety of the officers,

2. Risk of physical injury to occupants of the pursued vehicle; and
 3. Protection of citizens and their property
- B. A stationary roadblock will be set up where it will afford clear visibility to traffic in all directions and to all highway users allowing sufficient distance to enable approaching vehicles to stop safely. This department stresses that roadblocks constitute a last resort in stopping a fleeing, violent felon.
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.
- C. Suspect vehicles failing to stop at a barricade are not to be fired upon, unless the occupant(s) of the vehicle represent a direct and immediate threat to the life or safety of the police officer or an innocent person, and then only as a last resort.
- D. The use of department issued Tire Deflating Devices is to be considered before the use of a roadblock. Officer will adhere to the following guidelines:
1. Place your police vehicle in a position to provide protection from the fleeing vehicle.
 2. Deploy the tire deflating device as prescribed in the manufacturer's operating procedures manual.
 3. Deploy the tire deflating device just prior to the fleeing vehicle passing your location and **IMMEDIATELY** remove the device after the fleeing vehicle drives over it so as to avoid the pursuing police vehicles from becoming disabled due to the device.
- E. The "Rat Trap" Tire Deflating Device may be used in stationary situations.
1. They can prevent a parked vehicle(s) from being moved by a suspect attempting to flee a scene.
 2. They can prevent movement of a vehicle(s) which is, or possibly will be, evidence.
 3. To deploy a tire deflating device in a stationary situation, simply open the unit and place it snug under one of the vehicle tires. When the vehicle moves over the unit, the tire will deflate, and the vehicle will become disabled.
- F. The tire deflating devices are designed to work on all types of vehicles, including cars,

tractor trailer rigs and buses. However, the deployment of the system on two-wheeled vehicles is prohibited unless the use of deadly force is justified.

- G. Training: Officers will receive training by qualified personnel in the use of the Tire Deflating Device. This training will include deployment practice by each officer.
- H. Whenever a roadblock or Tire Deflating Device is used, a police report must be made. Roadblocks and the use of a Tire Deflating Device will be considered a Use of Force and supervisors must complete the Use of Force Report Form as detailed in GO 405.12 below.

405.07 USE OF FIREARMS:

Firearms may be discharged in the direction of a vehicle if the occupants of the vehicle represent a direct and immediate threat to the life or safety of the officers or others.

405.08 PURSUIT OF VEHICLE INTO ANOTHER JURISDICTION:

- A. Pursuit of a vehicle into another jurisdiction will ONLY be made when the driver or occupant is wanted on a felony charge meeting the criteria spelled out in 405.02. The restriction above does not prohibit officers from entering another jurisdiction to affect routine stops for car checks or traffic violations which originate within the City of Manchester.
- B. When it appears that a pursuit may enter another jurisdiction, that police agency will be immediately advised of the pursuit and all pertinent information, including the charge(s) for which the vehicle is being pursued.

405.09 FELONY CHARGES - OTHER STATES:

If an officer pursues a person across a State line and the person is arrested, the officer will request that the person be held pending application for an at-large warrant. An at-large warrant should be applied for as soon as possible with a police report being prepared and extradition proceedings being started.

405.10 TERMINATION OF THE PURSUIT:

Pursuing officers and the pursuit supervisor must consider the present danger, seriousness of the crime involved, length of the pursuit and the possibility of identifying the suspect(s) at a later time. When determining whether or not to continue the pursuit, such things as speed of vehicles, weather conditions, presence of other traffic, amount of maneuvering, condition of the police vehicle and roads are all factors that need to be evaluated in determining the present danger of the pursuit. A pursuit may be terminated only by:

- A. The primary pursuing unit; or
- B. The immediate supervisor of the primary unit; or

- C. The dispatcher, whenever there is any radio interference with transmission during a pursuit that would endanger the welfare of the officers involved.
- D. Any Command Rank Officer.

NOTE: If the occupants of the pursued vehicle are known, consideration should be given to terminating the pursuit and affecting the arrest at a later time.

- E. Once a pursuit is terminated, it will not be initiated again by another officer unless other serious developments occur that would warrant the pursuit being initiated again. If additional information is obtained, that warrants the pursuit be initiated again, the new information will be broadcast by the dispatcher. The pursuit supervisor will be responsible for coordinating any further search for the vehicle and suspects.
- F. When advised that the pursuit has been terminated, the dispatcher will broadcast that information to all units, and will so advise any surrounding jurisdictions that have been alerted.

405.11 PURSUIITS BY OFFICERS FROM OTHER JURISDICTIONS:

If a pursuit is made into the City of Manchester by another jurisdiction:

- A. The dispatcher will contact them to determine the reason for the pursuit.
- B. Manchester units may assist in the pursuit of the vehicle if;
 - 1. The occupant(s) are wanted for felonies that meet the criteria set forth in 405.02, and
 - 2. There is only one unit from the other jurisdiction actively pursuing the vehicle.
- C. The nearest available car will become a secondary unit and will immediately report this action to the dispatcher.
- D. The dispatcher will notify all units of the pursuit and its progress.
- E. If the reason for the pursuit does not meet the criteria set forth in section 405.02, Manchester officers **will not** actively pursue the suspect, but may assist by deploying stop sticks, stopping traffic, etc. However, if a pursuit from an outside agency ends within the City of Manchester, officers respond to the terminus to render assistance as needed.
- F. As a general rule, all persons arrested in the City of Manchester as a result of a pursuit into the City from another jurisdiction, will be booked on fugitive charges, if requested by the pursuing officer(s).
- G. If authorities pursue a subject into this jurisdiction, for other than a felony violation, the following procedures will be followed:
 - 1. After the pursued vehicle has been stopped, the investigating officer will, if any violations are observed in this jurisdiction, issue the detained subject the

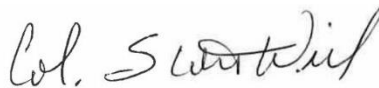
appropriate traffic summons and/or book the subject if deemed necessary. In the event no violations are committed or witnessed by the involved officers, complete pedigree, license and vehicle information will be obtained.

2. If circumstances dictate, the initiating agency may be requested to respond to the scene and the information will be provided them at that time. Officers of the involved agency may issue summons or citations to the detained subject at that time, request the subject be booked fugitive, or permit the subject to continue on his way. The reporting officer will incorporate this information into the police report.

405.12 REPORTING AND ADMINISTRATIVE REVIEW:

- A. The supervisor will respond to the termination point of ALL pursuits by department personnel or by other agencies to ensure that all necessary assistance is rendered, investigation conducted, and incident reports made. The supervisor will prepare MPD Form 080 *Use of Force / Vehicle Pursuit Report* and forward it to the Chief's Office before completion of the watch.
- B. If a pursuit terminates in another jurisdiction, a supervisor from the police agency in which the pursuit terminates will be requested by the dispatcher.
- C. The Commander of Special Operations is responsible for conducting an annual, documented analysis of all pursuit reports and submit the findings to the Chief of Police by January 31st each year. This analysis may reveal patterns or trends that indicate training needs and or policy modification.
- D. This General Order will be reviewed annually or as needed when situations warrant.

By order of:



Colonel Scott Will
Chief of Police

MPCCF Certification: 19.2, 19.5, 21.13

Distribution: All Department Personnel