
 <p>Cambridge Police Department</p>	POLICY & PROCEDURES		No. 410	
	Subject/Title: Police Vehicular Pursuits			
	Issuing Authority: 	Review Date: May 10, 2010	Effective Date: August 5, 2010	Review Date:
	Robert C. Haas Police Commissioner	Rescinds: Policy #2004-8		
References/ Attachments:		Accreditation Standards: 41.2.2 & 41.2.3		

I. PURPOSE:

Purpose of Police Pursuits: The primary purpose of a police vehicular pursuit (see definition as to what constitutes a vehicular pursuit) is to secure a balance between the need to protect the lives of the public and the occupants of the pursued vehicle and the obligation of police officers to enforce laws and apprehend violators. To that extent, if a police pursuit exposes any officer, suspect, or member of the general public to any unnecessary risk of harm or injury, then the police pursuit shall be considered inconsistent with that goal, and the pursuit must be terminated.

1. This policy also recognizes that vehicular pursuits do not automatically occur when officers activate their emergency warning equipment in an attempt to effectuate a lawful motor vehicle stop.¹ Motorists occasionally may not immediately see or hear an officer's emergency warning equipment, or may not realize that they are the target of the officers' efforts.
2. Officers may be required to follow a motorist with emergency warning equipment activated for a significant distance before that motorist actually stops the vehicle. Consequently, an officer's lawful attempt to stop a motorist is not considered a vehicular pursuit subject to the requirements and restrictions of this policy unless and until such time as the officer reasonably believes that the motorist is intentionally ignoring the officer or actively attempting to elude the officer.
3. Since numerous unique situations arise in law enforcement, it is impossible for this policy to anticipate all possible vehicular pursuit circumstances. Therefore, in unusual situations an officer should use common sense and consult with a supervisor whenever possible.

¹ *Commonwealth vs. Starr*, 55 Mass. App. Ct. 590, 773 N.E.2d 981 (2002).

II. POLICY:

- A. Emergency Vehicle Operations:** All emergency vehicle operations shall be conducted in strict accordance with existing statutes and the procedures that are outlined within this and related directives. Officers who are engaged in emergency vehicle operations shall utilize both audible (siren) and visual (emergency lights) emergency warning equipment while engaged in a police pursuit, overtaking a vehicle, or while responding to calls for emergency assistance, unless specifically exempted by statute.

Massachusetts General Law, Chapter 89, § 7B provides that “a driver of a police vehicle or recognized protective department or the driver of an ambulance, in an emergency and while in the performance of a public duty... may drive such vehicle at speeds in excess of the applicable speed limit if the operator of the vehicle exercises caution and due regard under the circumstances for the safety of the persons and property, and may drive such vehicle through an intersection of ways contrary to any traffic sign or signals regulating traffic...if the operator first brings such vehicle to a full stop and proceeds with caution and due regard for the safety of persons and property unless otherwise directed by a police officer regulating traffic at such intersection.”

1. **Emergency Operation of Vehicles:** All personnel operating departmental vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance and no task shall be expedited with such emphasis, that the principles of safety become secondary. There are no tasks in the department of such importance that they justify the reckless disregard of personal safety or the safety of other persons.
 2. **Officer Accountability:** Officers will be held strictly accountable for the consequences of their negligent disregard for the safety of others.
- B. Attempting to Stop a Motor Vehicle:** An officer may, within the posted speed, engage in a pursuit of any motor vehicle operating in conformance with the posted speed limit and other traffic laws, under any circumstance justifying a lawful motor vehicle stop.
- C. Pursuits Involving Excessive Speed:** No officer shall engage in a vehicular pursuit that requires the officer to exceed the posted or applicable speed limit or that involves a target vehicle operating in violation of the posted or applicable speed limit or other traffic laws unless the officer reasonably believes:
1. That the continued operation of the vehicle the officer intends to stop poses a risk of physical harm to the officer, the public, or others;

2. That the occupant(s) of the vehicle the officer intends to stop pose(s) a risk of physical harm to the public or others; or
3. That the occupant(s) of the vehicle is/are wanted for the commission of felonious acts that threaten, have threatened, or will threaten the health, life, or safety of a person or persons.
 - a. In assessing the level of threat of the suspect, the officer must also consider the necessity of immediate apprehension outweighing the level of danger created by the police pursuit.
 - b. In providing justification for a police pursuit, the officer must be able to clearly articulate the reasons for initiating the pursuit.

D. Restricted Pursuits on Divided Highways: No officer shall initiate or continue a pursuit on a divided highway opposite the direction of the flow of vehicular traffic.

E. Supervisory Authorization: Unless authorized by a supervisor, no officer (other than primary and secondary units) shall engage in the main pursuit or pursue on parallel streets.

F. Civilian Passengers: No officer shall participate in a pursuit with a civilian present (non-sworn personnel) in the authorized police vehicle.

G. Pursuits Involving a Motorcycle: No officer shall participate in a pursuit of a motorcycle for traffic violations if the officer knows the motorcycle's registration number or the identity of the operator.

H. Restrictions on Certain Tactical Maneuvers: Officers are strictly prohibited from engaging in any of the following tactical maneuvers in an effort to stop a vehicle (see Terms & Definitions for description of terms):

1. Boxing In
2. Heading off – a vehicle being pursued shall not be passed or overtaken by the police unit as the maneuver is tactically ill advised and often precipitates aggressive maneuvering by the suspect vehicle.
3. Paralleling

4. Roadblocks
5. Ramming or deliberate contact with another vehicle.

III. TERMS & DEFINITIONS:

- A. **Boxing In:** The surrounding of a violator's moving vehicle with moving pursuit vehicles that are then slowed to a stop along with the violator's vehicle (strictly prohibited).
- B. **Divided Highway:** A roadway that includes a physical barrier between traffic traveling in opposite directions.
- C. **Heading Off:** Is an attempt to terminate a pursuit by pulling ahead of, behind or toward a violator's moving vehicle to force it to the side of the road or to otherwise come to a stop (prohibited).
- D. **Paralleling:**
 1. **Street Paralleling:** Driving a police vehicle on a street parallel to a street that a pursuit is occurring (prohibited).
 2. **Vehicle Paralleling:** A deliberate offensive tactic by one or more police vehicles to drive alongside the pursued vehicle while it is in motion (prohibited).
- E. **Pursuit Driving:** Pursuit driving is an active attempt by a police officer operating a motor vehicle and utilizing emergency lights and an audible device to apprehend one or more occupants of another moving vehicle. It also involves the officer having reasonable belief that the driver of the fleeing vehicle is aware of the officer's attempt to stop the vehicle and is resisting apprehension by increasing vehicle speed, ignoring the officer or otherwise attempting to elude the officer.
- F. **Pursuit Vehicles:**
 1. **Primary Unit:** The police vehicle that initiates a pursuit or any unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the fleeing suspect).

2. **Secondary Unit:** Any police vehicle that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
- G. Roadblock:** A restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a violator (strictly prohibited).
1. **Avenue of Escape:** A gap in a roadblock that requires the violator to decrease the vehicle's speed to permit the violator to bypass the roadblock (strictly prohibited).
 2. **Blocking Vehicle:** A motor vehicle, often a police vehicle, which is placed perpendicular to a roadway or angled in such a way as to create a roadblock (strictly prohibited).
- H. Serious Felony:** For purposes of this policy, a serious felony is considered to involve those crimes which have been designated as a felony by statute and which constitutes a crime against persons, such as, murder, robbery, rape, abduction, etc.
- I. Vehicular Pursuit:** A vehicular pursuit is initiated when an officer reasonably believes that the subject being stopped is intentionally attempting to elude or avoid police apprehension.
- J. Vehicle Contact Action:** Any action undertaken by the pursuing officer intended to result in contact between the moving police vehicle and the pursued vehicle.
- K. Violator:** Any person who a police officer believes: (1) has committed or is wanted for a serious felony; or (2) poses an immediate threat to the safety of the public or other police officers.

IV. GENERAL GUIDELINES AND CONSIDERATION:

Deciding whether to pursue a motor vehicle is among the most critical decisions made by law enforcement officers. It is a decision that must be made quickly and under difficult, often unpredictable circumstances. In recognition of the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for a decision **not** to engage in a vehicular pursuit or to terminate an ongoing vehicular pursuit based on the risk involved, even in circumstances where this policy would permit the commencement or continuation of the pursuit. Likewise, police officers who conduct

pursuits consistent with this policy will be strongly supported by the law enforcement community in any subsequent review of such actions.

A. Decision to Engage in Pursuit: A police officer has the authority, at all times, to attempt the stop of any person suspected of having committed any criminal offense or traffic violation. It is clear that while it is the officer who initiates the stop, it is the violator who initiates the pursuit. However, once engaged in the pursuit, the adverse outcomes resulting from the pursuit may be attributable to the officer(s) engaged in the pursuit. The officer's decision to pursue should always be undertaken with an awareness of the degree of risk to which the law enforcement officer exposes him/herself and others (including the violator). The officer must weigh the need for immediate apprehension against the risk created by the pursuit. Events subsequent to police pursuit, including efforts to elude or flee from the police, cannot be used to supply the requisite reasonable suspicion to justify a prior investigatory stop.²

B. Authorization to Pursue: A police officer may only engage in a vehicular pursuit:

1. When the officer has knowledge that the violator has committed a serious felony, or when an officer has confirmed that a warrant exists for a subject who has committed a serious felony; and when an officer reasonably believes that the violator poses an immediate threat to the safety of the public or other police officers.
2. **Motor Vehicle Violations:** Pursuit for motor vehicle offenses is **not authorized** under the above criteria, unless the violator's vehicle is being operated so as to pose an immediate threat to the safety of another person.
3. In the event that one or more of the above authorization requirements have been satisfied, pursuit should not automatically be undertaken. An officer must still consider the following factors:
 - a. Likelihood of successful apprehension;
 - b. Is it necessary to pursue once the officer knows the identity of the violator where later apprehension is possible?
 - c. Degree of risk created by the pursuit:
 - Volume, type, speed and direction of vehicular traffic.
 - Nature of the area: residential, commercial, school zones, open highway, etc.

² *Commonwealth vs. DaSiva*, 56 Mass. App. Ct. 220, 775 N.E.2d 1269 (2002)

- Population density and volume of pedestrian/bicyclist traffic.
- Environmental factors, such as weather and visibility.
- Road conditions: construction, poor repair, extreme curves, ice, etc.

d. Police officer characteristics:

- Driving skills.
- Familiarity with the roads.
- Condition of the police vehicle.
- The officer’s comfort level and capabilities to operate the police cruiser safely.

C. Notification of Pursuit: The responsibility for the decision to initiate a police pursuit rests with the individual officer. When a police pursuit is initiated, it shall be reported to the sector sergeant or patrol supervisor (Car #15) and Emergency Communications Center (ECC), as soon as reasonably possible. This includes incidents that have escalated from a routine attempt to overtake a vehicle, or where a violator is not stopping for the officer. The sector sergeant or patrol supervisor (Car #15) should acknowledge the receipt of a police pursuit in progress. It shall be the responsibility of the ECC to immediately notify the duty Shift Commander.

1. **Shift Commander:** The duty Shift Commander should monitor the situation and ensure that a supervisor (either sector sergeant or patrol supervisor) has assumed overall command of the operation. If the Shift Commander is unavailable, then the Shift Supervisor (Car #15) should monitor the situation while the declared sector sergeant maintains overall operational control over the police pursuit.
2. **Sector Sergeant/Patrol Supervisor:** Upon taking control of the pursuit, the supervisory officer will make it known to the pursuing officer(s), ECC, and other supervisory personnel that he/she has taken control over the pursuit.
3. Once taking control, it may not be relinquished unless there has been a clear hand-off to another superior officer, or if a ranking officer is intervening.

D. Pursuits beyond Jurisdictional Boundaries: Under no circumstances shall an officer continue the pursuit beyond the jurisdictional boundaries of the City of Cambridge, unless specifically authorized by a supervisory officer. If a situation arises where a vehicle cannot be stopped without leaving the city’s jurisdictional boundary, then the officer shall break off the pursuit. In anticipating that a pursuit may not end prior to leaving the jurisdictional boundary of the city, there are steps which should be taken, such as:

1. Notifying the appropriate adjoining jurisdictions of the likelihood the suspect vehicle may be headed in a certain direction.
2. Notifying the State Police if it appears that the violator may attempt to make use of the interstate highway system.
3. In either case, it affords those agencies the opportunity of assessing whether or not to engage the violator once under their jurisdiction.
4. When notifying another agency that a vehicle is being pursued, the ECC should inform the other agencies of the circumstances leading up to the pursuit and the nature of the charges to be lodged against the occupants of the vehicle should the other agency apprehend the subjects.³

E. Pursuits Initiated by Other Agencies: If a pursuit is initiated by another police agency, officers from this department shall not actively engage in the pursuit. Should the pursuit continue into the jurisdictional boundary of the city, officers should be coordinating their efforts so as to provide support assistance in the event another police agency is able to stop the violator or if the violator attempts to abandon the vehicle in an effort to flee on foot. Under no circumstances will officers of this department pickup a pursuit which has been abandoned by other pursuing agencies, unless one or more of the pre-conditions for initiating a pursuit has been satisfied.⁴

F. Termination of Police Pursuits: The decision to abandon pursuit may be the best course of action. Officers must continually question whether the seriousness of the crime or offense justifies continuing the pursuit. An officer will not be censured when, in the officer's opinion, continued pursuit constitutes an unreasonable risk. A police pursuit shall be terminated under any of the following circumstances:⁵

1. If instructed to do so by a supervisory officer.
2. If, in the opinion of the pursuing officer, the shift commander, the patrol supervisor, or the controlling sector sergeant, there is a clear and unreasonable danger to the officer and other users of the roadway created by the pursuit that outweighs the necessity for immediate apprehension.

³ CALEA Std. **41.2.2 (h)**

⁴ CALEA Std. **41.2.2 (h)**

⁵ CALEA Std. **41.2.2 (g)**

3. The suspect(s) identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
4. If there is a clear and unreasonable danger to the police officer(s) or the public. A clear and unreasonable danger exists when the pursuit requires that the vehicle be driven at excessive speeds or in any other manner that exceeds the performance capabilities of the pursuing vehicles or police officers involved in a pursuit, or
5. The prevailing traffic, roadway and environmental conditions indicate the futility of continued pursuit.
6. The pursued vehicle's location is no longer known or the distance between the pursuing vehicles and the violator's vehicle becomes so great that further pursuit is futile.
7. The pursuing officer knows, or is reasonably certain; that the fleeing vehicle is being operated by a juvenile and the safety factors involved are obviously greater than a juvenile can cope with.
8. If advised of any unanticipated condition, event or circumstance that substantially increases the risk to the public safety inherent in the pursuit.
9. The termination of a pursuit does not prohibit following the vehicle at a safe speed, after consultation with and permission from the terminating supervisory officer.

V. PROCEDURES FOR POLICE PURSUITS:⁶

- A. Initiating/Primary Unit Responsibilities:** The officer initiating a pursuit shall, in all cases, notify the sector sergeant or patrol supervisor (Car #15) and ECC as soon as reasonably possible that a pursuit is underway and provide the following information:⁷
- Police Unit Identification.
 - Reasons for engaging in the pursuit.
 - Location and direction of travel.
 - Vehicle description, including the license plate number, year, make, model, color, and other identifying characteristics of the vehicle.
 - Number of occupants in the vehicle.
 - The speed(s) of the pursued vehicle.
 - Identity of the operator or other passengers, if known.
 - Any other information that may be relevant in determining the appropriateness of engaging or terminating the pursuit.
1. Failure to provide the above information may be cause for the shift commander, patrol supervisor, or sector sergeant to order termination of the pursuit.
 2. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the patrol supervisor or sector sergeant, with the Shift Commander taking on a supportive role.
 3. The primary unit may maintain pursuit as long as it is safe to do so, or until directed to terminate the pursuit by a supervisor or the suspect's vehicle is stopped.
 4. The officer operating the primary unit shall continually reevaluate and assess the pursuit. The officer shall terminate the pursuit, even in the absence of an order to terminate by a supervisor, when that officer reasonably believes that

⁶ CALEA Std. **41.2.2** – *A written directive governs pursuit of motor vehicles, to include:*

- a. *Evaluating the circumstances;*
- b. *Initiating officer's responsibilities;*
- c. *Designating secondary unit's responsibilities;*
- d. *Specifying roles and restrictions pertinent to marked, unmarked, or other types of police vehicle involving in the pursuit;*
- e. *Assigning dispatcher's responsibilities;*
- f. *Describing supervisor's responsibilities;*
- g. *Specifying when to terminate pursuit;*
- h. *Engaging in inter and intrajurisdictional pursuits involving personnel from the agency and/or other jurisdictions;*
- i. *Requiring a written report and an administrative review of each pursuit; and*
- j. *Conducting an annual, documented analysis of those reports.*

⁷ CALEA Std. **41.2.2 (a) & (b)**

the foreseeable risks to the officer, the public or others arising from a continued pursuit is greater than the threat to public safety should the pursued vehicle be allowed to escape.

5. Upon receipt of a notice to terminate the pursuit from a supervisor, the primary unit shall immediately discontinue the pursuit, and verbally confirm acknowledgment of the termination of the pursuit, providing the location of the where the pursuit was terminated.
6. The pursuing officer shall notify the ECC when it is likely that a pursuit will continue into a neighboring jurisdiction.

B. Assisting Unit Responsibility: The direction of the pursuit will fall under the control of the sector sergeant or patrol supervisor assuming control and oversight of the pursuit. The patrol supervisor and primary patrol unit will be advised of the identity and location of backup units who are able to assist.⁸

1. The active pursuit will normally involve no more than two units: the primary patrol unit and one backup unit (a supervisory vehicle involved in a pursuit will count towards the total number of police units involved in the pursuit). If more assistance is specifically requested, the appropriate amount of response will be determined by:
 - a. Nature of the offense.
 - b. Number of suspects involved.
 - c. Whether the participating units have more than one officer.
 - d. Other clear and articulated facts that would warrant the need to expose other officers to an increased exposure to hazard.
2. Only the controlling sector sergeant or patrol supervisor may authorize more than two police units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit but shall not actively participate, and shall not respond or parallel the pursuit on adjacent streets unless specifically authorized to do so.
3. The assisting unit, upon joining the pursuit shall immediately notify the ECC of its identity. If the primary unit is a one-person unit, the assisting unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

⁸ CALEA Std. 41.2.2 (c)

4. The assisting unit will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required.
5. Assisting units shall, at all costs, avoid intersecting the path of an oncoming vehicle.
6. If the primary unit becomes disabled, the assisting unit will become the primary unit. The ECC will advise the controlling field supervisor and other units that a new backup unit is needed, and the next unit to join the pursuit will be designated the backup unit.
7. Upon receipt of notice to terminate the pursuit from the primary unit and/or a supervisor, the secondary unit shall discontinue the pursuit.

C. ECC Responsibilities: It is the responsibility of the ECC to:⁹

1. Receive and record all incoming information on the pursuit and the pursued vehicle.
2. Immediately notify the Shift Commander and ensure a sector sergeant or patrol supervisor has assumed control and oversight of the pursuit, constantly keeping the supervisor apprised of the duration and progress of the pursuit.
3. Clear the radio channel of any unnecessary radio transmissions and advise all other units that a pursuit is in progress, providing all relevant information.
4. Perform relevant record and motor vehicle checks.
5. Control all radio communications during the pursuit.
6. Coordinate assistance under the direction of the shift commander or the patrol supervisor.
7. Continue to monitor the pursuit until it has been terminated.

D. Supervisory Responsibilities: The sector sergeant or patrol supervisor (Car #15) will assume overall command and exercise control of the pursuit and make sure that the following activities are carried out:¹⁰

1. Direct the pursuit and approve or order alternative tactics, and maintain control until the pursuit is terminated. In the absence of adequate information

⁹ CALEA Std. 41.2.2 (e)

¹⁰ CALEA Std. 41.2.2 (f)

from the primary or backup unit, the patrol supervisor may order termination of the pursuit.

2. Allow the pursuit to continue only if there is sufficient reason to believe that the criteria for engaging in a vehicular pursuit set forth within this policy exists.
3. Order a pursuit terminated at any time if he/she concludes that the danger to pursuing officers or the public outweighs the necessity for immediate apprehension of the violator.
4. In recognition of the overall population density and volume of vehicular traffic, and the increased risk inherent to prolonged vehicular pursuits, a supervisory officer shall order the termination of any pursuit of protracted duration, unless that officer determines the termination of any pursuit is justified to respond to an immediate threat to public safety.
5. Ensure, for the duration of the pursuit, that all officers and members of the department involved in any aspect of the pursuit observes the department policy and procedures at all times.
6. Ensure that each officer who was engaged in the police pursuit completes a police incident report, documenting that officer's involvement and any information that is relevant to the incident. The officer initiating the vehicular pursuit will be responsible for completing the "Pursuit Evaluation Report" in addition to the initial incident report.
7. Initiate the internal review process for evaluating the vehicular pursuit.
8. Ensure that copies of the police report and all relevant documents shall be submitted to the Police Commissioner for review.

VI. EMERGENCY VEHICLE OPERATION AND TACTICS:

- A. **Offensive Tactics:** In the course of a pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be strictly prohibited. The only time any of these actions would ever be warranted would be only when the use of deadly force would be authorized¹¹ (also refer to department policy entitled, **#2002-8: Aggressive Deadly Behavior Policy**).

¹¹ CALEA Std. 41.2.2 (g)

1. Reducing the Likelihood of a Pursuit: To diminish the likelihood of a pursuit, a police officer intending to stop a vehicle for any violation of the law shall, when possible and without creating a threat to public safety, close the distance between the police cruiser and the violator's vehicle prior to activating emergency lights and when appropriate, audible device.
2. Reckless Operation: Reckless or hazardous driving maneuvers shall not be duplicated by any of the pursuing police vehicles.
3. Caravanning: There shall be no caravanning by other patrol units not directly involved in the immediate pursuit.
4. Passing: There shall be no attempt by officers to pass other patrol units involved in the pursuit unless the passing officer receives specific permission from the primary patrol unit or patrol supervisor.
5. Spacing: All units in pursuit, whether the vehicle in front of the patrol unit is the suspect vehicle or another police vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.
6. Number of Police Vehicles: No more than two police vehicles will become actively involved in a pursuit, unless specifically directed otherwise by the Shift Commander or patrol supervisor. Other officers should be alert to the pursuit progress and locations.¹²
7. Unmarked Police Vehicles: Unmarked police vehicles may not engage in a police pursuit, unless the fleeing vehicle presents an immediate and direct threat to life, and when there is no marked vehicle to engage in the pursuit. If it becomes necessary for an officer operating an unmarked vehicle to engage in a vehicular pursuit, the officer will only remain in the pursuit until such time as a marked vehicle becomes available to take over the pursuit. Then the unmarked vehicle will withdraw from the active pursuit and may serve in a support role.¹³
8. Use of Motorcycles in Pursuits: An officer operating an authorized motorcycle may initiate a vehicular pursuit, but may not exceed posted speed limits and must relinquish the pursuit when immediately becoming aware of the participation of an authorized marked police vehicle.¹⁴
9. Controlled Access Highways: Officers may not pursue a vehicle in a direction opposite to the flow of traffic on a divided highway. Officers may not pursue a vehicle the wrong way on interstates, other controlled access highways,

¹² CALEA Std. **41.2.2 (d)**

¹³ CALEA Std. **41.2.2 (d)**

¹⁴ CALEA Std. **41.2.2 (d)**

divided roadways, or one-way streets unless specifically authorized by the Shift Commander or patrol supervisor.

- B. Use of Roadblocks:** Under no circumstances shall a roadblock be set up or used by any member of this department. At no time will an officer use a police cruiser or another vehicle to block the path of a vehicle being pursued.¹⁵
- C. Use of Firearms during Pursuits:** Officers shall not fire any weapon from or at a moving vehicle, nor engage in any vehicle contact except as a last resort to prevent immediate death or serious injury to the officer or another person where deadly force would otherwise be justified. Departmental policy regarding the use of deadly force shall be strictly followed at all times.
1. Firing a weapon for the purpose of disabling a vehicle is **strictly prohibited**.

VII. REPORTING REQUIREMENTS:¹⁶

- A. Reports Required:** It shall be the policy of this department that whenever officers engage in a police pursuit, or any other type of apprehension tactics involving the use of police vehicles, all of the officers involved in the incident will be required to submit a detailed Incident Report regarding their involvement in the incident, including any information that is relevant to the incident.
- B. Submission of Reports:** Whenever any officer of this department is involved in a vehicular pursuit, that officer shall, before the end of his/her tour of duty, submit a report giving a full account of the pursuit and the reason(s) for his/her participation. The officer initiating the vehicular pursuit will also be responsible for completing the department's Pursuit Evaluation Report.
- C. Supervisory Personnel:** The officer-in-charge shall conduct the initial review of the Pursuit Evaluation Report. This Pursuit Evaluation Report shall be in addition to any incident report if one is required of the supervisor. Completion of the

¹⁵ CALEA Std. 41.2.3 – A written directive addresses roadblocks and forcible stops, to include:

- a. Describing circumstances warranting their use;
- b. Specifying procedures for implementation;
- c. Requiring training in the use of agency-authorized roadblocks and forcible stopping techniques;
- d. Defining supervisory responsibilities; and
- e. Requiring a written report and an administrative review of each such incident.

¹⁶ CALEA Std. 41.2.2 (j)

Pursuit Evaluation Report may require conferring with the officers and other personnel who were involved in the incident (including the use of the voice recordings). The Pursuit Evaluation Report (see attached form) is considered an internal report that is used to assess the underlying factors that led up to an officer engaging in a vehicular pursuit and to take into consideration the following:

1. To evaluate whether the officer(s) and other personnel involved in a pursuit incident observed the established departmental guidelines. To determine whether there needs to be an adjustment to the department's policy and procedures.
2. To determine whether there needs to be additional training.
3. To assess whether there are any patterns or trends occurring.

D. Processing of the Pursuit Evaluation Report: Once the Pursuit Evaluation Report has been completed and reviewed by the supervisory officer, it will be forwarded to the attention of the Division Commander of Patrol Operations. The Pursuit Evaluation Report form will be processed in the following manner:

1. Once the report has been reviewed, the Division Commander will be required to sign off on the form in the appropriate section of the report. The Division Commander will be expected to make a determination as to whether the pursuit was carried out in accordance with department policy and procedures. The Division Commander will also be expected to make any recommendations that may be appropriate.
2. Once this has been done, the Pursuit Evaluation Report form and all relevant documentation will be forwarded to the Police Commissioner for review.
3. Once the Police Commissioner has reviewed the Pursuit Evaluation Report form, it will then be forwarded to the Professional Standards Unit. The Commander of the Professional Standards Unit will keep the completed reports and all relevant documentation on file as part of the annual review process.
4. Based upon the recommendations from the staff review, the Police Commissioner will take the appropriate action in response to the findings and recommendations.

E. Staff Review of Pursuit: Whenever a pursuit has taken place, the circumstances surrounding the pursuit shall be fully critiqued during a staff meeting. The purpose of this review is to assess whether there are any issues or concerns that may have arisen from the pursuit. Further, the pursuit will be reviewed in the

context of the department policy for the purpose of ascertaining whether there is a need for policy revision or departmental training.

F. Annual Review of Vehicular Pursuits: At the end of each calendar year, the Commander of the Professional Standards Unit will prepare an analysis report that summarizes all of the vehicular pursuits that had occurred during the proceeding twelve months. This analysis report will be drafted in such a way so as to accomplish the following objectives:¹⁷

1. Provide an analysis of those vehicular pursuits that may have taken place within the reporting calendar year.
2. Identify any patterns or trends that may be detected with respect to the vehicular pursuits.
3. Compare the incidence of vehicular pursuits from the current reporting period to the proceeding twelve-month period, and note any patterns or trends that may be apparent from that analysis.
4. Make any recommendations that may be appropriate with respect to the identified training needs and/or policy modifications.

¹⁷ CALEA Std. 41.2.2 (j)