

CHAMPAIGN POLICE DEPARTMENT

POLICY and PROCEDURE

POLICY NUMBER: 41.2

SUBJECT: RESPONSE TO CALLS, MOTOR VEHICLE
PURSUITS, AND FORCIBLE STOPPING

EFFECTIVE DATE: 10/01/09
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Secondary Unit: Any police vehicle that becomes involved in the pursuit as a back-up to the primary unit and follows the primary unit at a safe distance.

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PURPOSE:

The purpose of this policy is to establish procedures for responding to routine and emergency calls, to govern the pursuit of motor vehicles, and to address the use of roadblocks and forcible stopping techniques.

DEFINITIONS:

Forcible Felony: Illinois forcible felonies are defined in 720 ILCS 5/2-8 and include any felony involving the use of physical force or threatening the use of physical force or violence against someone. The current ILCS defined forcible felonies are listed below. **EXCEPTION:** The offense of Aggravated Vehicular Hijacking is an authorized forcible felony only when the offense was reported as the vehicle being taken by an individual who carried on or about their person a dangerous weapon or firearm within 12 hours or less from the time when the officer encounters the vehicle.

Forcible Felony Offenses: Under Illinois law, the following offenses are considered forcible felonies: Treason; First Degree Murder; Second Degree Murder; Predatory Criminal Sexual Assault of a Child; Aggravated Criminal Sexual Assault; Criminal Sexual Assault; Robbery; Burglary; Residential Burglary; Arson; Aggravated Arson; Kidnapping; Aggravated Kidnapping; Aggravated Battery resulting in great bodily harm or permanent disability or disfigurement; and, any other felony which involves the use or threat of physical force or violence against any individual.

Forcible Stop: The deliberate act of impacting a suspect's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

Pursuit: An active effort by a commissioned, uniformed police officer operating an authorized police vehicle to apprehend the occupant(s) of a fleeing vehicle who is/are resisting apprehension by increasing speed, disobeying traffic laws, and/or attempting to elude the officer.

Pursuit Vehicles:

Primary Unit: The police vehicle that initiates the pursuit or any unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the fleeing suspect vehicle).

Roadblock: The use of a police vehicle to restrict or obstruct the free passage of a motor vehicle on a roadway to affect the apprehension of a suspect.

Rolling Roadblock: A defensive maneuver designed to block the lanes in front of the fleeing vehicle, used to either slow it down or bring it to a stop.

Stop Stick: A device specifically designed to deflate a vehicle's tires.

Tactical Positioning: Any police vehicle movement that is not directly involved in the pursuit but is designed to assist in apprehending the suspect. Examples include driving to a location where the suspect is believed to be headed, positioning in a location to see if the suspect has entered into a specific area such as a highway, or following in the general direction of the suspect vehicle in situations when other resources (e.g., unmarked vehicles, air operations, or various technology) can maintain surveillance on the suspect vehicle without the awareness or knowledge of the suspect.

Vehicle Definitions:

Marked Police Vehicle: Any police vehicle that is identifiable by its color scheme, has red and/or blue emergency lights permanently mounted on the vehicle, is equipped with a siren, has a permanently mounted police radio, and has the departmental seal and/or police lettering on its exterior.

Semi-Marked Police Vehicle: Any police vehicle that is not identifiably marked by a distinctive color scheme, but which has red and/or blue emergency lights mounted on or within the vehicle, is equipped with a siren, and has a permanently mounted police radio (e.g., a supervisor's squad).

Unmarked Police Vehicle: Any police vehicle that has no distinctive or identifiable exterior markings but is equipped with a siren and has dash or visor-mounted red and/or blue emergency lights (e.g., an investigations vehicle).

POLICY:

41.2.1 RESPONSE TO CALLS

A. CALL RESPONSE CLASSIFICATION.

1. Routine incidents are calls for police service where a quick response is not essential to the preservation of life or property.

- a. Police vehicles will be driven in a lawful manner and will not obstruct the free movement of traffic when stopped or parked except as authorized in 2(a) through 2(d) of this policy.
 - b. Officers will not temporarily park police vehicles unattended without locking them except during an emergency.
 - c. The primary purpose of the factory-installed lock-out device is to operate the emergency lights for extended periods of time when officers cannot remain in the vehicle.
 - d. Lock-out devices should not be used for convenience (e.g., keeping the vehicle warm or cool). The use of lock-out devices while parked at the Champaign Police Department is prohibited except as authorized under paragraph (e).
 - e. Section (d) above does not apply to K-9 vehicles when the canine is secured in the vehicle. Other exceptions to Section (d) above include recharging dead batteries, warming up vehicles during below-freezing conditions, if required for the essential operation of in-car video systems or in-car computers, or when extreme temperatures could hinder visibility through squad windows.
2. A police vehicle may respond as an "authorized emergency vehicle" when:
- a. Engaged in an authorized pursuit, provided that the officer utilizes the emergency lights and siren.
 - b. Responding to an emergency, such as a call involving a personal injury accident or an accident in which the vehicles are situated in such a manner as to cause further serious accidents by hazardously blocking traffic.
 - c. Responding to a call that either involves crime in progress or is likely to result in death or great bodily harm.
 - d. Authorized or directed to do so by a supervisor.
3. The driver of an authorized emergency vehicle may:
- a. Proceed past a red light, stop signal, or stop sign, but only after slowing down or stopping as may be required and necessary for safe operation.
 - b. Exceed the posted speed limit, so long as he does not endanger life or property.
 - c. Disregard regulations governing the direction of movement or prohibiting turns in specified directions.
 - d. Park or stand, irrespective of the provisions of State and/or City laws that would ordinarily prohibit parking or standing in a given area.
4. Generally, the emergency lights and siren must be utilized during an emergency response; however, it is recognized that a tactical advantage may be gained by responding to certain in-progress calls without emergency lights and/or sirens (silent response) so that any suspects on the scene are not alerted to the police response and/or presence.
- a. In any case, the emergency lights and/or siren are not to be relied upon in lieu of officer diligence and discretion, and the silent response exemption does not protect a driver from the consequences of any reckless disregard for the safety of others.
 - b. Officers must also exercise caution in order to reduce damage to police vehicles during an emergency response or pursuit.
5. The driver of a police vehicle shall not:
- a. Follow an ambulance by exceeding the posted speed limit.
 - b. Provide high-speed escorts for other vehicles. However, an escort for other vehicles may be provided on an expedited basis while observing traffic control devices.

41.2.2 MOTOR VEHICLE PURSUITS

A. EVALUATING THE CIRCUMSTANCES.

1. Preservation of life.
 - a. The overriding responsibility for police agencies in the State of Illinois is to protect human life and property. When the risks to human life and/or property outweigh or begin to outweigh the benefits of capture, officers shall refrain from or disengage pursuits.

B. LIMITATIONS ON PURSUIT.

1. The Champaign Police Department recognizes that the objective of a motor vehicle pursuit is to maintain police contact with a fleeing driver, without unnecessary endangerment to life and property, until the individual can be apprehended. Officers and supervisors shall continually evaluate a pursuit to determine whether or not the pursuit should be terminated.
2. A commissioned uniformed police officer driving a marked squad car may only initiate pursuit of a vehicle when an officer can articulate a reason to believe that the occupant(s) of a fleeing vehicle:
 - a. Has committed or attempted to commit a forcible felony involving the infliction or threatened infliction of bodily harm except for the offense of Aggravated Vehicular Hijacking, which is an authorized forcible

felony only when the offense was reported as the vehicle being taken by an individual who carried on or about their person a dangerous weapon or firearm within 12 hours or less from the time when the officer encounters the vehicle; and/or

- b. Is attempting to escape by the use of a deadly weapon; and/or
 - c. Otherwise, indicates they will endanger human life or inflict great bodily harm (e.g., wrong-way driving, striking other objects and vehicles, impaired/unresponsive driving, etc.) unless stopped without delay.
3. Officers will not initiate or become involved in pursuits for traffic offenses, non-violent property crimes whether felony or misdemeanor, or when the suspect flees for unknown reasons.
 4. Semi-marked Police Vehicles may initiate a pursuit provided the proper justification exists but will relinquish primary unit status upon the participation of a marked unit. Upon relinquishing primary unit status, semi-marked units shall terminate active involvement in the pursuit unless they are needed to fulfill secondary unit responsibilities or are otherwise directed by a supervisor.
 5. Unmarked Police Vehicles are prohibited from being involved in a pursuit unless a life-threatening situation exists at the time the pursuit is initiated.
 6. Alternatives to Pursuit.
 - a. No pursuit, following at a safe speed, and tactical positioning are three alternatives to a pursuit. Following at a safe speed is expected in lieu of pursuit when the officer knows that there are hostages and/or children in the fleeing vehicle.
 - b. Tactical positioning can be utilized as a safer alternative to a pursuit in a variety of situations. Tactical positioning is any police vehicle movement that is not directly involved in the pursuit but is designed to assist in apprehending the suspect. Examples include driving to a location where the suspect is believed to be headed, positioning in a location to see if the suspect has entered into a specific area such as a highway, or following in the general direction of the suspect vehicle in situations when other resources (e.g., unmarked vehicles, air operations, or various technology) can maintain surveillance on the suspect vehicle without the awareness or knowledge of the suspect.
 - i. All officers engaging in tactical positioning shall, when feasible, notify METCAD and the Shift Commander before engaging in tactical positioning. The Shift Commander will advise if the tactical positioning will be terminated,

based on if the actions conform to the directives regarding enforcement driving and if the risks to human life and/or property outweigh or begin to outweigh the benefits of capture.

C. PURSUIT TACTICS.

1. The use of a vehicle to forcibly terminate a pursuit, as defined in this policy, is authorized only when the officer reasonably believes there is a sufficient legal justification for the use of deadly force.
2. To reduce the likelihood of a pursuit, an officer intending to stop a vehicle for any violation of the law, other than a traffic violation, shall close the distance between the two vehicles prior to activating the emergency lights or siren or otherwise signaling the driver to stop.
3. No more than two police vehicles (a primary unit and a secondary unit) shall become actively involved in a pursuit unless otherwise specifically approved by a supervisor.
4. Officers shall not attempt to overtake, pull alongside, or pass the suspect's moving vehicle without the specific authorization of a supervisor.
5. Officers involved in a pursuit shall not discharge any firearm from or at a moving vehicle, nor engage in any forcible stop technique, except as a last resort to prevent imminent death or serious bodily injury to an officer or another person.
6. Officers traveling parallel to the pursuit may not join or interfere with a pursuit unless specifically directed to do so by a supervisor.
7. Both the primary and secondary vehicles involved in a pursuit should be spaced sufficiently to allow adequate distance to execute evasive maneuvers in the event that other vehicles stop, slow, turn, or otherwise create a collision hazard.
8. Before approaching an intersection, the driver of any pursuit vehicle shall reduce the vehicle's speed to avoid collision with another motor vehicle or a pedestrian.
9. A pursuing officer is expected to maintain complete control of his vehicle at all times.
10. Vehicles will not be commandeered for pursuit purposes.
11. Officers will not pursue vehicles traveling in the wrong direction on interstates or other controlled access highways,

D. PRIMARY UNIT RESPONSIBILITIES

1. The decision to initiate and/or continue a pursuit requires determining whether the danger of the pursuit outweighs the need for immediate apprehension. Officers are reminded that they are under no legal obligation to initiate or continue a pursuit.

2. Upon the initiation of a pursuit, the vehicle's emergency lights and siren shall be immediately activated.
3. An officer initiating a pursuit shall immediately notify both METCAD and a supervisor that a pursuit is underway and provide the following information:
 - a. The specific reason for the pursuit (charges);
 - b. Location and direction of travel;
 - c. Speed and driving behavior of the fleeing vehicle;
 - d. Suspect vehicle license and description;
 - e. Number of occupants;
 - f. Traffic conditions; and
 - g. Any other relevant factors.
4. When leaving the City of Champaign, the pursuing officers shall transmit a message on ISPERN without unnecessary delay.
5. The primary unit will provide frequent updates regarding the location of the pursuit, the direction of travel, and other pertinent information. The primary unit is also responsible for controlling the pursuit unless otherwise directed by a supervisor.
6. The pursuing officer shall keep the vehicle's windows rolled up so that communications personnel can hear radio transmissions clearly.

E. SECONDARY OFFICER'S RESPONSIBILITIES

1. The secondary unit shall notify METCAD and a supervisor upon joining a pursuit.
2. Upon joining a pursuit, the secondary unit shall assume responsibility for radio communications.
3. When assigned secondary unit responsibilities, the vehicle's emergency lights and siren shall be activated. The siren on the secondary unit will be operated in a different mode than that of the primary unit (e.g., yelp vs. wail).
4. The secondary unit shall serve as a back-up to the primary unit and will respond to directions from the primary unit unless otherwise directed by a supervisor.

F. SUPERVVISOR'S RESPONSIBILITIES

The Supervisor shall:

1. Assume responsibility for monitoring and controlling the pursuit as it progresses.
2. Ensure that the initiating officer has provided all information necessary to properly evaluate the pursuit.

3. Verify the following:
 - a. That the offense meets the department's criteria for pursuits.
 - b. That no more than the required or necessary number of units are involved in the pursuit.
 - c. That proper radio procedures are followed.
 - d. That all necessary agencies are notified.
4. Continuously review incoming information to determine whether or not the pursuit should be terminated.
5. Order a pursuit terminated anytime:
 - a. The supervisor concludes that the danger of the pursuit outweighs the need for immediate apprehension.
 - b. The suspect's identity is established, and there is no immediate threat to public safety.
 - c. The weather, road, or traffic conditions substantially increase the danger of the pursuit.
 - d. The supervisor determines that the pursuit does not meet established criteria set forth in this Policy.
6. Control and coordinate the pursuit as follows:
 - a. Direct pursuit and/or support units into and out of the pursuit.
 - b. Re-assign primary, secondary, and support units as necessary.
 - c. Approve, disapprove, and coordinate pursuit tactics.
 - d. Ensure compliance with multi-jurisdictional pursuit agreements, if applicable.
7. Approve and assign additional back-up or support units to assist the primary and secondary units based upon:
 - a. The nature of the offense for which the pursuit was initiated.
 - b. The number of suspects and any known propensity for violence.
 - c. The number of officers in the pursuit vehicles.
 - d. Any damage or injuries to the assigned primary or secondary units or officers.
 - e. The number of officers necessary to safely make an arrest at the conclusion of the pursuit.
8. Require that all participating agencies be notified when a pursuit is terminated.

9. Respond to termination points, whether inside or outside of City limits.

G. OTHER UNIT RESPONSIBILITIES

1. Unless otherwise directed by a supervisor, police units other than the primary or secondary units shall not become involved in an ongoing pursuit. Such police units are expected to monitor radio transmissions and tactically position themselves to be of possible assistance.

H. PURSUITS ENTERING INTO OTHER JURISDICTIONS

1. When a pursuit enters another jurisdiction, the primary unit shall notify METCAD that the pursuit is leaving the City.
2. The appropriate supervisor will decide whether or not the pursuit should be continued based upon existing circumstances.
3. METCAD shall notify the involved jurisdiction.

I. PURSUITS ENTERING FROM ANOTHER JURISDICTION

1. Officers shall refrain from entering into another department's pursuit unless assistance is requested by that department and approved by a Champaign Police Department supervisor.
2. Champaign police officers involved in a multi-jurisdictional pursuit are required to comply with this policy.

J. WHEN TO TERMINATE A PURSUIT

1. Pursuing officers will immediately terminate pursuit when:
 - a. The officer knows the suspect and/or the offense involved is a traffic offense, misdemeanor, or non-violent felony.
 - b. The distance between the officer and the suspect is such that continuing the pursuit would require speeds endangering the officer or the public.
 - c. The officer loses visual contact with the suspect for an extended period of time (15 seconds or more). In such a case the officer may continue to look for the suspect at reduced speeds.
 - d. Either the officer or the vehicle being pursued encounters heavy pedestrian or vehicle traffic.
 - e. The Police Vehicle experiences a malfunction or failure involving lights, siren, radio, brakes, steering, or other essential equipment.

- f. The danger to the public or the pursuing officer(s) outweighs the necessity of immediate apprehension.

- g. Directed to do so by a supervisor.

K. REQUIRED DOCUMENTATION

1. Any officer initiating a pursuit shall document the incident in an official police report and properly classify all video recordings.
2. Any other unit participating in the pursuit shall document their actions in a supplemental report.
3. The responsible supervisor shall control police actions at the scene and ensure that all reports are completed. The supervisor shall also ensure that police reports contain the following facts:
 - a. Start and stop time of the pursuit.
 - b. Number of personnel involved.
 - c. Number of police vehicles involved, and their degree of participation.
 - d. The reason for initiating the pursuit.
 - e. Speed of the pursuit.
 - f. Law violations committed by the offender.
 - g. Traffic conditions.
 - h. Tactics used.
 - i. Other pertinent details as directed by the supervisor.
4. The shift supervisor who responds to the termination of a pursuit shall prepare a memorandum to the Deputy Chief of Operations via the chain of command. The supervisor shall comment as to whether or not tactics were utilized consistent with policy, procedure, and acceptable police tactics. This memorandum shall have all applicable police reports attached.
5. The appropriate District Commander will review and forward all reports plus a written assessment of the pursuit to the Deputy Chief of Operations within seventy-two (72) hours of the occurrence.
6. The reviewing District Commander may, at his/her discretion, direct that the City Garage complete a safety inspection on any squad car that has been involved in a pursuit.

L. ANNUAL PURSUIT ANALYSIS

1. On an annual basis, the Deputy Chief of Operations shall conduct a written analysis of all pursuits to determine if there are any trends requiring policy changes or additional training. The analysis will be submitted to the Chief of Police for review.

41.2.3 ROADBLOCKS AND FORCIBLE STOPPING

A. USE OF ROADBLOCKS DURING PURSUITS

1. Roadblocks shall not be employed when it is apparent that innocent persons would be endangered.
2. Roadblocks can be employed during pursuit only upon the order of a supervisor.
3. Roadblocks may only be used when the person being pursued has demonstrated a reckless disregard for the lives and safety of the public and justification for the use of deadly force exists.
4. A supervisor may cancel a roadblock if danger outweighs the necessity for apprehension.
5. Only unoccupied Department vehicles shall be used as roadblocks.
6. When a supervisor authorizes a stationary roadblock, necessary detours, sufficient advance warning for all motorists, sufficient stopping distances, and alternative routes of travel must be provided.
7. Rolling roadblocks may be authorized by a supervisor. They are most useful on divided, controlled access highways or when the entire highway is unobstructed by oncoming traffic.

B. FORCIBLE STOPPING

1. Unless there is sufficient justification for the use of deadly force, officers shall not attempt to deliberately collide with, or pull in front of, pursued vehicles, nor shall they use a police vehicle to force any other vehicle off a roadway.

C. STOP STICKS

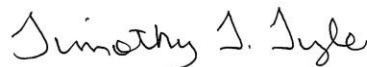
1. Officers may deploy "Stop Sticks" or other tire deflation devices that are approved by the Chief of Police in an effort to bring a motor vehicle pursuit to a safe conclusion when sufficient time is available to deploy the device and it is safe to do so.
 - a. "Stop Sticks" shall only be used on vehicles with four or more tires.
 - b. "Stop Sticks" shall only be used on paved surfaces, such as concrete or blacktop.
 - c. Prior to deployment, officers will notify the pursuing unit(s) of the location of the "Stop Sticks."
 - d. Deployed "Stop Sticks" should be removed from the roadway once the suspect vehicle has passed and only when it is tactically safe to do so.
 - e. "Stop Sticks" shall only be utilized by officers trained in their proper deployment.

- f. "Stop Sticks" and other tire deflation devices and techniques can be used on stationary vehicles in order to prevent suspects from escaping. Paved surfaces are not required in such circumstances.

D. DOCUMENTATION

1. Any roadblock, forcible stop, or use of "Stop Sticks" used during the response to a pursuit shall be documented in an official police report.

ISSUING AUTHORITY



Timothy T. Tyler
Chief of Police
Champaign Police Department