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## **Vehicle Pursuits**

### **I. Policy statement**

Officers may pursue wanted persons, criminal suspects and traffic violators who fail to yield upon receiving proper notice. Each officer shall exercise sound judgment in every pursuit, so they do not unduly endanger the public, themselves, or other employees. Officers will receive initial training on the pursuit policy in the academy followed by an annual review thereafter.

### **II. Pursuit guidelines**

Officers shall drive in a reasonable and prudent manner when operating a police vehicle during pursuits and emergencies. Pursuits are high-stress, difficult, and demanding situations. However, officers are not relieved from the duty to drive with due regard for the safety of all persons, nor shall officers be protected from the consequences of their reckless disregard for the safety of others.

### **III. Definitions**

Pursuit rated vehicle – A vehicle designed, tested, and backed by the manufacturer to handle the duties of a pursuit vehicle for performance and handling.

Marked vehicle – A vehicle that is clearly marked with police emblems and has emergency lights and siren that are clearly visible from the outside of the vehicle.

Authorized pursuit vehicles – A pursuit rated, marked police vehicle with emergency lights and siren.

Vehicle pursuit – An active attempt by an officer, utilizing emergency equipment, to stop a motor vehicle when it is reasonably apparent to the officer that the driver of that vehicle is aware of the attempt and is resisting apprehension by increasing speed, disregarding traffic control devices, or maneuvering the vehicle in an evasive manner.

Primary pursuit unit – The police vehicle immediately behind the fleeing driver.

Secondary pursuit units – Are the police vehicles which trail the primary pursuit unit at a safe distance and are available to assume the primary role or assist with radio transmissions, apprehension, or other duties.

Pursuit Intervention Technique (PIT) – Using a police vehicle to intentionally apply lateral pressure to the rear side quarter of the fleeing vehicle with the goal to cause the fleeing vehicle to spin out and terminate the pursuit.

Vehicle containment – The use of a police vehicle(s) to block the movement of an occupied vehicle; or an intentional maneuver causing a collision between two slow-moving vehicles; or a slow-moving vehicle (generally 10 MPH or lower) with a stationary vehicle, to contain and/or stop that vehicle.

Ramming – The intentional use of a police vehicle to forcefully impact a fleeing vehicle in a manner other than a PIT or vehicle containment to functionally damage or otherwise force the pursued vehicle to stop.

#### **IV. Initiation of a pursuit**

##### **A. General**

1. When a pursuit occurs, the officer must weigh the immediate risk or potential risk to the public, should the suspect be allowed to remain at large, against the risk or potential risk created by the pursuit itself.
2. A pursuit is not recommended when the risk outweighs the potential advantages of apprehension.

##### **B. Procedures**

1. Prior to initiating and during a pursuit, officers will continually re-evaluate and assess whether the seriousness of the offense reasonably warrants the initiation or continuation of the pursuit. Factors to be considered include, but are not limited to:
  - a. Pursuit location and type of neighborhood (residential, rural, commercial)
  - b. Time of day or night
  - c. School zone (school hours, after school activities, playground)
  - d. Traffic and pedestrian conditions (congestion, rush hour, special event, etc.)
  - e. The performance/driving capabilities of the vehicles/drivers involved (police and suspect)
  - f. Weather and road conditions
  - g. Speeds and posted speed limits
  - h. Identification of vehicle and/or suspects in the fleeing vehicle
  - i. Probability of apprehension
  - j. Availability of assistance
  - k. Presence of other persons in the fleeing vehicle
2. The decision to continue the pursuit must be based on careful consideration of all relevant circumstances.
  - a. Dangerous driving, by itself, during a pursuit does not justify a continued pursuit.
  - b. The officer shall not allow emotions or the perceived personal challenge to factor into any decision.
3. The goal during a pursuit is to apprehend the suspect as quickly as possible while trying to maintain safe roadways for the citizens.

#### **V. Pursuit operations and tactics**

##### **A. Authorized vehicles and operations**

1. Authorized pursuit rated vehicles may engage in a pursuit.
2. Each pursuing vehicle shall activate emergency lights and siren.
3. Unmarked vehicles, with emergency lights and siren, should not initiate or participate in a pursuit.
  - a. However, if an unmarked vehicle initiates a pursuit, the watch commander shall be advised immediately and a determination made whether to discontinue or allow the pursuit.
  - b. Once a pursuit rated, marked vehicle assumes the position as the primary unit, the unmarked vehicle should cease pursuing unless specifically authorized to continue by the watch commander.
4. All other vehicles, such as motorcycles, special purpose vehicles, patrol wagons, mobile crime scene vehicles, and vehicles not equipped with emergency equipment shall not become engaged in pursuits.

##### **B. Tactics**

1. There shall be no more than three police vehicles in direct pursuit of a fleeing vehicle, unless authorized differently by a supervisor.
  - a. All other officers shall operate their vehicle in normal driving conditions.
2. An officer involved in a vehicle pursuit should not attempt to pull alongside or pass the fleeing vehicle without the specific authorization of a supervisor.
  - a. Officers should not pass other police vehicles involved in a pursuit unless the passing officer receives specific permission from the vehicle being passed.
3. In the event a pursued vehicle travels the wrong way on a:
  - a. Fully controlled access roadway such as the interstate or bypass, officers shall not follow.
  - b. Divided roadway or a one-way street, officers should not follow unless circumstances dictate otherwise.
    - (1) This does not prohibit pursuit on an adjacent roadway where the officer is driving with the flow of traffic.
4. Ramming is discouraged as it is a highly dangerous action. It is restricted to only the most extreme situations where failure to take such action could reasonably be expected to result in death or serious injury.
  - a. Ramming should have watch commander approval.
5. Any police vehicle sustaining damage to, or the failure of, essential vehicular equipment during the pursuit shall not continue in the pursuit.
6. Vehicles transporting prisoners or civilians are prohibited from engaging in a vehicle pursuit.
  - a. Vehicles transporting riders who are participating in a department authorized ride-along program shall not initiate or become involved in a pursuit unless exigent circumstances and supervisor approval are present.

## **VI. Primary pursuit unit**

### **A. Responsibilities**

1. Notify the Communications Section on the primary radio channel (DMPD Dispatch) as soon as reasonably possible that a pursuit is underway and provide the following information:
  - a. Location, speed, and direction of travel
  - b. Vehicle description, including license number if known
  - c. Initial purpose of the stop
  - d. Number of occupants in the vehicle
  - e. Any known information about the driver or occupants of the pursued vehicle
2. The officer communicating the pursuit shall provide continuous updates as to the speeds, zone characteristics, recklessness, and any other pertinent information that would assist supervisors with pursuit oversight.
3. The primary pursuing unit shall continually re-evaluate and assess the pursuit situation including all the initiating factors and terminate the pursuit whenever they reasonably believe the risks associated with the continued pursuit are greater than the public safety benefit of making an immediate apprehension.
4. The pursuit shall be terminated, and the Communications Section notified when:
  - a. The violator's identity is established to the point where later apprehension can be accomplished and where there is no immediate threat to the safety of the public or police officers or;
  - b. Visual contact is lost, other than momentarily.
5. The primary unit may terminate the pursuit at any time.
  - a. If a pursuit is terminated, the primary unit shall give the Communications Section the location the pursuit was terminated and the last known direction of the fleeing vehicle.

- b. An officer's decision to terminate a pursuit for safety reasons is not subject to criticism or review.
- 6. Each officer that becomes the primary unit in a pursuit shall complete a "Vehicle Pursuit" incident report and submit it to their supervisor.

## **VII. Secondary pursuit unit**

### **A. Responsibilities**

- 1. If there is a second unit in direct pursuit, and the primary unit is a one-person unit, the second unit should assume responsibility for radio traffic concerning the directions of the pursuit. This allows the primary pursuit unit to concentrate on the pursuit.
- 2. The secondary unit should maintain a safe distance behind the primary unit to avoid a collision but close enough to render assistance when the pursued vehicle is stopped.
- 3. If the primary unit becomes disabled, the secondary unit will become the primary unit and shall evaluate the pursuit and determine if the pursuit should be terminated or continued.
- 4. Any secondary unit may call for the termination of the pursuit, if they feel circumstances exist that would necessitate termination.

## **VIII. Other units not involved**

### **A. Responsibilities**

- 1. Officers not involved in the pursuit are to curtail radio transmission except for emergency traffic.
  - a. They should monitor the pursuit activity and be prepared to assist if the pursuit approaches their area of assignment.
- 2. Units not actively involved in the pursuit but performing a support function will remain alert to the direction and progress of the pursuit and may position themselves at strategic sites along the probable pursuit route or on parallel roadways for response to any exigencies that may develop.
  - a. They may render assistance at the termination or discontinuation point.
  - b. However, these units will not be operated in an emergency mode and will obey all traffic laws unless positioning themselves ahead of the pursuit to deploy tire deflation devices, utilize pursuit termination techniques or other public safety measures at which time lights and siren will be activated.
- 3. There shall be no caravanning by units not directly involved in the immediate pursuit.

## **IX. Supervisor**

### **A. Responsibilities**

- 1. Upon notification that a vehicle pursuit is in progress, the supervisor shall acknowledge and assert control by gathering sufficient information from the pursuing officer to evaluate its necessity.
  - a. Primary command for the pursuit shall be with the field supervisor of the initiating officer.
- 2. Supervisors may terminate a pursuit if the primary officer fails to broadcast adequate pursuit conditions as prescribed in this policy.
- 3. The pursuit supervisor will:
  - a. Continuously evaluate the latest information to determine if the pursuit should be allowed to continue.
  - b. Order the termination of a pursuit if, in their judgment, the risk of allowing the pursuit to continue is greater than the benefit of apprehension.
    - (1) Any supervisor, not just the pursuing officer's field supervisor, shall have the discretion to terminate a pursuit at any time.
  - c. Assume responsibility for all officers involved in the pursuit, regardless of their areas of assignment, ensure proper procedures are followed, and be responsible for:

- (1) Ensuring only the required or necessary units are involved in the pursuit.
- (2) The authorization or denial of legal intervention techniques, such as pursuit intervention, roadblocks, or any other use of force to end a pursuit if circumstances warrant.
- (3) Responding to the location where a vehicle has been stopped following a pursuit.
- (4) Evaluating whether to continue a pursuit outside of the department's jurisdiction.
4. Supervisors should assess the need to be actively engaged in an on-going pursuit due to oversight responsibilities.
5. The pursuit supervisor will meet with the pursuing officer within a reasonable amount of time upon conclusion of any pursuit, whether successful or terminated, to debrief the incident.

## **X. Communications Section**

### **A. Responsibilities**

1. Upon being advised by an officer that they are in pursuit, the Public Safety Telecommunicator will notify the officer's supervisor, clear a channel for the pursuing officer and follow the Communications Section policy and training for pursuits.

## **XI. Legal intervention**

### **A. Training**

1. Officers will receive initial training on the use of legal intervention techniques and devices in the academy followed by periodic training thereafter. Officers may use the following legal intervention techniques only after receiving training and when approved by a supervisor as required.

### **B. Roadblocks**

1. Due to the urban environment and other more viable intervention techniques, the use of stationary roadblocks is discouraged, and their use limited to only those incidents of a severe nature where the escape of the suspect may result in death or serious bodily injury to others.
2. Roadblocks may be set up by an officer only after authorization from a supervisor.
3. Once a roadblock has been ordered, and a police vehicle has been stationed as part of a roadblock, no one shall remain in or behind the vehicle.
4. The roadblock shall be visible at a reasonable distance to allow ample time to stop.
5. The roadblock shall not block the entire roadway and shall provide a visible escape path.

### **C. Pursuit Intervention Technique (PIT)**

1. The PIT may be utilized by an officer when the following conditions are present:
  - a. The continued movement of the suspect vehicle places any person at risk of serious injury or death.
  - b. Alternative means of apprehension have been exhausted or are not practicable at the time.
2. When a pursuing officer reasonably believes that a PIT is needed to end a pursuit, a request should be made to the pursuit supervisor.
  - a. The supervisor shall consider relevant factors and either authorize or deny the request.
3. The pursuing officer should advise the Communications Section of their intent to use the PIT and shall follow their training and perform the technique as instructed.
4. Officers may use the vehicle containment technique following a PIT to prevent the vehicle from attempting to flee again.

### **D. Tire deflation device**

1. Officers may use tire deflation devices to stop a fleeing vehicle.
  - a. Tire deflation devices are considered less-lethal force and shall be deployed in accordance with training.

- (1) Officers shall not deploy the device unless they have sufficient physical cover to safely deploy and subsequently remove the device on the roadway.
2. Prior to deploying the device, officers will notify the Communications Section that they intend to use the device and provide exactly where the device will be positioned so that a radio broadcast can be made.
3. The officer shall notify the Communications Section if the vehicle impacted the tire deflation device, and the location of the impact (right or left side tires).

## **XII. Legal intervention investigations**

### **A. Procedures**

1. In the event the pursuit has any legal intervention attempts, officers shall document the circumstances of their use with a Pursuit Intervention report.
  - a. PIT or roadblock documentation shall be required whether a PIT or roadblock was successful or unsuccessful.
  - b. Tire deflation device deployment documentation shall be required if an officer deploys the device on the roadway regardless of device impact.
    - (1) Additionally, if a vehicle impacts the device, the officer should complete a tire deflation device deployment report found here: <https://stopstick.com/home/pursuit-reporting>
2. The Traffic Section, when available or at the request of the watch commander, may be called out to investigate all legal interventions.
  - a. The depth of the investigation will be determined by the seriousness of the incident.
3. There will be some legal intervention attempts that fail. In those cases, a determination will be made by the watch commander as to the level of investigation that is required.
4. Damage caused directly from a PIT to the involved vehicles will not be considered a reportable accident but will be investigated for supervisory review on a Pursuit Intervention report.
5. Damaged caused indirectly or unintentionally by a PIT will be considered an accident and the rules for reporting such to the Iowa DOT apply. The PIT will be documented in the accident report by the investigator.
6. If damage is done to an uninvolved vehicle by a tire deflation device, provide the motorist a business card with the case number and advise them to contact the City of Des Moines Legal Department to file a claims form for expenses.

## **XIII. Inter-jurisdictional vehicle pursuit policy**

### **A. Policy statement**

1. Under some circumstances, vehicle pursuits initiated by an agency in one jurisdiction may travel through several jurisdictions and involve several agencies before being concluded. It is in these instances the following principles have been agreed upon by area agencies. Each agency shall establish and maintain its own pursuit policy and incorporate the tenets of this agreement as fully as possible.

### **B. Definitions**

1. Initial Pursuing Agency (IPA): The agency that initiates the pursuit.
2. Jurisdictional Agency: The law enforcement agency with specific legal authority granted by a political subdivision of the State of Iowa at a point along the path of the pursuit.

### **C. Procedure**

1. Once a pursuit is initiated and the IPA anticipates it will lead into another jurisdiction, the IPA's supervisor will have dispatch move and/or patch radio communications to a common ISICS channel as the primary channel for the pursuit. The dispatch of the IPA should announce the

pursuit on R1CALL11, then all traffic be moved and/or patched to a chosen Iowa TAC channel, such as IATAC2 or IATAC3. All agencies' policies should require the IPA to provide adequate information about the pursuit for other agencies to make fact-based decisions regarding the need to continue the pursuit, considering such factors as the initial crime(s), aggravating factors and the need for immediate apprehension.

2. If a pursuit continues beyond an agency's jurisdiction, the presumption is that the command and control will remain with the IPA. However, the IPA may request the jurisdictional agency to assume command and control. If that is accepted, once there are an adequate number of units from the jurisdictional agency present to safely assume the pursuit, the IPA becomes a supporting agency to the pursuit and safely continues until the pursuit is terminated and offenders are in custody. If the jurisdictional agency declines to assume command and control of the pursuit, it should provide reasonable support to the initial pursuing agency. The IPA will normally be responsible for all criminal charges unless the situation requires otherwise.
3. The pursuing officers or their supervisors have the primary responsibility of determining whether to continue or terminate a pursuit. The individual agencies and/or officers may end their direct involvement in a pursuit if their continued involvement is believed to be contrary to their specific pursuit policies. This information must be promptly conveyed to the emergency communications center, involved units and supervisors of the other agencies in the pursuit.
4. Unless circumstances dictate otherwise, no more than four (4) vehicles shall be actively engaged with emergency lights and siren in a multi-agency pursuit.
5. The officer driving the secondary unit should be responsible for keeping the communications center informed of the progress of the pursuit, unless the IPA is a two-person pursuing vehicle.
6. In the event of a multi-jurisdictional pursuit and in the event that all agencies terminate the pursuit, the IPA's communication center shall make a region wide radio broadcast that the pursuit has been terminated.
7. All law enforcement powers, all of the privileges and immunity from liability, exceptions from law, ordinances and rules, all pension, relief disability, worker's compensation, and other benefits which apply to the activity of the officers, agents, or employees when performing their respective functions under this Agreement shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties under this Agreement. Each agency will retain and assume all liability for the acts or omissions of its officers and employees during pursuit operations under this Agreement and will hold each other harmless from damages incurred by them.

#### **XIV. Pursuit review**

##### **A. General**

1. All pursuits and legal intervention attempts will be documented and reviewed to monitor compliance with policy and determine the effectiveness of current training methods.

##### **B. Procedure**

1. The supervisor of the pursuing officer will conduct and document a pursuit review.
2. The review shall include the viewing of any relevant in-car video and body camera recordings.
3. The purpose of the review will be to critique the performance of all personnel involved in the pursuit, covering all aspects of the pursuit and to determine if policy and training were followed.
4. The written portion of the review will include any recommendations for remedial training and/or discipline.
5. The results of the review will be forwarded through the chain of command.
  - a. Professional Standards will be responsible for retaining the review for a period of three (3) years.

C. Annual analysis

1. Professional Standards shall conduct an annual analysis of motor vehicle pursuits with the intent of observing patterns or trends that indicate a need to address training requirements, policy modifications, the reporting process, and disciplinary concerns.
2. The analysis of the calendar year data will be presented to the Chief of Police and Executive Staff for review and approval.