

A. PURPOSE. To establish guidelines for the safe execution of police emergency driving, non-emergency driving and pursuit driving, while ensuring a high level of safety for citizens, officers, and suspects

B. DEFINITIONS

1. *Emergency*. A situation in which property or human life are in jeopardy and the prompt summoning of aid is essential.
2. *Medical Emergency*. MCL 423.232 defines *medical emergencies* as including: “Heart attack, stroke, injury accidents, electrical accidents, drug overdose, imminent childbirth, and other instances where there is the possibility of death or further injury...”
3. *Vehicle Pursuit*. An active attempt by a police officer in an authorized emergency vehicle to apprehend a moving vehicle and occupants that attempt to avoid apprehension or obstruct the authority of a police unit by ignoring the officer’s attempt to stop the vehicle.
4. *Termination of a Pursuit*. Deactivating all emergency equipment (lights and siren), returning to legal speeds and operating conditions, and not following the suspect vehicle for any distance or reason.
5. *Pursuit exceptional circumstance*. The pursuing officer has reasonable suspicion or probable cause to believe that serious bodily injury or death has been or will be inflicted if the pursuit is not continued.
6. *Paralleling*. Driving in the direction of the pursuit on a parallel or corresponding route to be able to assist. Paralleling shall comply with the emergency response mode operational procedures.
7. *Ramming*. A higher level of intentional contact by the police vehicle deliberately striking a fleeing vehicle for the purpose of forcing the vehicle to stop. Ramming is usually attempted at higher speeds with a greater degree of risk due to the unpredictable results. The use of ramming **is potentially a deadly force technique** that may be implemented with supervisory approval and shall comply with the departmental rules governing the use of force.
8. *Deadblock*. Any barricade or obstruction used to totally block the fleeing vehicle’s path of travel, leaving no avenue for escape. The use of a deadblock **is potentially a deadly force technique** that may be implemented with supervisory approval and shall comply with the departmental rules governing the use of force.

9. *Controlled Contact Intervention.* Intentional contact by the police vehicle to the fleeing vehicle in a controlled manner at lower speeds to forcibly stop the movement of the vehicle. Controlled contact intervention **is potentially a deadly force technique** and shall comply with departmental rules governing the use of force and may only be implemented with supervisory approval and by departmentally trained personnel.
10. *Boxing.* A non-contact maneuver where two (2) or more police vehicles surround a fleeing vehicle to control the movement of the fleeing vehicle. Boxing may only be implemented by departmentally trained personnel or with the approval of a supervisor and shall comply with departmental rules governing the use of force.
11. *Controlled Roadblock.* Any barricade or obstruction used to partially block, deny, or direct passage to the fleeing vehicle to control, stop, or prevent the escape of the fleeing vehicle. This technique allows open restricted route for the vehicle. The use of controlled roadblocks shall comply with the departmental rules governing the use of force.
12. *Tire Deflation Device.* A hollow spike tire deflation device deployed as a non-contact intervention tactic. Tire deflation devices may only be deployed by departmentally trained personnel.
13. *Dynamic Alternatives.* Force used in situations where certain immediate and drastic measures must be undertaken by an officer to protect human life which may involve the use of techniques or weapons not specifically authorized by policy, i.e., neck restraint, striking with radio or motor vehicle, etc.

## C. EMERGENCY RESPONSE MODE OPERATIONAL PROCEDURE

1. The driver shall operate in an emergency mode when responding to:
  - a. A medical emergency or a situation in which an individual declares a need for immediate medical attention for any individual.
  - b. A situation where property or human life is in jeopardy and prompt summoning of aid is essential.
  - c. A violent crime in progress.
  - d. When pursuing or apprehending a person who has violated, is violating, or is suspected of violating the law.

2. The driver shall:

- a. Consider totality of the circumstances available in determining response.
- b. Activate emergency lights and audible signal.
  - (1) Audible signal may be deactivated where silence is required to avoid warning suspected law violators or where the effect would be to endanger yourself, others or permit the escape of the violators.
- c. Roll up the windows.
- d. Operate their vehicle "with due regard to the safety of persons using the highway."

**Note: Officers often equate emergency with high speed. A prudent response often entails lights and siren but low or moderate speeds. When officers are required to respond in an emergency mode, it is the officers' responsibility, as defined by state statute, to do so as safely as possible.**

3. Police vehicles equipped with grill or dashboard lights and siren may drive in the emergency mode.
4. Drivers of units not equipped with lights and/or siren shall not respond in the emergency mode.
5. Emergency escorts may be conducted in life threatening situations.

**D. NON-EMERGENCY RESPONSE MODE OPERATIONAL PROCEDURE**

1. The driver shall operate in non-emergency mode to all other calls for service that do not meet the emergency response requirements.
2. The driver shall:
  - a. Promptly and directly respond.
  - b. Not use emergency equipment.
  - c. Proceed in a manner consistent with normal traffic flow.

- d. Comply with posted speed limits.
- e. Obey all traffic control devices and signals.

#### E. SUPERVISORS' RESPONSIBILITY REGARDING PATROL RESPONSE MODE

- 1. Patrol supervisors shall monitor responses to calls for service and assist in compliance with this procedure.
- 2. Patrol supervisors shall upgrade or downgrade response modes if necessary.

#### F. EMERGENCY COMMUNICATIONS UNIT RESPONSIBILITIES REGARDING PATROL RESPONSE MODE

- 1. ECO's shall convey all pertinent information to responding officers to aid them in deciding the appropriate response.
- 2. ECO's shall continue to update responding officers with pertinent information, as it becomes available.

#### G. PURSUIT OPERATIONAL PROCEDURE

- 1. The Primary Unit shall:
  - a. Consider alternatives to pursuit and take responsibility for the pursuit.
  - b. ***ONLY initiate and/or engage in a pursuit if the suspect vehicle contains an inherently violent fleeing felon or is fleeing from a violent felony crime unless the officer can articulate a pursuit exceptional circumstance***
  - c. Continually weigh and evaluate the seriousness of the offense and the specific risk factors involved with the need for immediate apprehension.
  - d. Activate emergency lights and audible signal.
  - e. Roll up the windows.
  - f. Advise and update Dispatch of location, direction of travel, reason for the pursuit, fleeing vehicle speed, and vehicle and suspect descriptions.

**Note: Reason for pursuit should be broadcast before speed and descriptions.**

- g. Relinquish primary communication responsibilities when a secondary unit is in place. The primary unit shall advise dispatch of non-direction-related information, i.e., throwing contraband out of the vehicle, etc.
  - h. Operate their vehicle "with due regard to the safety of persons using the highway" by considering the risk factors.
  - i. Not initiate or continue a pursuit when the seriousness of the offense and/or the specific risk factors involved with initiating or continuing a pursuit outweigh the need for immediate apprehension even if the pursuit was initially justified.
  - j. Immediately comply with termination procedures.
2. The Secondary Unit shall:
- a. Assume responsibility for their portion of the pursuit.
  - b. Continually weigh and evaluate the seriousness of the offense and the specific risk factors involved with the need for immediate apprehension.
  - c. Activate emergency lights and audible signal.
  - d. Roll up the windows.
  - e. Follow the primary unit at a safe distance.
  - f. Assume primary communication responsibilities, i.e., update dispatch with direction of the pursuit.
  - g. Assume primary unit position and responsibilities if necessary.
  - h. Immediately comply with termination procedures.

## H. PURSUIT RESTRICTIONS

1. Officers shall not initiate or continue a pursuit when the seriousness of the offense and/or the specific risk factors involved with initiating or continuing a pursuit outweigh the need for immediate apprehension even if the pursuit was initially justified.

2. Officers shall not pursue when the only offense is a civil infraction.
3. Officers shall not pursue for any felony property crimes or misdemeanors unless there is a pursuit exceptional circumstance.
4. Officers shall not engage in a pursuit when non-police personnel are in the pursuing unit.
5. Officers shall terminate their pursuit if mechanical or radio failure occurs. Other officers can continue the pursuit if appropriate.
6. Officers shall not pursue an individual when the identity of the fleeing suspect is known unless there is a pursuit exceptional circumstance.
7. When any unit is involved in or witnesses a pursuit-related accident, officers shall stop and check the welfare of the victim(s). Other units may continue the pursuit if it is reasonable to do so.

**Note: The condition of third parties involved in pursuit related crashes must take precedence over apprehension.**

8. Officers shall not continue a pursuit when the pursuit has been terminated by a supervisor.
9. No more than two units shall be directly engaged in a pursuit, one primary and one secondary. In exceptional circumstances, a supervisor may authorize more than two units.
10. Motorcycles and semi-marked units may initiate a pursuit. They shall generally terminate their involvement as soon as a fully marked unit can take over the primary or secondary position unless dictated by the tactical mission, a need for specialized personnel and/or equipment necessary to maintain those positions.
11. Pursuit crossing jurisdictional lines.
  - a. Officers shall not pursue suspects into adjoining jurisdictions unless a pursuit exceptional circumstance exists or with the approval of a supervisor. Officers pursuing outside of the City of Grand Rapids shall comply with this procedure.
  - b. When members of other jurisdictions pursue suspects into the City of Grand Rapids, officers shall not engage in the primary or secondary pursuit position unless a pursuit exceptional circumstance exists or

with the approval of a supervisor. Officers assisting other jurisdictions within the City of Grand Rapids shall comply with this Procedure.

## I. PURSUIT TERMINATION PROCEDURE

1. Primary, secondary, and paralleling units shall:
  - a. Deactivate emergency equipment.
  - b. Broadcast their location, as well as the fact that lights and siren have been deactivated.
  - c. Not follow the fleeing vehicle for any distance or for any reason.

## J. SUPERVISOR PURSUIT RESPONSIBILITIES. Patrol Supervisors shall:

1. Monitor the pursuit for compliance with this procedure and terminate the pursuit if not in compliance.
2. ***Terminate the pursuit when the seriousness of the offense and/or the specific risk factors involved with continuing the pursuit outweighs the need for immediate apprehension.***
3. Ensure there is a dedicated radio frequency and common frequency if metro units are involved in the pursuit.
4. Ensure that any Grand Rapids Officer participating in an outside agency's pursuit is in compliance with procedures.
5. Retain control of the incident, including outside resources such as helicopters, vehicles, and personnel, unless command is formally relinquished to another agency's supervisor.
6. Employ and direct alternative strategies when appropriate.
7. Request a Traffic Unit reconstruction officer for any real or alleged injuries because of the pursuit or if a Grand Rapids Police Department Officer is involved in a pursuit-related crash.
8. If a pursuit-related crash results in serious injury or death, implement protocols outlined in training.
9. Coordinate perimeter units.

**K. EMERGENCY COMMUNICATIONS UNIT PURSUIT**

**RESPONSIBILITIES.** Emergency Communications Operators shall:

1. Clear frequency of all non-pursuit air traffic and establish a common radio frequency to be used by all units responding to assist in the pursuit (including outside agencies).
2. Contact and assign a control supervisor.
3. Assist in information transmission and unit coordination.
4. Contact and assign a K-9 Unit if available.
5. When license plate information is available, check and advise status, i.e., stolen vehicle, improper plate, etc.
6. Advise adjoining departments if the pursuit will likely cross into their jurisdictions.
7. Broadcast time and location at the termination of a pursuit.

**L. PURSUIT REPORTING PROCEDURES**

1. The Primary Unit shall:

- a. Write a Fleeing and Eluding report thoroughly documenting the elements and other factors of the pursuit including:
  - (1) The officer's attempt to stop the suspect and the reason for the stop.
  - (2) The suspect's actions while willfully failing to obey the officer's direction by increasing speed, extinguishing the lights of the vehicle, turning quickly in an attempt to elude the officer, or any other evasive actions taken to elude the officer, etc.
  - (3) The route of the pursuit.
  - (4) The outcome of the pursuit, i.e., successful apprehension, traffic crash, etc.
- b. Complete the pursuit report regardless of whether an arrest was made.
- c. Complete a Use of Force report if applicable.



- d. Submit the completed reports to the controlling supervisor for review.
- e. Complete a supplemental pursuit report form if requested to do so after review by the Internal Affairs Unit.

**Note: All primary units must complete both the fleeing and eluding report as well as the pursuit report form, regardless of the amount of time in the primary position.**

2. Secondary Units. Any additional units involved the pursuit shall complete a follow-up to the fleeing and eluding report.
3. Secondary Units. Any additional units involved in a pursuit that assist other jurisdictions shall:
  - a. Complete the pursuit report regardless of whether an arrest was made.
  - b. Complete a Use of Force report if applicable.
  - c. Submit the completed reports to the controlling supervisor for review.
4. The Controlling Supervisor shall:
  - a. Review the pursuit, Use of Force, and fleeing and eluding reports from the officers involved.
  - b. Complete the supervisor's sections of the reports.
  - c. Assign appropriate disposition code.
  - d. Ensure that all reports, including the pursuit report, are uploaded via the records management system.
  - e. Address immediate training and disciplinary issues if necessary.

#### **M. TIRE DEFLATION DEVICE (TDD) OPERATIONAL PROCEDURE**

1. Tire deflation device may be utilized by departmental trained personnel only:
  - a. To assist in stopping, slowing down, or controlling a fleeing vehicle with four (4) or more wheels involved in a pursuit that complies with the Grand Rapids Police Department pursuit procedures.

- b. With approval of a supervisor, to assist in stopping, slowing down, or controlling a vehicle which avoided apprehension or obstructed the authority of a police unit by ignoring the officer's attempt to stop the vehicle.
- c. To assist in stopping, slowing down, or controlling any fleeing vehicle with less than four (4) wheels involved in a pursuit that complies with the Grand Rapids Police Department pursuit procedures and where deadly force is justified.
- d. To assist other jurisdictions that have requested the Grand Rapids Police Department's assistance and are involved in a pursuit or circumstance that complies with this policy.
- e. To prevent a stationary vehicle from being moved when the moving of the vehicle presents a risk to the public, officer(s), or the occupants of the vehicle.
- f. To prevent the removal of vehicles believed to be evidence.
- g. To prevent a stationary vehicle from being moved during a lawful stop of the vehicle. Factors to consider include the following:
  - (1) The driver has a known history of fleeing;
  - (2) A person in the vehicle has an active warrant;
  - (3) Probable cause exists to arrest the driver or other occupant of the vehicle for any known offense;
  - (4) The driver or occupants exhibit behavior or movements indicative of fleeing;
  - (5) The occupants are in a stolen vehicle;
  - (6) The driver appears to be intoxicated, asleep, or unconscious;
  - (7) The occupants are passively resisting arrest or refusing to exit the vehicle;
  - (8) The vehicle is under surveillance for a felony-level crime;
  - (9) Any other properly articulated need as determined by the deploying member.

2. A Traffic Unit reconstruction officer shall be requested for any real or alleged injuries because of the deployment of the tire deflation device.

#### N. TIRE DEFLATION DEVICE REPORTING PROCEDURE

1. A Use of Force report shall be completed when a tire deflation device has been deployed and an attempt or actual use occurs on a fleeing or stationary vehicle.
2. A tire deflation device deployment that results in no attempt to stop a fleeing or stationary vehicle will be documented in the department required reports (i.e., pursuit, OWI, warrant service etc.). A copy of the report shall be forwarded to the Training Unit.

#### O. TIRE DEFLATION DEVICE REPLACEMENT PROCEDURE

1. The deploying officer shall complete the replacement forms in the motor pool supply area and record the serial number of the stick(s) on the related forms and reports.
2. The deploying officer shall secure replacement sticks and/or needed parts from the motor pool supply area and return the fully functional device to the trunk mounted tray. The used sticks and/or parts shall be left in the designated supply area unless they are considered evidence.
3. If replacement sticks and/or parts are not available, the vehicle shall be taken out of service and a vehicle repair request shall be completed.
4. If a tire deflation device related accident occurs, the device shall be placed into evidence until released by the investigator. A fully functional device shall be returned to the trunk-mounted tray.

P. TRAINING. The Training Unit shall be responsible for all emergency and pursuit driving training. It is the Training Unit's responsibility to create and implement training in accordance with the following:

1. New Recruits
  - a. Familiarization with this policy.
  - b. Train in EVO driving skills.

- c. Train in risk analysis and decision making based on the seriousness of the offenses and the risk factors pertaining to emergency and pursuit driving.
- d. Practical and written testing.

## 2. In-Service Sworn Employees

- a. Annual review of this procedure.
- b. Annual training and review of risk analysis and decision making based on the seriousness of the offenses and the risk factors pertaining to emergency and pursuit driving.
- c. Train officers in the use of any new or additional devices or tactical techniques that may be implemented by the GRPD.

## 3. Supplemental Training and Retesting

- a. Officers who fail to pass the certification course after one attempt shall be given supplemental training.
  - (1) The Training Unit Commander, or designee, will determine the supplemental training needs of the officer in question based on the officer's performance during EVO training.
  - (2) Reasonable attempts will be made to correct deficiencies in a timely manner.
  - (3) If the deficiency cannot be corrected after supplemental training, the officer may be reassigned to administrative duties after consultation between the service area or unit commander and the Training Unit. During this administrative assignment, a training plan will be developed and agreed upon by the Training Unit commander and the affected officer.
  - (4) Officers, from the date they were relieved of field duties, shall be prohibited from working prior scheduled special events where the operation of a patrol vehicle is necessary. This will remain in effect until such time that the officer passes the certification course.
- b. If an officer has been reassigned to administrative duties and continues to fail the prescribed EVO training course, a complaint may be referred to Internal Affairs for disciplinary action.

- c. If driving deficiencies are identified, supervisors or commanders should recommend supplemental training for the employee.

#### 4. Review and Analysis

- a. The Training Unit and Internal Affairs Unit shall conduct an annual review and analysis of all police pursuit reports for the presence of trends or training needs.
- b. The Training Unit shall conduct an annual review and analysis of the department's pursuit policy for updating to best practices.