

	<b>STANDARD OPERATING PROCEDURE</b> State Form 39870(R/S-06)	Reference Number <b>ENF-045</b>
	Subject <b>Pursuit Policy</b>	
	Special Instructions <b>NEW – Revises ENF-045 dated Dec. 29, 2022</b>	Effective Date <b>June 1, 2023</b>

## **I. PURPOSE**

Establish standards for Department personnel involved or assisting in vehicle pursuits consistent with ILEA standards, state and federal law.

## **II. POLICY**

Consideration for the risk to public safety is the primary concern when Department personnel are involved (in initiating or in assisting another agency) in any vehicle pursuit. Officers shall use their own discretion, within the guidelines of this procedure, when initiating or assisting in a pursuit. Involved officers and commanders shall continually evaluate the situation and should terminate the pursuit when the risk to the public's safety outweighs the need for immediate apprehension.

## **III. DEFINITIONS**

- A. Authorized emergency vehicle – Vehicles operated by a police agency, department or office, or the Department of Corrections, that are designated and used as an authorized emergency vehicle in accordance with IC 9-21-20 and properly equipped with red and blue signal lamps and/or a siren, whistle or bell as required/permitted by IC 9-19.
- B. Caravanning – When more than five (5) police commissions (regardless of jurisdiction) are immediately pursuing or following a suspect vehicle; unless there are articulable reasons the number of commissions involved is necessary, e.g. an attempted stopping technique, the threat posed by the suspect(s) to the number of officers involved, etc. This definition does not include officers who are either paralleling the pursuit or who are involved in protective measures.
- C. Emergency Driving – In compliance with IC 9-21-1-8, the person who drives an authorized emergency vehicle when the vehicle is using audible or visual signals, as required by law and who is responding to an emergency call or fire, or who is in the pursuit of an actual or suspected violator of the law.
- D. Flatline Pursuit – Vehicle pursuits where the need for immediate apprehension is very low and the totality of risk to public safety is very high.
- E. Lawful Intervention Technique – A method by which law enforcement officers, including pursuing authorized emergency vehicles, cause, or attempt to cause, a fleeing motor vehicle to stop (see IC 9-21-1-0.5). The term includes a precision immobilization technique (PIT) maneuver.

F. Paralleling - When officers, not directly involved in a pursuit or a failure to yield situation, are traveling in the same direction or on an intercept course with the intent to be in a position to assist. Officers paralleling a pursuit are considered part of the pursuit, regardless of their proximity to the pursuit. Paralleling must be done with due regard for the safety of all persons.

G. PIT (Precision Immobilization Technique) - A technique used by a trained law enforcement officer operating an authorized emergency vehicle to make contact at controlled speeds with the violator vehicle being pursued in order to push the rear of the violator vehicle to the point it spins causing the violator vehicle to stop.

H. Primary Officer – The officer(s) in the lead police vehicle during a pursuit.

I. Pursuit (Vehicle) - Pursuing or following a person who knowingly or intentionally flees from a law enforcement officer after an officer has been identified, by visible or audible means and ordered the person to stop with intent to detain, apprehend or arrest. This also includes any officer who is trailing the pursuit or attempting to enter the pursuit regardless of proximity to it.

J. Termination (of a pursuit) – When an involved officer either voluntarily stops pursuing a vehicle, or is ordered to stop pursuing a vehicle, and complies with the procedures of termination in this uniform statewide policy.

#### **IV. PROCEDURE**

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

1. Authorized personnel operating an authorized emergency vehicle shall engage emergency lights, and should engage the siren as appropriate, when participating in a pursuit. The Primary Officer in the pursuit shall engage emergency lights and siren.
2. Consideration for the risk to public safety is the primary concern when personnel initiate or assist in any vehicle pursuit. Officers shall use their discretion, within the guidelines of this procedure, when initiating or assisting in a pursuit. Involved officers and commanders shall continually evaluate the situation and should terminate the pursuit when the totality of the risks to the public's safety clearly outweighs the need for immediate apprehension.

##### **B. Legal Requirements**

1. In compliance with IC 9-21-1-8, the person who drives an authorized emergency vehicle when the vehicle is using audible or visual signals, as required by law in the pursuit of an actual or suspected violator of the law, may:
  - a. Park or stand, notwithstanding other provisions of IC 9-21;
  - b. Proceed past a red or stop signal/stop sign, after slowing down as necessary for safe

operation;

- c. Exceed the maximum speed limits if the operator does not endanger life or property; or
- d. Disregard regulations governing direction of movement or turning in specified directions.

2. The foregoing privileges do not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor shall such privileges protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.

3. Personnel shall use due regard in all pursuit driving situations, as dictated by: roadway conditions; density of vehicular and/or pedestrian traffic; visibility; terrain; limitations of emergency equipment; and other relevant circumstances.

### **C. Primary Officer Duties and Responsibilities**

1. In most circumstances, only personnel classified as Troopers shall become involved in or participate in vehicle pursuits. MCIs shall not become involved in or participate in a vehicle pursuit and shall immediately follow the procedures set forth in the section I. "Termination of a Pursuit" when a "Failure to Stop" situation evolves into a vehicle pursuit. Capitol Police Section Officers shall only engage in pursuits when the officer witnesses or has reason to believe the individual fleeing has been involved in a serious violent felony.

2. A pursuit should not begin, nor should it be continued, when the need for immediate apprehension is very low and the totality of risk to public safety is very high.

3. Each officer shall consider the following prior to initiating, becoming involved, or continuing in a pursuit:

- a. The violation the person is known to have committed, is wanted for or suspected of;
- b. Imminent danger to the public based on the totality of the circumstances;
- c. Time of day;
- d. Officer's familiarity with the surroundings and population density;
- e. Potential danger if the offender is not apprehended immediately;
- f. Positive identification of the driver; and
- g. Other considerations, including but not limited to: vehicle and pedestrian traffic conditions; road conditions, visibility, terrain; speed and capability of the pursued vehicle; and limitations of emergency equipment and vehicles.

4. All the above guidelines shall be continually evaluated throughout the duration of the pursuit.

5. When a vehicle pursuit has been initiated, the primary officer shall notify the appropriate regional dispatch center by radio and, when safe and practical, advise of the description of the suspect vehicle (and suspect, if available), location, direction of travel and reason for the pursuit.

6. If a marked authorized emergency vehicle joins the pursuit, officers operating motorcycles or unmarked vehicles shall relinquish the lead in a pursuit, when safe and feasible to do so, to the marked authorized emergency vehicle.
7. If a pursuit is terminated or concludes with the apprehension of the vehicle/suspect, the procedures contained in section I. Termination of a Pursuit shall be adhered to.
8. Complete a Vehicle Pursuit Report as outlined in [ENF-012](#).

#### **D. Assisting Officers, Duties and Responsibilities:**

1. Any officer paralleling a pursuit is considered part of the pursuit (regardless of proximity to it).
2. Officers deploying tire deflation devices (successful or not), setting up roadblocks or applying lawful intervention techniques shall report these to the primary officer for documentation.
3. When there is an assisting officer(s) in addition to the primary officer, the assisting officer(s) should assume radio communications.
4. Caravan situations should be avoided unless articulable justification exists.

#### **E. Regional Duty Officer (RDO) Responsibilities**

1. Immediately report to the dispatch center to closely monitor all traffic concerning the pursuit and personally take command; controlling the number of units involved (caravanning) and determining if the pursuit should continue after evaluating all available information.
2. When applicable, contact the local district duty officer (DDO) to ensure the DDO is monitoring the pursuit and is available to provide information to the RDO and telecommunications personnel.
3. When necessary, order all units involved to switch to Statewide Mutual Aid (SWMA) 1 (channel one) talk group. Consideration for this should include the number of units/agencies involved and the vicinity to county or district lines.
4. Notify the adjacent ISP districts and relinquish command and communications control of the pursuit to the applicable regional dispatch center if it enters into another district (without expectation of return);
5. Direct the pursuit to be terminated when the danger to the public clearly outweighs the need for apprehension at that time. Consideration shall be given to roadway conditions, density of vehicular and/or pedestrian traffic, visibility, etc. If the suspect is known or has

been identified, consideration should be given to terminate the pursuit; unless the suspect's capture is necessary to prevent imminent serious bodily injury to the officer or a third person.

6. Make the necessary notifications, through the chain of command, to include Operations. The level of immediate notification, through the chain of command, shall be determined by the totality of the situation and the amount of force used; and

7. Notify Operations, the Primary Staff and the Legal Division when an injury or death has occurred.

#### **F. Regional Dispatch Center/Dispatcher(s) Responsibilities and Duties**

1. The regional dispatch center initially receiving notification and information related to the pursuit, shall consider the following:

- a. Immediately notify the Regional Duty Officer of the pursuit;
- b. If not already obtained, when safe and feasible to do so, request the description of the suspect vehicle, suspect (if available), number of visible occupants, location, direction of travel and reason for the pursuit;
- c. Immediately rebroadcast the dispatch to applicable Mutual Aid talk groups and other frequencies as needed with the description and current location of the pursued vehicle, and route of travel (if known) and any additional information as needed;\*
- d. Advise other units to hold all non-emergency radio transmissions.
- e. Use discretion and brevity in all radio transmissions.
- f. Upon termination of the pursuit and any subsequent related emergency, (e.g. vehicle crashes and foot pursuits) initiate a dispatch for resumption of routine radio traffic.

\* Note: transmissions on all mutual aid talk groups should use simple-plain English instead of Department radio codes.

#### **G. Use of Force**

1. Discharging firearms at or moving from a moving vehicle is prohibited except in situations where deadly force is allowed by law.

2. Officers shall only use police vehicles as a weapon in situations where deadly force is allowed by law.

3. When used in accordance with department training guidelines, the PIT maneuver shall be considered a non-deadly use of force.

#### **H. Lawful Intervention Techniques**

1. **Roadblocks** - roadblocks shall be setup as follows:

- a. Emergency lighting shall be in operation on authorized emergency vehicles used as a stationary roadblock.
- b. Authorized emergency vehicles used as stationary roadblocks shall not be occupied.
- c. Privately owned vehicles shall not be commandeered to be used as a roadblock.
- d. Roadblocks shall be set up where it will afford clear visibility to traffic in all directions.
- e. Remove all vehicles and people not associated with the roadblock from the area.
- f. Roadblocks must be positioned in such a location and manner that the suspect can see the roadblock and have sufficient time and distance to come to a stop prior to the roadblock.
- g. Rolling roadblocks are not recommended, but they may be used in circumstances where it is necessary to protect a third party. Non-police vehicles shall not be used to conduct a rolling roadblock.

## **2. Tire Deflation Devices (TDD)**

- a. Authorized law enforcement personnel preparing to use TDD shall:
  - i. Seek a proper place of cover/concealment from which to deploy the TDD;
  - ii. If possible, deploy the TDD as per the manufacturer's specifications across the path of the target vehicle;
  - iii. Take into consideration the totality of the circumstances in Section IV(C) prior to deploying TDD; and
  - iv. After deployment (successful or not) the deploying officer shall be responsible for gathering and securing (out of the roadway) the deployed device.
- b. For replacement procedures for Department TDDs, see [FSS-008 Maintenance of Department Commissions](#).
- c. Tire deflation devices should not be used as a hand weapon.

## **3. Precision Immobilization Technique (PIT)**

- a. An officer may employ the PIT maneuver against a pursued vehicle to terminate a pursuit or prevent a pursued vehicle from continued operation under the following conditions:
  - i. The officer has been trained and approved to conduct PIT maneuvers;
  - ii. In the judgment of the officer, the fleeing vehicle must be stopped immediately to safeguard life or preserve public safety;
  - iii. The officer takes into account the safety of the public, the occupants of the fleeing vehicle and the officer involved;
  - iv. The speed of the vehicle is 50 mph or less at the time the officer is setting up to execute the PIT maneuver;
  - v. Is used in accordance with department training guidelines; and
  - vi. The officer evaluates the totality of the circumstances, to include, but not limited to\*:
    - (a) The environment that the PIT is going to be performed such as terrain, buildings, hills,

curves, guardrails, etc.

(b) Officer's familiarity with the surroundings and population density;

(c) Potential danger if the offender is not apprehended immediately;

(d) Other considerations, including but not limited to: vehicle and pedestrian traffic conditions; road conditions, visibility; speed and capability of the pursued vehicle; and limitations of emergency equipment and vehicles.

\*NOTE – The determination of the PIT factors above focus on the safety risks to the public, officer, and offender. These are different than the factors considered prior to engaging in a pursuit under IV.C. These factors should be considered prior to engaging in a pursuit and therefore a PIT.

b. Whenever possible, sufficient back-up officers should be available at the time the PIT maneuver is employed to prevent the violator (vehicle) from escaping after initially coming to rest.

c. PIT shall not be performed on a vehicle with less than four (4) wheels unless the use of deadly force is justified.

d. When used in accordance with department training guidelines, the PIT maneuver shall be considered a non-deadly use of force.

## **I. Termination of a Pursuit**

1. The decision to terminate a pursuit can be made by either the Primary Officer or any supervisor or command personnel of the primary pursuing agency, department, or office, including a duty officer. Additionally, each agency, department or office with involved officers may make an independent determination to end their officers' participation in the pursuit.

2. The pursuit shall be terminated when the totality of the risk to the public's safety clearly outweighs the need for immediate apprehension.

3. If the pursuit is terminated through the implementation of a lawful intervention technique, the Primary Officer shall immediately notify the regional dispatch center and the supervisor or command personnel of the primary pursuing agency, department, or office.

4. If the pursuit involves an injury or death, the Primary Officer shall immediately notify the regional dispatch center and the supervisor or command personnel of the primary pursuing agency, department, or office.

5. Termination with apprehension - officers shall (if possible or practicable):

a. Conduct a high-risk stop and should not rush the vehicle; and

b. Attempt to utilize an officer, other than the Primary Officer, to make the physical arrest

or transport the suspect to jail.

6. Voluntary or ordered termination - officers shall immediately contact communications and advise:

- a. All emergency equipment (lights and siren) has been deactivated;
- b. Location where the pursuit was terminated;
- c. The suspect's last known location, direction of travel; and
- d. The officer's actions taken to terminate the pursuit (stationary, turned in the opposite direction, etc.).

#### **J. Pursuits into Other States**

1. Pursuits that cross state lines shall only be made in accordance with the policies of the ISP and the laws of the state that is being entered.
2. If the other state's agency elects to not participate in the pursuit, Department personnel shall immediately terminate the pursuit.
3. Upon apprehension, the pursued suspect(s) remain in the custody of the officer(s) of the other state until extradition is granted by the other state.
4. Pursuits that cross state lines shall only be made if the person(s) being pursued has committed or is suspected of having committed a felony that involved the use of deadly force or resulted in serious bodily injury to another party.

#### **K. Annual Training**

1. The uniform statewide policy and any additional pursuit policies, procedures, regulations, and rules of the agency, department or office shall be reviewed annually during the mandatory in-service training adopted by the Law Enforcement Training Board.

L. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies and procedures.