

PARKER POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

3.30	EFFECTIVE: September 25, 2020	James Tsurapas, Chief of Police
	REVISED:	
SUBJECT: VEHICLE PURSUITS		
CALEA: 41.2.2; 41.2.3		PAGE: 1 of 19

3.30.1 PURPOSE

Vehicle Pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide commissioned officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicle pursuits require officers to exhibit a high degree of common sense and sound judgement. Commissioned officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing commissioned officers.

3.30.2 POLICY

This directive will guide commissioned officers in the pursuit of motor vehicles. They will engage in such pursuits only when there are strong and compelling reasons to do so and only after other reasonable alternatives have been considered. This policy is not intended to be used as a standard of care in negligence lawsuit, but rather it is intended to be used as a set of guidelines to be followed during vehicular pursuits in order to minimize the danger and risks to life, health and property.

3.30.3 PHILOSOPHY <41.2.2 i.>

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the risk to public safety created by vehicle pursuits, no commissioned officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where Department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit. Commissioned officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound patrol judgment. Commissioned officers conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable commissioned officer would do under the circumstances.

3.30.4 DEFINITIONS <41.2.3 a.>

A. *Boxing in* - a tactic designed to stop/slow a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop. Can also be used to immobilize a vehicle that is not in motion or prevent a vehicle from becoming mobile. Any contact between the police and suspect vehicle will be reviewed on the totality of the circumstances to determine whether the contact is within policy.

- B. *Commissioned officer* - any peace officer, recruit or sworn employee in the State of Colorado, regardless of specific title, *e.g.*, sheriff, deputy, trooper, etc., as defined in C.R.S. § 16-2.5-101, as amended.
- C. *Divided roadway* - a road which includes a painted median or physical barrier between traffic traveling in opposite directions.
- D. *Elusive/Evasive Action* - includes substantially increasing speed, displaying purposeful non-compliance to traffic control devices, fleeing during a traffic stop, or making some other overt action designed to avoid apprehension whether or not the operator has been given visual and audible signal by the officer(s) directing such operator to bring the vehicle to a stop.
- E. *Emergency operation* - the act of driving a marked or unmarked police vehicle with the emergency lights and/or siren in operation according to the Uniform Motor Vehicle Law and/or applicable Town ordinance.
- F. *Originating jurisdiction* - the jurisdiction in which a pursuit originates.
- G. *Paralleling*
 - 1. *Street paralleling* - driving a police vehicle on a nearby street in the area of a pursuit for the purpose of participating in the pursuit.
 - 2. *Vehicle paralleling* - a deliberate offensive tactic by one or more patrol vehicles to drive alongside the pursued vehicle while it is in motion.
- H. *Pinning* - a tactic designed to immobilize a vehicle that is not in motion or to prevent a vehicle from becoming mobile. Any contact between the police and suspect vehicle will be reviewed on the totality of the circumstances to determine whether the contact is within policy.
- I. *Potentially deadly force* - in terms of police vehicle pursuits, force that the natural and probable consequence of which is death or serious bodily injury.
- J. *Primary jurisdiction* - the jurisdiction of the commissioned officer driving the primary vehicle.
- K. *Primary vehicle* - the patrol vehicle driven by the commissioned officer initiating a pursuit or another patrol vehicle which takes the lead vehicle position.
- L. *Pursuit/Vehicle Pursuit* - a commissioned officer in emergency operation actively attempting to apprehend an operator of a motor vehicle, who, after having been given a visual or audible signal (emergency lights or siren) by the commissioned officer directing such operator to bring the vehicle to a stop, reasonably appears to refuse to obey such direction in an “Elusive/Evasive” manner described above.
- M. *Receiving jurisdiction* - any jurisdiction which is entered by a pursuit which began in another jurisdiction.
- N. *Refusal to Stop* – An active attempt by one or more commissioned officers to stop a motor vehicle by use of emergency lights and sirens, during which time the operator of the motor

vehicle is driving at a reasonable speed. (i.e., at or below the established speed limit), but willingly refusing to pull over and stop.

- O. *Roadblock* - a restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles to effect the apprehension of a violator. This definition does not include pinning a vehicle as a part of a TVI maneuver, or blocking entrances/exits of private driveways or small parking lots in which possible vehicle speeds are relatively low and the greater interest of public safety is served by preventing the suspect vehicle from entering a roadway.
- P. *Secondary vehicle* - a patrol vehicle which becomes involved in a pursuit and is immediately following the primary vehicle and acting as the primary vehicle's backup.
- Q. *Special purpose vehicle* - any Department-owned or operated vehicle, other than a fully- marked patrol car, operated by a commissioned officer. Special purpose vehicles include, but are not limited to, canine vehicles, motorcycles and unmarked vehicles.
- R. *Supervisor* - any commissioned officer generally of the rank of a Sergeant or higher or designated acting supervisor.
- S. *Tactical Vehicle Intervention (TVI)* - a controlled maneuver where the front of a police vehicle is used to contact the rear quarter panel of the suspect vehicle with the intention to cause the suspect vehicle to spin 180 degrees and impede the suspect vehicle's ability to continue down the roadway.
- T. *Trailing* – means to follow the path of the pursuit at a safe speed, such as in other jurisdictions while suspect vehicle is being pursued by other agencies, while obeying all traffic laws and without activating emergency equipment.
- U. *Vehicle contact action* - any action undertaken by the pursuing commissioned officer intended to result in contact between the violator's vehicle and the police vehicle or any vehicles and fixed objects.

3.30.5 WHEN TO INITIATE A PURSUIT <41.2.2 a.>

When making decisions regarding a possible initiation or continuation of a pursuit, commissioned officers will comply with C.R.S. § 42-4-108, as amended, in particular, subsection 4 which provides: "The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of such driver's reckless disregard for the safety of others."

Justification for engaging in a vehicle pursuit must be based on facts known by the commissioned officer when the decision is made to engage in a pursuit. Information not established as a fact at the time the pursuit was initiated cannot be considered later in determining whether the pursuit was justified. In all instances of vehicle pursuits, the initiating commissioned officer must be able to clearly articulate the reason why the pursuit was initiated, and that all reasonable alternatives were considered prior to initiating the pursuit.

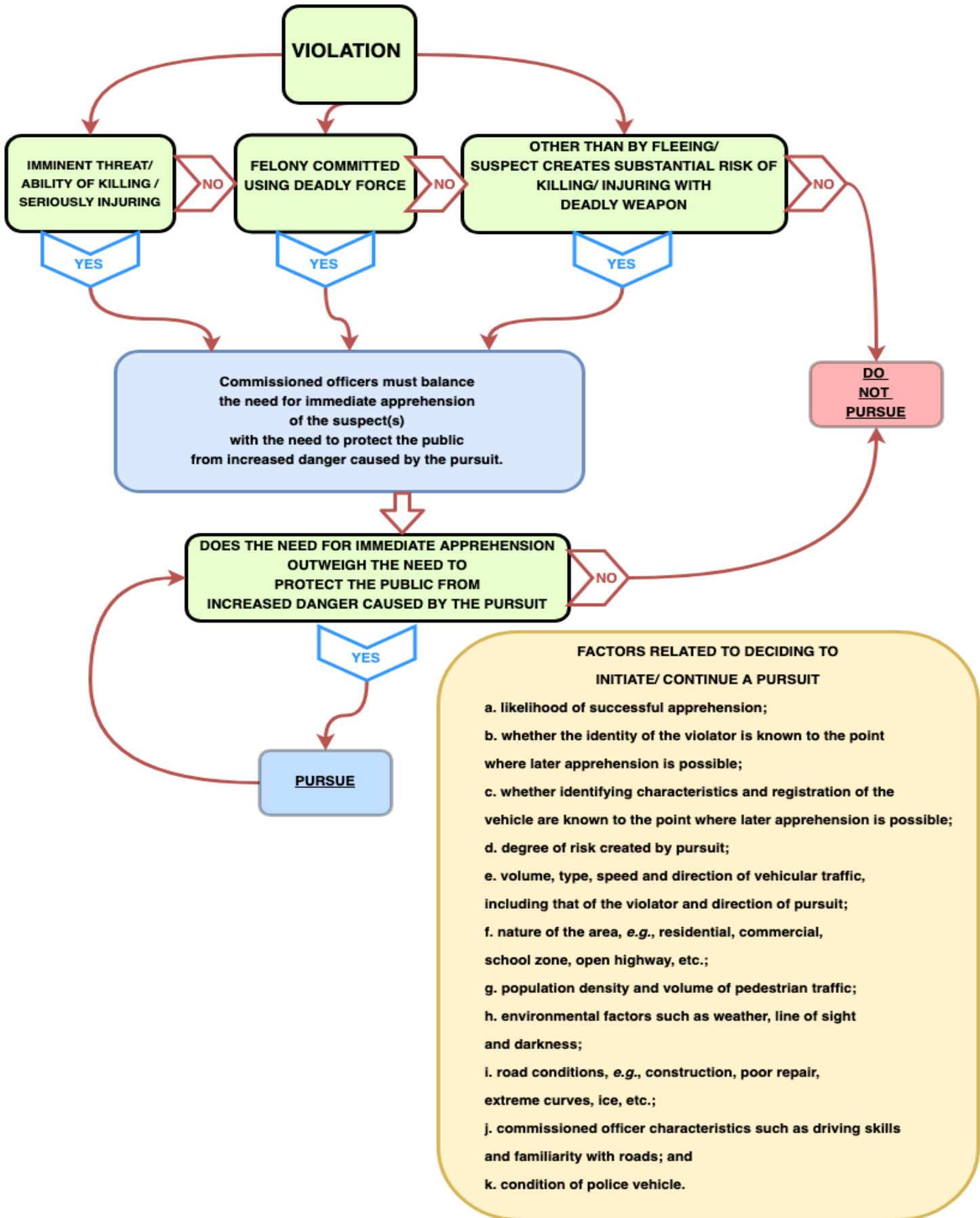
- A. Vehicle pursuits are justified only when the commissioned officer knows or has probable cause to believe:

1. The occupant has committed, is committing, or is about to commit a violent felony. (i.e. armed robbery, and other crimes against a person in which violence is an element of the felony offense).
 2. The occupant(s) present a clear and immediate threat to the safety of members of the public, other than the act of fleeing and therefore the necessity of immediate apprehension outweighs the level of danger created by the vehicle pursuit.
 3. A "Refusal to Stop", as previously defined within this policy, may be initiated and maintained for a lesser offense than described above. However, once the "Refusal to Stop" becomes a pursuit, as previously defined within this policy, justification for the pursuit must meet at least one of the criteria (above).
- B. The following factors individually and collectively shall be considered in deciding whether to initiate or continue a pursuit: <42.2.2 b.>
1. The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to commissioned officers, innocent motorists and others.
 2. The likelihood of successful apprehension.
 3. The apparent nature of the fleeing suspect (e.g., whether the suspect represents a serious threat to public safety).
 4. Whether, the identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
 5. Whether identifying characteristics and registration of the vehicle is known and later apprehension is possible.
 6. The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
 7. The pursuing commissioned officer's familiarity with the area of the pursuit, the quality of radio communication between the pursuing units and the Dispatcher/supervisor, and the driving capabilities of the pursuing commissioned officers under the conditions of the pursuit.
 8. If weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
 9. The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
 10. Vehicle speeds.
 11. Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

C. Restrictions on vehicle pursuits:

1. It is the policy of the Department that pursuits should not be conducted under the following circumstances:
 - a. in a direction opposite to the flow of traffic on a divided roadway;
 - b. in a police vehicle in which a person who is not a commissioned officer is either the driver or a passenger (this restriction includes noncommissioned members, citizens, other officials and prisoners); and
 - c. without visual or audible warning devices activated by the primary vehicle.
 - d. Normally, only the primary and secondary vehicles will be directly involved in a pursuit. A supervisor may authorize additional units as may be necessary to control the course of the pursuit and/or at the point of termination.
 - e. A fully-marked patrol vehicle is the most suitable vehicle to conduct a pursuit. Normally, a special purpose vehicle will not be involved in a pursuit, unless as otherwise specified in this Policy.
 - f. A special-purpose or unmarked police vehicle will not participate in a vehicular pursuit unless it is equipped with an emergency light and an audible device and, in the case of motorcycles, have the capability of making radio transmissions without removing hands from the steering controls.
 - g. The special purpose or unmarked vehicle will relinquish primary unit status immediately upon the participation of a fully-marked patrol vehicle can assume that status. While a special purpose police vehicle may initiate a pursuit, the special purpose vehicle will relinquish primary unit status immediately upon the participation of a fully marked patrol vehicle. The special purpose vehicle will relinquish secondary vehicle status when a fully marked patrol vehicle can assume that status.

D. Pursuit Flow Chart <41.2.2 a.,b.>



3.30.6 WHEN TO TERMINATE A PURSUIT <42.2.2 h.>

- A. Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the commissioned officer or supervisor during the pursuit indicates that the present risk of continuing the pursuit reasonably appears to outweigh the risk resulting from the suspect's escape.

- B. Commissioned officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean to discontinue or to stop chasing the fleeing vehicle. At this point, commissioned officers shall deactivate lights and sirens and will either stop on the side of the road or change direction, causing the suspect driver to believe that the pursuit has been terminated

- C. In addition to the factors listed above, the following factors should be considered when deciding whether to terminate a pursuit:
 - 1. The distance between the pursuing commissioned officer(s) and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance;
 - 2. The pursued vehicle's location is no longer definitely known;
 - 3. The commissioned officer's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive;
 - 4. The pursuit vehicle suffers an emergency equipment failure that causes the vehicle to no longer qualify for emergency operation use;
 - 5. The hazards to uninvolved bystanders or motorists;
 - 6. When the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risk associated with continuing the pursuit, commissioned officers shall discontinue the pursuit and apprehend the offender at a later time; and
 - 7. When directed to terminate the pursuit by a supervisor.

- D. Once the pursuit has been discontinued, regardless of the initiating jurisdiction, no other patrol unit shall undertake or continue the pursuit of the vehicle without supervisory approval. If a commissioned officer observes a previously-pursued vehicle after a pursuit has been terminated, the vehicle will not be further pursued. No repeat attempt to stop the vehicle by pursuit will be made, unless authorized by a supervisor.

- E. Following a suspect vehicle after a pursuit has been terminated is prohibited.

3.30.7 VEHICLES WITHOUT EMERGENCY EQUIPMENT AND MOTORCYCLES <41.2.2 e.>

- A. Special-purpose or unmarked police vehicles not equipped with a red or blue emergency light and siren are prohibited from initiating or joining in any pursuit. Commissioned officers in such vehicles may provide support to pursuing units as long as the vehicle is operated in compliance with all traffic laws.
- B. A fully-marked patrol vehicle is the most suitable vehicle to conduct a pursuit. Normally, a special-purpose or unmarked vehicle will not be involved in a pursuit.
- C. Special-purpose or unmarked police vehicles equipped with a red or blue emergency light and siren, may initiate a pursuit, but will relinquish primary and/or secondary unit status immediately upon the participation of a fully-marked patrol vehicle. <41.2.2 d.>
- D. Motorcycles, if equipped with capability of making radio transmissions without removing hands from the steering controls and are equipped with a red or blue emergency light and siren may initiate a pursuit, but will relinquish primary and/or secondary unit status immediately upon the participation of a fully-marked patrol vehicle.

3.30.8 UNIT AND COMMUNICATIONS RESPONSIBILITIES

Pursuit patrol units should be limited to two (2) vehicles and a supervisor. However, the number of units involved will vary with the circumstances. A commissioned officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of commissioned officers involved would be insufficient to safely arrest the suspect. All other commissioned officers shall stay out of the pursuit but should remain alert to its progress and location. Any commissioned officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road. The initiating or primary vehicle may discontinue the pursuit anytime at his or her discretion. <41.2.2 g.>

A. Primary Unit Responsibilities <41.2.2 c.>

- 1. The initial pursuing commissioned officer will be designated as the primary pursuit unit, unless the initiating officer is in a special purpose or unmarked vehicle or on a motorcycle as otherwise discussed in this Policy, and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the commissioned officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or other persons.
- 2. The primary unit should notify the Communications Section, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practical, provide information including, but not limited to:
 - a. Reason for the pursuit;
 - b. Location and direction of travel;
 - c. Speed of the fleeing vehicle;
 - d. Description of the fleeing vehicle and license number, if known;

- e. Number of occupants;
 - f. Identity or description of the known occupants;
 - g. Weather, road and traffic conditions;
 - h. Identity of other agencies involved in the pursuit; and
 - i. Information concerning the use of firearms, threat of force, injuries, hostages, or other unusual hazards.
3. The primary unit will continually update the Communications Section with pursuit speeds as well as any driving violations committed by the fleeing vehicle during the pursuit. Unless relieved by a supervisor or secondary unit, the commissioned officer in the primary unit should be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit joining the pursuit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.
 4. If the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating the vehicle. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

B. Secondary Unit Responsibilities <41.2.2 d.>

The second commissioned officer in the pursuit is responsible for:

1. Immediately notifying the Communications Section of his/her entry into the pursuit;
2. Remaining at a safe distance behind the primary unit unless directed to assume the role of primary commissioned officer, or the primary unit is unable to continue the pursuit;
3. Broadcasting the progress of the pursuit unless the situation indicates otherwise;
4. Serving as a backup to the primary unit once the subject has been stopped.

C. Supervisor Responsibilities <41.2.2 g.>

1. The on-duty supervisor(s) will manage and exercise control over all vehicle pursuits involving commissioned officers from the Department.
2. Nothing in this policy will prevent a higher-ranking supervisor, who has knowledge he/she believes should modify the decisions of the incident supervisor, from discontinuing the pursuit when he/she reasonably believe the risks incurred by the pursuit outweigh the benefits and need for immediate apprehension.
3. The on-duty patrol supervisor of the commissioned officer initiating the pursuit, or if unavailable, the nearest on-duty patrol supervisor will be responsible for the following:
 - a. Upon becoming aware of a pursuit, immediately notifying involved commissioned officers and the Communications Section of supervisory presence and ascertaining all

reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established Department guidelines;

- b. Engaging in the pursuit, when appropriate, to provide on-scene supervision;
- c. Exercising management and control of the pursuit even if not engaged in it;
- d. Ensuring that no more than the number of required law enforcement units needed are involved in the pursuit under the guidelines set forth in this policy;
- e. Directing that the pursuit be terminated if, in his/her judgement, it is not justified to continue the pursuit under the guidelines of this policy;
- f. Ensuring that the proper radio channel is being utilized;
- g. Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of the Town;
- h. Controlling and managing Department units when a pursuit enters another jurisdiction; and
- i. Preparing post-pursuit required reports.

D. Shift Commander Responsibilities <41.2.2 g.>

1. Upon becoming aware that a pursuit has been initiated, the on-duty shift Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The on-duty shift Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.
2. The on-duty shift Commander shall review all pertinent reports for content and forward them to the Commander in charge of pursuit reviews.

E. Communications Section Responsibilities <41.2.2 f.>

1. Once a pursuit has begun, the Communications Section member will immediately activate the alert tone and announce the pursuit and restrict the primary channel to radio traffic relating to the pursuit. If the on-duty supervisor is not available, a Commander or authorized designee will be designated as the incident supervisor.
2. Upon notification that a pursuit has been initiated, the Communications Section will be responsible for:
 - a. Coordinating pursuit communications of the involved units and members;
 - b. Notifying and coordinating with other involved or affected agencies as practical;
 - c. Ensuring that an on-duty shift supervisor is notified of the pursuit;
 - d. Assigning an incident number and logging all pursuit activities;

- e. Broadcasting pursuit updates as well as other pertinent information as necessary; and
- f. Notifying the on-duty shift Commander as soon as practical.

3.30.9 PURSUIT TACTICS <41.2.3>

The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

- A. Commissioned officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle or other involved vehicles.
- B. Commissioned officers may proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- C. Keeping in mind officer safety, commissioned officers involved in a pursuit will not engage in vehicle paralleling, unless otherwise authorized by the incident supervisor.
- D. Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing units should exercise due caution when proceeding through controlled intersections.
- E. As a general rule, commissioned officers should not pursue a vehicle driving the wrong way on a roadway, highway or freeway, and shall not pursue a vehicle traveling against the flow of traffic on a divided roadway. In the event the pursued vehicle does so, the following tactics should be considered:
 - 1. Maintaining visual contact with the pursued vehicle by paralleling on the correct side of the roadway.
 - 2. Requesting other units to observe exits available to the suspect.
 - 3. Notify the appropriate law enforcement agency if it appears the pursuit may enter their jurisdiction.
 - 4. Commissioned officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit and a clear understanding of the maneuver process exists between the involved commissioned officers.
- F. Street Paralleling Vehicle Responsibilities

The incident supervisor may assign additional units to street parallel and monitor the area of the pursuit. Their response will be according to state law and PD Manual policy on Emergency

Response (emergency lights or siren). There will be no other emergency response other than street paralleling and traffic control units.

G. Traffic Control Responsibilities <41.2.2 c.>

If possible, other commissioned officers should assist with traffic control along the anticipated route of the pursuit and render assistance at the termination or discontinuation point. Their response will be according to state law and the PD Manual policy on Emergency Response (emergency lights or siren).

H. Speed Limits

1. The speed of a pursuit is a factor that should be evaluated on a continuing basis by the commissioned officer and supervisor. Vehicle speeds shall be taken into consideration to prevent endangering public safety, commissioned officer safety and the safety of the occupants of the fleeing vehicle.
2. Should high vehicle speeds be reached during a pursuit, commissioned officers and supervisors should also consider these factors when determining the reasonableness of the speed of the pursuit:
 - a. Pursuit speeds have become unreasonably unsafe for the surrounding conditions;
 - b. Pursuit speeds have exceeded the driving ability of the commissioned officer; and
 - c. Pursuit speeds are beyond the capabilities of the pursuit vehicle, thus making its operation unsafe.

I. Shooting at or from a Moving Vehicle

Commissioned officers should not fire their weapons at or from a moving vehicle except as a last resort and when failure to do so is reasonably likely or certain to result in serious injury or death of the commissioned officer or innocent persons. Should a commissioned officer fire his/her weapon at a moving vehicle, they must be able to articulate their fear of imminent serious injury or death to themselves or innocent persons.

3.30.10 PURSUIT TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN PURSUIT

- A. There should be no paralleling of the pursuit route unless otherwise authorized by the incident supervisor. Commissioned officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Commissioned officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by an on-duty supervisor.
- B. Non-pursuing Department members needed at the termination of the pursuit should respond in a non-emergency manner, observing all traffic laws.
- C. The primary unit, secondary unit and on-duty supervisor should be the only units operating under emergency conditions (emergency lights and siren) unless other units are assigned to the pursuit, or as otherwise authorized by the incident supervisor with respect to paralleling and/or traffic control.

- D. Trailing - In the event that the initiating unit from this Department relinquishes control of the pursuit to another unit or jurisdiction, that unit may, with permission of the on-duty supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect.

3.30.11 INTERVENTION TACTICS

A. When Use is Authorized <41.2.3 a.>

1. The use of intervention tactics is considered use of force under the Use of Force Policy contained in the PD Manual. Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, commissioned officers and supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the commissioned officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the commissioned officer at the time of the decision. <41.2.3 d.>
2. It is imperative that commissioned officers act within legal bounds using good judgement and accepted practices as well as only utilizing such tactics in which that commissioned officer has been specifically trained.

B. Intervention Standards

Any intervention tactic, depending upon the conditions and circumstances under which a Tactical Vehicle Intervention (TVI) is used, may present dangers to the commissioned officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to Department policies guiding such use. Commissioned officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

C. TVI – Tactical Vehicle Intervention <41.2.3 b.>

TVI is an acceptable method of terminating an authorized vehicle pursuit when it is determined that the suspect and the vehicle may pose a danger to both the commissioned officer and/or the safety of the public; however, use of a TVI is still subject to use of force guidelines under the policy Use of Force contained in the PD Manual. TVI may also be used as a counter ambush/motorcade defense technique when necessary to ensure the safety of the protected person(s) or prevent the escape of a suspect or inmate who is a known dangerous offender, who, if allowed to escape, would place the public in serious jeopardy.

1. Commissioned officers are authorized to employ intervention tactics only if they have successfully completed Department-approved training in the specific intervention technique at least annually. <41.2.3 c.>
2. Department vehicles shall be positioned in a manner that is safe and consistent with tactical standards and deployment training.

3. The commissioned officer applying the TVI must consider all attendant circumstances before applying it. Increased vehicle speed may present a greater potential for increased injury and property damage severity. Differences between patrol vehicle and suspect vehicle types, road, weather conditions, location, time of day, vehicular and pedestrian traffic may add to the severity of the outcome.
4. TVI shall not be used under the following conditions:
 - a. During severe weather conditions such as ice, snow or extreme rain which may cause the primary pursuit unit to lose control of their vehicle.
 - b. TVI is not appropriate when the suspect vehicle is a motorcycle, vehicle with camper, or other high profile vehicles unless the use of deadly force would be justified.
5. The use of the TVI, whether effective or not, will be documented in the report. A copy of the report should be forwarded to the Administration Division via Blue Team reporting. The Administration Division shall process the use of TVI as a use of force review. <41.2.3 e.>
6. Regardless of whether there appears to be damage, the suspect vehicle and any law enforcement vehicles that made contact with the suspect vehicle should be photographed.
7. Any other vehicle or property damaged during the use of the TVI, should also be photographed.
8. Photographs should be taken of the vehicles and/or property as a whole, from all sides using overall, middle and close distances so the locations of the vehicles/property can be determined.
9. After utilizing TVI, commissioned officers shall check the area to ensure that there are no damaged vehicle pieces or other damaged property left behind that may injure civilians or damage their property.

D. Boxing <41.2.3 b.>

1. Boxing is a technique which may be used to capture vehicles in motion or parked. Boxing may be used on a vehicle which is failing to yield, the driver is suspected of being DUI/DUID or the driver is suspected to be suffering from an unknown medical problem and the driving actions present a substantial risk of death or serious bodily injury to other drivers or pedestrians. When speeds and traffic congestion present an opportunity to box a suspect vehicle, members may surround the vehicle and box the car while slowing it to a stop and/or guiding it to the shoulder or against a solid roadside barrier. Additionally, boxing or pinning may be used to pinch a suspect vehicle prior to the vehicle going in motion to prevent a suspect(s) from escaping in a vehicle and/or prevent a pursuit from beginning.
2. Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor, and only then under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to

immediately stop the pursued vehicle substantially outweighs the risk of injury or death to occupants of the pursued vehicle, commissioned officers and other members of the public. <41.2.3 d.>

3. As with all intervention tactics, pursuing commissioned officers should obtain supervisor approval before attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to commissioned officers, the public and occupants of the pursued vehicle. <41.2.3 d.>

E. Blocking <41.2.3 b.>

Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety, and when commissioned officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risk involved, this technique should only be employed by commissioned officers who have received training in such tactics and after giving consideration to the following:

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, commissioned officers or other members of the public;
2. All other reasonable intervention tactics have failed or reasonably appear ineffective;
3. Employing the blocking maneuver does not unreasonably increase the risk to the commissioned officer(s) safety;
4. The target vehicle is stopped or traveling at a low speed; and
5. At no time should civilian vehicles be used to deploy this technique.

F. Ramming <41.2.3 b.>

The use of ramming is considered use of deadly force under the Use of Force Policy contained in the PD Manual. Ramming a fleeing vehicle should be done only after all other reasonable tactical means at the commissioned officer's disposal have been considered and/or exhausted. This tactic should be reserved only for situations where there does not appear to be another reasonable alternative method and the commissioned officer and/or incident supervisor must be able to articulate the need for the use of this tactic. This policy is an administrative guide to direct commissioned officers in their decision-making process before ramming another vehicle. Trained TVI tactics are not considered ramming. When ramming is used as a means to stop a fleeing vehicle, one or more of the follow factors should be present:

1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.
2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.

3. If there does not reasonably appear to be a present or immediate foreseeable serious threat to the public, the use of ramming is not authorized. <41.2.3 a.>
4. Any use of roadblocks or forcible stopping, must be reported as use of force via BlueTeam reporting and routed through the Administration Division. <41.2.3 e.>

3.30.12 INTERJURISDICTIONAL CONSIDERATIONS <41.2.2 j.>

When a pursuit enters another agency's jurisdiction, the primary commissioned officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary commissioned officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.<41.2.3 d.>

A. Assumption of Pursuit by Another Agency

1. Commissioned officers will discontinue the pursuit when another agency has assumed the pursuit, unless continued assistance of the Parker Police Department is requested by the agency assuming the pursuit. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.
2. The role and responsibilities of commissioned officers at the termination of a pursuit initiated by this Department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.
3. Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this Department, the other agency should relinquish control.

B. Pursuits Extending into this Jurisdiction

1. The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this Department should not join a pursuit unless specifically requested to do so by the agency whose commissioned officers are in a pursuit and upon approval from a supervisor or Commander. The exception to this is when a single unit from the initiating agency is in pursuit of a violent offender and/or a supervisor or Commander has determined the circumstances are serious enough for a unit to join. Under this circumstance, a unit from this Department may join the pursuit, upon approval from a supervisor or Commander, until sufficient units from the initiating agency join the pursuit.
2. When a request is made for this Department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional factors:

- a. Ability to maintain the pursuit;
 - b. Circumstances serious enough to continue the pursuit;
 - c. Adequate staffing to continue the pursuit;
 - d. The public's safety within the Town of Parker; and
 - e. Safety of the pursuing commissioned officers.
3. As soon as practical, an on-duty supervisor or shift Commander should review a request for assistance from another agency. The on-duty shift Commander or supervisor, after consideration of the above factors, may decline to assist in or assume the other agency's pursuit.
 4. Assistance to a pursuing outside agency by commissioned officers of this Department will terminate at the Town limits provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this Department may continue only until sufficient assistance is present.
 5. In the event that a pursuit from another agency terminates within the Town of Parker, commissioned officers shall provide appropriate assistance to outside agency officers, including but not limited to scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

3.30.13 PURSUIT REVIEW BOARD

A. Pursuit Review Board composition

1. The board will be selected by the Chief of Police annually.
2. The board should be comprised of three (3) members and three (3) alternates.
3. The following criteria should be used to select the board:
 - a. One (1) driving instructor and one (1) alternate driving instructor;
 - b. One (1) Sergeant and one (1) alternate Sergeant;
 - c. One (1) Commander and one (1) alternate Commander.

B. The Commander assigned to Administration Division will not be involved in the Pursuit Review Board.

3.30.14 PURSUIT REVIEW AND REPORTING

- A. The incident supervisor will be responsible for gathering all reports, completing a preliminary review, making an initial recommendation and forwarding the package to the next level for review. Every subsequent level in the review process will examine the package for accuracy, completeness and the prior reviewer's recommendations. <42.2.2 k.>

- B. If the incident supervisor becomes involved in the pursuit, as the primary or secondary vehicle, the Commander will assume the incident supervisor responsibilities. The Commander may designate a noninvolved supervisor to complete the review process. Upon termination of the pursuit, the incident supervisor will determine what reports are to be completed by participating commissioned officers. If an offense report is being initiated for an offense committed in conjunction with the pursuit, the pursuit documentation may be included in the offense report. A Pursuit Report must be completed through the BlueTeam reporting software. <42.2.2 k.>
- C. On “refusal to stop” incidents, at a minimum, a commissioned officer’s offense report should be completed.
- D. On all pursuits, the incident supervisor will complete, at a minimum, the Pursuit Report through the BlueTeam software, detailing the extent of the investigation. <41.2.2 k.>
- E. Copies of all reports involving a pursuit will be forwarded to the commissioned officer’s supervisor and approved for compliance, and then the report will be forwarded to the member’s assigned Commander. The report will then be forwarded to the Commander assigned to pursuit reviews.
- F. At any point during this review, any of the above members may submit a memorandum requesting an administrative investigation be completed by the Administration Division, whenever a possible policy violation is present.
- G. If the assigned Commander identifies that the members involved in the incident potentially acted in violation of policy, they will forward the incident to the Administration Division for an administrative investigation.
- H. If the administrative investigation sustains any policy violations related to police vehicle pursuits, the investigation will be forwarded to The Pursuit Review Board, described in this policy. Any member of the pursuit review board that was involved in the pursuit in question or supervises an involved member will be recused and replaced with their alternate.
- I. The pursuit review board should review all available reports, video and the administrative investigation. Upon completion of the review, the board should determine a risk factor for the pursuit by scoring the incident using the pursuit risk-factor matrix included in this policy. This score will guide potential discipline through the discipline matrix contained in this policy manual.
- J. Scoring of the pursuit risk-factor matrix should be accomplished by assigning a risk value to each of the seven (7) risk considerations. A value of one (1) should be assigned to each risk consideration for under the “Low” column, a value of two (2) for each risk consideration under the “Moderate” column and a value of three (3) for each risk consideration under the “High” column. The sum total of the risk consideration scores will be reported as the pursuit risk-factor.

K. Scoring Matrix:

	LOW (1)	MODERATE (2)	HIGH (3)
1 INTERSECTIONS	Few intersections	Some intersecting streets	Frequent intersection streets and/or special circumstances (i.e., school zone)
2 SPEED	Speeds at or less than 20 MPH over the posted speed limit	Speeds 20 MPH greater than the posted speed limit	Speeds twice the posted speed limit or greater than 80 MPH
3 ROAD DESIGN	Straight road, good surface, clear lines of sight	Moderate site line reductions	Blind hills, curves, extreme site-line reduction, intersections or narrow roads
4 PEDESTRIANS	Few or no pedestrians	Light pedestrian traffic	Numerous pedestrians
5 DRIVER ACTIONS	No hazardous maneuvers by the violator	Some hazardous but not extreme maneuvers by the violator (i.e., sudden lane change, crosses center line to pass vehicles)	Extremely hazardous maneuvers by the violator (i.e., driving against oncoming traffic, violating red lights and stop signs at high speeds)
6 WEATHER	Good clear weather	Moderate weather conditions	Poor weather, slippery streets, low visibility
7 TRAFFIC	Little to no traffic	Moderate traffic with little to no congestion	Heavy congested traffic

- L. The final report will be sent to the Administration Division to the Chief of Police via chain of command.
- M. The Deputy Chief should review the outcome and recommendations from the review board and determine any discipline, if applicable. If discipline is administered, the process outlined in the complaint and discipline procedures policy will be adhered to.
- N. A documented annual analysis of pursuit reports, to include a review of policy and reporting procedures will be prepared by the assigned Commander. This review should be forwarded to Administration Division for approval by the Chief of Police. <41.2.2 l.>

3.30.15 REGULAR AND PERIODIC TRAINING

In addition to initial and supplementary training on pursuits, roadblocks and forcible stopping, all commissioned officers will participate no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public at all times. Training will include a recognition of the need to balance the known offense and the need for immediate capture against the risks to commissioned officers and others. <41.2.2 m.,n.> <41.2.3 c.>