

**TOPEKA POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL**  
**4.11 VEHICLE OPERATIONS**

SUBJECT: Vehicle Operations		
4.11	EFFECTIVE: 8-20-2024	<i>Jamey Haltom</i> Jamey Haltom, Chief of Police
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**4.11.1 PURPOSE**

This policy establishes rules and procedures regarding pursuit driving, tactical vehicle intervention (TVI) emergency response driving and other vehicle operations in order to assure all police vehicle operations are consistent with the motto “protect and serve.”

**4.11.2 POLICY**

Officers who engage in vehicle pursuits and other emergency vehicle operations must continually balance the need for such driving against all known or apparent risks the driving poses to the general public, the officer and in some circumstances, the suspect. In all vehicle operations, members shall exercise reasonable caution; prudence and due regard for the rights and safety of others and adhere strictly to the requirements of this order. Officers shall also adhere to the state statutes that direct the operation of an emergency vehicle under pursuit or emergency response conditions or circumstances.

**4.11.3 RULES APPLICABLE TO ALL DRIVING**

A. In General

1. The Department is committed to promoting public safety. Some instances of police pursuit and emergency response driving are necessary and unavoidable but no assignment is of such importance, and no task is to be expedited with such emphasis, that principles of safety become secondary. There is no matter of such magnitude that it justifies disregard for the welfare of innocent persons.
2. Vehicle pursuits, TVI, and emergency response driving are inherently high-risk activities and officers must exercise discretion very carefully during such episodes. This discretion involves the consideration of complex and sometimes unpredictable factors which may continually change, requiring a continued assessment of the risks involved.

B. Safety Considerations

1. Officers shall operate police vehicles in accordance with the normal rules of the road except in the very narrowly defined situations identified in this policy. Even when permitted to operate outside the normal rules of the road, officers shall drive reasonably and responsibly considering all prevailing circumstances, especially when considering a TVI. These circumstances include but are not limited to:
  - a) Type and condition of the vehicle being operated;

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- b) Type and condition of the roadway to be traveled and the officer's familiarity with the area;
  - c) Obstacles, both present and potential, that must be avoided (e.g., foreign objects on the roadway, construction, standing water, etc.);
  - d) Experience and training of the officer in high-speed vehicle operation, TVI, and other emergency vehicle operations;
  - e) Nature of the offense and the circumstances known concerning the call;
  - f) Time of day, traffic conditions and presence of pedestrians;
  - g) Visibility and illumination available to the operator in the area being traveled; and
  - h) Existing weather conditions and effects on roadway surfaces.
2. All members shall wear their safety belts at all times while operating City vehicles, unless an emergency situation briefly demands otherwise.

#### **4.11.4 RESPONSE DRIVING**

##### **A. Emergency Response Driving**

1. Officers may respond to the following emergencies with lights and siren activated (10-39 mode):
- a) Trouble at headquarters;
  - b) An explosion, bombing, riot or civil disorder;
  - c) Attempting to overtake traffic violators;
  - d) Operating as the primary or secondary unit of an authorized vehicle pursuit;
  - e) A cutting or shooting;
  - f) A robbery with injury or robbery in progress;
  - g) An injury accident;
  - h) A fire or medical call;
  - i) Disturbance involving a weapon;
  - j) An officer in danger (Signal 13) or when an officer requests only their back or back units respond in emergency mode (10-39);
  - k) Upon the request for a back unit and the distance to be traveled is lengthy and there are no other units available; or
  - l) Other incidents authorized by a supervisor.
2. When responding to authorized emergencies the officer may exceed the speed limit so long as doing so does not endanger life or property, and as follows:
- a) Slow down and be able to stop the emergency vehicle at all stop signs or signal controlled intersections should the need arise;
  - b) Officers may proceed through intersections contrary to traffic signs and signals only if they have made absolutely certain that they can do so safely; and
  - c) The officer will not, under any circumstances, drive at speeds that are unreasonable given existing driving conditions. There may be

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circumstances (e.g., ice, traffic or pedestrian density, etc.), in which it would be unreasonable to drive even at the posted speed limit.

3. Whenever an officer is operating a vehicle outside the normal rules of the road, the officer must use their emergency equipment, activating both their emergency lights and siren (also known as a 10-39 response). This response mode complies with KSA 8-1506, 8-1720, 8-1738(d) regarding emergency vehicle operation.
4. All emergency vehicle operations shall be conducted in strict accordance with existing statutes. KSA 8-1506 permits the driver of an authorized emergency vehicle responding to an emergency call or when in pursuit of an actual or suspected violator of the law to:
  - a) Disregard parking or standing provisions;
  - b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
  - c) Exceed the maximum speed limit so long as the driver does not endanger life or property;
  - d) Disregard regulations governing direction of movement or turning in specified directions; or
  - e) Proceed through toll booths on roads or bridges without stopping for payment of tolls, but only after slowing down as may be necessary for safe operation and the picking up or returning of toll cards.
5. The driver of an authorized emergency vehicle is not relieved from the duty to drive with due regard for the safety of all persons, nor is the driver protected from the consequences of reckless disregard for the safety of others.
6. Officers shall not attempt to escort other emergency vehicles or private vehicles on an emergency run.
7. Supervisor shall monitor the police radio and appropriately upgrade or downgrade the response to a call based on available information.
8. If the emergency equipment of the vehicle shall fail to operate, the officer must terminate the 10-39 response and respond according to normal driving rules. In such cases, the officer shall notify the on-duty supervisor and SCECC of the equipment failure so another unit may be assigned the call for service as appropriate.

#### **4.11.5 VEHICLE PURSUITS**

##### **A. Definition and Justification**

1. Vehicle pursuits may only be initiated when the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect(s) remains at large. For purposes of this policy, "pursuit" is defined as driving outside the normal rules of the road in an effort to follow and apprehend a fleeing subject.

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2. Officers shall not assume an operator or passenger is involved in something more serious just because he/she is fleeing but instead must rely on the totality of the circumstances known at the time the officer decides to pursue the fleeing vehicle, which shall be documented in a report on the matter.
3. In deciding whether to initiate or continue a pursuit, officers shall consider all circumstances affecting public and officer safety, including:
  - a) The type of offense (the more serious or dangerous the crime, the greater the consideration to pursue);
  - b) Erratic driving and/or speeds involved;
  - c) The type of vehicle being pursued;
  - d) Presence of minors in the pursued vehicle;
  - e) Involvement of hostages;
  - f) Known information about the subject's mental condition, impairment or dangerous propensities;
  - g) Information regarding the location to which the pursued subject is likely to be heading, including knowledge of his or her residence;
  - h) Involvement of weapons;
  - i) Likelihood that the subject can be apprehended by other means; and
  - j) All general safety considerations identified earlier in this policy.
4. The authorizing supervisor and officers engaged in a vehicle pursuit are required to continually evaluate the totality of the circumstances justifying the pursuit. If at any time the circumstances change or evolve to a point where the pursuit is no longer justified, the officer and/or supervisor must terminate the pursuit.

#### B. Authorized and Prohibited Pursuits

Pursuit driving may be undertaken and continued only when it is reasonable to do so in view of all surrounding circumstances. In any event, it is specifically prohibited unless the involved officer has a reasonable belief that the subject to be pursued:

1. Has committed a violent felony and where there is an immediate need to capture the suspect to protect the public; or
2. Has created an immediate threat of death or serious bodily injury to another person or a substantial threat to the safety of another person. (e.g. suspected intoxicated driver whose driving is creating an immediate threat of death or serious bodily injury **prior** to an officer activating lights and siren to conduct a traffic stop)
  - a) Violent Felony is defined as: A felony level offense committed before the pursuit is initiated that resulted in death or great bodily harm or disfigurement, or any act taken by the subject where the officer or another person is threatened with great bodily harm, disfigurement or death, or any act where the subject has used or threatened to use a weapon in the commission of the offense.

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C. General Rules and Guidelines The following rules will generally apply to all vehicle pursuits:

1. Vehicles that are not equipped with and utilizing lights, siren and radios shall not initiate or participate in pursuits;
2. Unmarked emergency vehicles and motorcycles that initiate a pursuit will request assistance and after a marked unit(s) takes up the pursuit move to secondary in the pursuit. If another marked unit joins, the unmarked car or motorcycle will then drop off. They may proceed safely to the termination point;
3. Officers must maintain sufficient control of the vehicle to insure the public's protection;
4. No other officers or units will participate in pursuit or pursuit-related activities without specific unit authorization clearly granted via radio transmission by the authorizing supervisor;
5. Units authorized to be involved in a pursuit are:
  - a) Primary unit;
  - b) Secondary Unit;
  - c) TVI Unit;
  - d) K-9 unit.
6. The authorizing supervisor may grant permission for additional units beyond those listed above to engage in a vehicle pursuit only in extraordinary circumstances as required to increase overall safety;
7. Officers shall not proceed through intersections contrary to traffic signs and signals until they have made absolutely certain that they can do so safely;
8. Officers shall not engage in pursuits with a passenger in the vehicle unless the passenger is a fully-commissioned law enforcement officer with jurisdiction in the City, who is working in an official capacity;
9. Officers shall not engage in pursuit techniques which require the officer to drive in the opposing or wrong direction on a freeway or divided highway;
10. Officers should not pursue the wrong way on one-way streets;
11. Officers shall not attempt to pull alongside a fleeing vehicle and/or intentionally attempt to force it into any obstacle;
12. Officers shall not direct the spotlight at the windshield or vision of a suspect vehicle in an attempt to blind or halt a pursuit. This requirement does not limit the use of a spotlight to increase officer safety after a vehicle has come to a stop;
13. Officers shall not attempt to dislodge the rider(s) of a pursued motorcycle;
14. Officers shall not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or in defense of another. Departmental policy pertaining to use of deadly force shall be adhered to during the pursuit;

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15. In the course of a pursuit, unless the use of deadly force is justified, officers shall not:

- a) Force the pursued vehicle into parked cars, ditches, or any other obstacle;
- b) Ram the pursued vehicle;
- c) Drive alongside the pursued vehicle while it is in motion; or
- d) Participate in "boxing-in" of the suspect vehicle, while it is moving.

### D. Primary Unit Pursuit Procedures:

1. Except as specifically ordered by a supervisor, responsibility for the decision to participate in a pursuit rests with the individual involved officer, but that decision must be made in accordance with this policy;
2. Officers initiating or engaging in a pursuit shall notify SCECC immediately that a pursuit is in progress, and provide the following information:
  - a) Unit number;
  - b) Offense or reason for the pursuit;
  - c) Location and direction of travel;
  - d) Descriptions of vehicle and occupants; and
  - e) Any exigent or unusual circumstances such as but not limited to: children in the pursued vehicle, suspect traveling the wrong way on a divided highway, occupants displaying/using weapons, etc.
3. The primary unit shall communicate updated conditions and actions as they occur until a secondary unit becomes engaged in the pursuit and takes over communications;
4. The primary unit is responsible for listening to radio communications, correcting any miscommunication, complying with any directives, continually weighing the decision to continue the pursuit and acknowledging any termination notice;
5. The primary unit shall maintain a safe interval or reactionary gap behind the fleeing vehicle, enough as to insure that the police vehicle can be brought to a safe stop, without collision, in the event that the suspect vehicle stops abruptly;
6. In the case of a two (2) person police unit, the officer riding as the passenger will handle the radio communications;
7. The TVI unit will move down-range to provide traffic control.

### E. Secondary Unit Pursuit Procedures:

1. Unless directed otherwise by a supervisor, only two backing police units, (designated secondary units, in anticipation of a TVI) and an available K-9 unit may join in pursuit of the fleeing vehicle. Once in visual range of the primary unit, the officer in a secondary pursuit vehicle shall provide SCECC with the unit number and location and direction of travel;

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2. The secondary unit will then assume radio communications and be responsible for updating conditions and actions as they occur;
3. The secondary unit shall maintain a safe interval or reactionary gap behind the primary unit and/or fleeing vehicle, enough as to insure that the police vehicle can be brought to a safe stop, without collision, in the event that the suspect vehicle stops abruptly;
4. The secondary unit will become the primary unit immediately after the use of the TVI maneuver in order to provide cover for the officer that performed the maneuver. Consider crossfire situations and conduct a high risk traffic stop.

#### **F. Other Authorized Vehicles:**

1. TVI vehicle:
  - a) Perform the TVI maneuver;
  - b) Move down range to assist with traffic control from oncoming vehicles during the high-risk car stop.

#### **G. K-9 Vehicle:**

1. Assist in high risk car stop and arrest.

#### **H. Assisting and Uncommitted Units:**

1. Upon becoming aware of a pursuit, uncommitted units in the area may move towards the vicinity of the pursuit, but must remain in their assigned area unless specifically authorized by their supervisor and shall operate their vehicle in accordance with the ordinary rules of the road;
2. Uncommitted units shall remain aware of the direction and progress of the pursuit, but shall not actively participate in it without specific supervisory authorization;
3. At no time shall assisting units and/or uncommitted units drive outside the normal rules of the road to drive in caravan with a pursuit;

#### **I. Supervisor Responsibilities and Procedures:**

1. Upon notification that a pursuit has been initiated, all units shall keep the radio channel clear while the authorizing supervisor ascertains all the necessary information from the primary unit in order to determine if the pursuit will be allowed to continue;
2. Upon notification of pursuit, the authorizing supervisor, who may be any sworn Department supervisor, shall:
  - a) Promptly acknowledge by radio, take command of the pursuit, ensure compliance with this policy, and immediately terminate pursuits not authorized under this policy;
  - b) Remain in the authorizing supervisor position until the pursuit is terminated, or is relieved by a higher authority;

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- c) Continually weigh all objective risk factors in permitting a pursuit to continue;
  - d) Carefully consider whether the need to apprehend the suspect has been fully weighed against the dangers created by the pursuit;
  - e) Proceed to the termination point of the pursuit if the violator's vehicle stops; and
  - f) Coordinate any available support, such as canine support or aerial support;
  - g) Assess any damage that may have been caused by TVI.
- 3. If a supervisor initiates a pursuit and is the only available supervisor, he or she must direct that another marked patrol unit(s) take over the primary or secondary unit responsibilities immediately, as practicable. If no other marked vehicles are available and no other supervisor is available to be the authorizing supervisor, the supervisor engaged in the pursuit must weigh these factors to determine whether the pursuit should continue.
- J. The Field commander will, when available, monitor the pursuit and shall take over supervisory duties when another supervisor is an active participant in the pursuit as either Primary, Secondary or TVI Unit.
- K. Unmarked Police Vehicles:
  - 1. An unmarked police vehicle will not participate in a vehicular pursuit unless it is equipped with and using at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren providing an audible signal at that distance;
  - 2. The unmarked car shall relinquish primary unit status upon the participation of a marked vehicle when it is safe to do so;
  - 3. The unmarked unit may continue as a secondary unit until another marked patrol unit is available;
  - 4. When it is safe to do so, the marked patrol unit will take over secondary unit responsibilities;
  - 5. At that time, the unmarked vehicle shall follow rules of an uncommitted unit unless otherwise authorized by the authorizing supervisor;
  - 6. The officer operating the unmarked vehicle, the primary unit officer and the authorizing supervisor must take into consideration the additional risk factors involved in their continuing the pursuit with unmarked vehicles involved;
  - 7. Any officer in an unmarked vehicle that initiates a pursuit shall complete a Pursuit Report.
- L. Special Purpose Vehicles:
  - 1. The following special purpose vehicles shall not become involved in pursuits:



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- a) Motorcycles, except when:
  - i. The motorcycle is equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal at that range;
  - ii. The vehicle being pursued is being operated by a fleeing suspect who represents an immediate and articulable threat to life;
  - iii. Weather, road and related conditions allow; and
  - iv. All other requirements of this policy can be met.
- b) The motorcycle shall terminate involvement in the pursuit when at least two four-wheeled vehicles become primary and support units in the pursuit;
- c) Non-pursuit rated vehicles such as the prisoner transport van, CSI van, 4x4 sports utility vehicles and bicycles shall not engage in vehicle pursuits.

#### **M. Aerial Support:**

- 1. Aerial support of another agency (such as the Kansas Highway Patrol) may be requested at the discretion of the authorizing supervisor;
- 2. When the aircraft has advised that the suspect vehicle is in view, the authorizing supervisor shall direct that the pursuing units discontinue close pursuit and cease 10-39 mode;
- 3. Primary and secondary units must then decrease speed and add additional distance for the purpose of increasing safety;
- 4. Units may close this distance for the purpose of taking suspect(s) into custody if officers reasonably believe that the pursuit is about to terminate.

#### **4.11.6 TACTICAL INTERVENTION TECHNIQUES**

##### **A. Tire deflation device- "Stop Stick":**

- 1. A tire deflation device is a tool to assist officers in stopping and preventing vehicle pursuits. A tire deflation device is designed to stop a vehicle by deflating the tires at a controlled rate, resulting in a safe and effective immobilization of the vehicle;
- 2. Officers shall use caution when deciding to utilize a tire deflation device in a pursuit. When possible, an effort shall be made to advise pursuing units when and where tire deflation devices are being deployed;
- 3. Officers shall receive training in deployment of tire deflation devices;
- 4. Criteria to be considered prior to deployment of controlled tire deflation devices include:
  - a. Probable cause to believe the driver or passenger in the vehicle has committed an offense justifying an arrest;

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- b. The officer attempting to apprehend the fleeing driver has given notice to stop by means of both emergency lights and siren;
  - c. The driver ignores the efforts and warnings obvious and visible to a reasonable person; and
  - d. The risk of escape outweighs the risks inherent in using a tire deflation device.
5. The deploying officer should make the following announcement twice over the radio just prior to the deployment of the tire deflation device, "stop stick is deployed at (location);"
6. Tire deflation devices shall only be used on vehicles with four or more tires. Officers shall use extreme caution when placing a tire deflation device on or removing them from the roadway;
7. Officers shall seek protective cover from the fleeing vehicle immediately after deployment;
8. If a vehicle not being pursued passes over the tire deflation device causing damage to the tires, the deploying officer shall obtain information on the vehicle and driver and forward it through the chain of command. If requested or if the extent of the damage requires it, an accident report shall be completed;
9. Whenever a tire deflation device is deployed and struck by any vehicle the deploying officer shall complete a pursuit report and Stop Stick report via the online portal at <https://www.stopstick.com/home/pursuit-reporting>;
10. Only those officers trained in the deployment of tire deflation devices will be authorized to use them.

#### B. Roadblocks:

1. The use of roadblocks is considered a seizure under the Fourth Amendment of the United States Constitution;
2. The use of roadblocks may also be considered an application of deadly force and must therefore be reasonable under the circumstances;
3. All roadblocks require supervisory approval, and then may only be utilized in cases of fleeing suspects who have committed or attempted to commit a felony involving death or great bodily harm or whose escape indicates that such person will endanger human life or inflict great bodily harm unless arrested without delay;
4. Only an authorizing supervisor or higher authority may authorize a stationary roadblock and then only as a last resort when it reasonably appears to the supervisor that the action can be taken in reasonable safety and is likely to result in the apprehension of the suspect;
5. Officers shall receive training in the use of agency authorized roadblocks.
6. Partial blocking of roadway:

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- a) The primary purpose of a partial roadblock is to encourage the suspect to slow down and stop, take an evasive action, or redirect the vehicle's path in a direction determined by officers;
  - b) Some portion of the roadway, median, ditch, or other roadway remains available for the suspect if the violator chooses to continue fleeing instead of stopping;
  - c) While the partial blockage of the road may result in the suspect taking actions that lead to an accident, the suspect still has reasonable options, like slowing down and stopping.
5. Complete blocking of roadway
- a) It leaves the violator no alternative but to stop or strike the roadblock;
  - b) This is considered a deadly defensive action.
6. The field supervisor shall complete a comprehensive review of the road block and document the information. The report shall be forwarded through the chain of command to the office of the Chief of Police.

#### C. Tactical Vehicle Intervention (TVI)

##### 1. Definitions:

- a) **Tactical Vehicle Intervention or (TVI)**-TVI is a technique by which a police vehicle pursuing or wishing to disrupt the current path of travel of another vehicle does so with minimal vehicle contact. TVI maneuver is designed to predictably and safely terminate a pursuit or any other situation requiring vehicle intervention;
- b) **Ramming**-The deliberate act of impacting a suspect's vehicle with another vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

##### 2. Tactical Vehicle Intervention

- a) Only vehicles properly equipped may use the TVI maneuver;
- b) No one should execute or attempt to execute a TVI maneuver unless they have been properly trained and certified to perform the maneuver;
- c) Any time a TVI maneuver is used, officers should ensure they have proper back-up for the high risk traffic stop that may follow. Only in extreme situations should an officer perform the maneuver without back-up;
- d) It is imperative that officers consider the traffic and roadway conditions, as well as the speed of the pursued vehicle prior to performing the maneuver. The following list of non-exclusive factors should be considered:
  - i. Nature and seriousness of the violation, offense or crime being committed or investigated;
  - ii. Whether the violator is showing disregard for public safety;
  - iii. Whether the violator is showing obedience to traffic control devices, i.e. stop and yield signs, traffic signals at controlled

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- intersections, pedestrian crosswalks or announcements of populated areas or public gatherings;
  - iv. Whether the violator is swerving at other vehicles in an attempt to cause vehicle crashes that would cause bodily harm to bystanders and other officers or impede the pursuit;
  - v. Whether the violator is driving on the wrong side of the road and into oncoming traffic;
  - vi. Whether the violator is causing other motorists to drive off of the roadway.
- e) When deciding whether to use the TVI procedure, the officer should consider the totality of the circumstances including but not limited to the following factors:
  - i. Roadway conditions: wet or dry, width, divider or other median obstructions, roadside obstructions (trees, overpass pillars, buildings, ditches, etc.), curves, etc.;
  - ii. Weather conditions fog, snow, rain, etc.;
  - iii. Visibility; sight distance, lighting, etc.;
  - iv. Traffic volume;
  - v. Pedestrian traffic;
  - vi. Type of fleeing vehicle;
  - vii. Occupants; number of occupants, where occupants are located in the vehicle;
  - viii. Vehicle damage; pre-existing damage to the violator's vehicle (mainly damage to the rear of vehicle), flat tired, etc.
- f) TVI should not be used to stop the following vehicles:
  - i. Any passenger bus type vehicles;
  - ii. Any vehicle operated by a known minor and/or juvenile unless there is probable cause to believe that the minor and/or juvenile has committed a violent felony;
  - iii. Pick-up trucks with passengers in the cargo area;
  - iv. Large commercial vehicles;
  - v. Vehicles with less than four wheels (motorcycles, Spyders, etc.);
  - vi. All-terrain vehicles.
- g) Officers shall consider all the factors above, their experience and abilities, and the danger of allowing the violator to continue down the roadway prior to each attempt to TVI the violator's vehicle;
- h) Officers shall announce over the radio if TVI has been used and give the location for responding officers to assist in the high risk traffic stop;
- i) Reporting requirements: Officers who execute the TVI maneuver shall complete a Pursuit Report and applicable paperwork

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#### 4.11.7 TERMINATION OF VEHICLE PURSUITS

- A. Termination of a pursuit shall be ordered by the primary unit, authorizing supervisor, or a higher authority at any time the pursuit cannot be conducted safely within the parameters of this policy. Any officer with relevant information regarding pursuit dangers shall promptly report such facts to the authorizing supervisor;
- B. Any decision to terminate must be reported to SCECC for broadcast to all units;
- C. An officer who is ordered to terminate a pursuit must immediately do so, immediately return to the ordinary rules of the road and discontinue any efforts to follow after the suspect vehicle to include altering their direction of travel;
- D. Pursuits shall be terminated if the suspect's identity has been established and immediate apprehension is not necessary to protect the public or officers;
- E. Pursuit shall be terminated if the pursued vehicle's location is no longer known;
- F. Pursuit shall be terminated if the distance between the pursuit and fleeing vehicles is so great that further pursuit is futile;
- G. Pursuit shall be terminated if an accident occurs in the pursuit with an uninvolved citizen and there are no other police or medical personnel readily available to assist.

#### 4.11.8 INTER-JURISDICTIONAL PURSUITS

- A. Our general policy is that officers will NOT become involved in any other agency pursuits that do not meet the TPD pursuit policy. **EXCEPTION: upon approval by a supervisor**, a tire deflation device or stop sticks may be deployed to assist another agency in bringing a pursuit to a conclusion. However, the use of such devices must at all times be in conformity with section 4.11.6 of TPD policy on the use of stop sticks;
- B. A field supervisor must authorize involvement first, unless it is clearly demonstrated that a unit from an outside agency is unable to request assistance or the emergency nature of the call dictates the need for assistance. In these instances, all Department pursuit policies are in effect;
- C. Pursuits into other jurisdictions:
  - 1. Officers involved in a pursuit traveling outside the City limits shall contact SCECC to request assistance from the appropriate jurisdiction;
  - 2. The primary and secondary pursuit units may continue pursuit until the agency having jurisdiction is capable of accepting responsibility, but only if the pursuit remains otherwise justified under this policy;
  - 3. Once the agency having jurisdiction assumes the primary and support pursuit units, all involved TPD units shall terminate the pursuit;
  - 4. If the agency having jurisdiction does not have a support unit, the TPD primary unit may remain in the pursuit as the support unit;

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5. Involved TPD units shall monitor the pursuit on their vehicle radio until their part in the pursuit is terminated;
  6. If the agency having jurisdiction refuses to accept responsibility for the pursuit the authorizing supervisor will make a determination if the pursuit will continue;
  7. Officers leaving their jurisdiction in hot pursuit retain their authority to make arrests or take other enforcement action on the subject;
  8. Following conclusion of the pursuit, a supervisor shall communicate with the agency having jurisdiction and exchange appropriate information.
- D. The Department may exercise authority over vehicular pursuits that are initiated in another jurisdiction and enter the City limits.
1. The field supervisor shall ascertain the basis for the pursuit. If the basis for the pursuit does not meet departmental requirements for pursuits, the supervisor shall advise units not to become involved in the pursuit;
  2. If a pursuit is authorized, all Department policy regarding pursuits shall be followed.
- E. Pursuit into a bordering state shall conform to the Department's inter jurisdictional pursuit agreement and state law.

#### **4.11.9 PURSUIT REPORTING AND CRITIQUE PROCEDURES**

- A. A supervisor shall review all available body worn camera video and reports related to a vehicle pursuit;
- B. A supervisor shall complete a TPD Vehicle Pursuit Report in Blue Team for any unit involved in a vehicle pursuit;
- C. All involved officers, (committed and uncommitted), equipped with body worn cameras shall download their recording of the pursuit as soon as reasonably possible;
- D. Officers shall complete all reports related to a vehicle pursuit prior to the end of shift, unless directed otherwise by a supervisor or commander.

#### **4.11.10 NOTIFICATIONS, REPORTS, ADMINISTRATIVE PROCEDURES AND TRAINING**

- A. All vehicle operations conducted outside the ordinary rules of the road, including but not necessarily limited to pursuits and emergency response driving, and all vehicle operations that result in collision or injury, shall be carefully reviewed for compliance with this policy and lessons learned from the involvement;
- B. Pursuit Critique Procedure:
  1. The supervisor of a vehicular pursuit shall:
    - a) Review all pursuit reports and video;

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- b) Conduct a supervisor's investigation of the pursuit and complete a TPD Vehicle Pursuit Report in Blue Team for any unit involved in a vehicle pursuit;
  - c) Determine if Department policy was followed and recommend corrective action as deemed appropriate;
  - d) Detect and recommend training for any pursuit deficiencies; and
  - e) If the supervisor authorized his/her own pursuit then a higher ranking supervisor shall complete the supervisory investigation and report.
- 2. The above-required documentation shall include the following information:
  - a) Pursuit initiation and termination location, with length of pursuit noted;
  - b) Weather and traffic conditions;
  - c) The violation that initiated the pursuits;
  - d) Maximum speed during the pursuit;
  - e) Age of the suspect driver;
  - f) Time of the pursuit;
  - g) Number of police vehicles in the pursuit;
  - h) Whether or not there were any injuries or fatalities to suspect or passengers;
  - i) Review of all involved units' video recordings of the pursuit (if equipped);
  - j) Termination of the pursuit;
  - k) Any vehicle collisions and/or damage to vehicles and/or injury to personnel;
  - l) Whether or not there were inter-and intra-jurisdictional pursuits involving personnel from the agency and/or other jurisdictions.
  - m) Whether or not the pursuit was conducted in accordance with the policy;
  - n) Was TVI used;
  - o) Any potential training issues.
- 3. If the involved officer(s) did not follow policy, then the authorizing supervisor shall make a recommendation for corrective action via the appropriate chain of command;
- 4. The Commander of the officer which initiated the pursuit is responsible for ensuring that the internal critique is properly completed:
  - a) The pursuit reports and any pertinent reports shall be forwarded to the next level of command at the conclusion of the shift on which the pursuit occurred or as soon thereafter as is reasonably possible;
  - b) Necessary corrections or modifications to the reports will be made promptly.

## **TOPEKA POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL**

### **4.11 VEHICLE OPERATIONS**

5. The Bureau Commander will review and forward it to the Chief of Staff and/or Chief of Police;
6. The Chief of Staff and/or Chief of Police will review the reports and have them routed to the Accident/Pursuit Review Board Chairman;
7. The Accident/Pursuit Review Board:
  - a) The purpose of the Board, concerning pursuits, is to determine if:
    - i. Policy modifications are needed; and/or
    - ii. Training modification is needed.
  - b) The Board will forward a quarterly report to the Chief of Staff and Bureau Commanders;
  - c) Policy or training modifications that need immediate attention may be reported to the Chief of Staff prior to a quarterly report;
  - d) The Board Chairman or designee will prepare an annual documented analysis of vehicle pursuits for each year;
  - e) The analysis will be submitted to the Chief of Police in order to identify any patterns or trends that indicate training needs and/or policy modifications;
  - f) This analysis will also include a documented review of pursuit policies and reporting procedures.