

POLICY AND PROCEDURE

NO.420



Motor Vehicle Pursuits

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PURPOSE:

This policy provides guidelines for the pursuit of motor vehicles.

POLICY:

A motor vehicle pursuit is justified when the necessity of the apprehension of a suspect outweighs the risk created by the pursuit. Officers shall continually evaluate all circumstances surrounding a pursuit. If the degree of danger to the public, the pursuing officer(s), and/or the suspect(s) is greater than the necessity for immediate apprehension, a pursuit should not be initiated, or if in progress, it should be terminated.

Pursuit driving is not justified and is prohibited unless the occupants of the vehicle are known to be wanted for the commission or the attempted commission of a violent felony or the vehicle is being operated in an erratic or dangerous manner which poses a threat of harm to the public if it is not stopped.

The pursuit of a motor vehicle, for the commission of a minor motor vehicle violation and /or operating a stolen motor vehicle, is therefore prohibited unless operated in an erratic and dangerous manner.

LOCALITY:

The City of Worcester is a highly congested urban area which generally precludes pursuit driving in a safe manner. Therefore, every effort shall be made to prevent a suspect vehicle from escalating a situation into one which requires a pursuit. Pursuit driving is only permitted in situations that represent a threat of harm to the public or the officers, if the suspect vehicle and/or occupants are not apprehended. The Department recognizes that it is better to allow a suspect to escape than to engage in a pursuit under conditions that unnecessarily jeopardize the safety of any person.

Index	Page #
Definitions	3
Prohibited Pursuits	4
Vehicle Surveillance Procedures	4
Pursuit Decision	5
Pursuit Operations	5 thru 9
Supervision	6 thru 11
Crash Investigation	7
Extra-Territorial Pursuit	8
Primary Units	5,6
Secondary Units	8
Termination of Pursuit	8,9
Assisting Other Agencies	9,10
Pursuit Driving Tactics	10,11
Post Pursuit Documentation and Review	11
Pursuit Summary Sheet	13

Definitions	Authorized Police Vehicle	A police department issued motor vehicle equipped with operable emergency warning equipment that is constantly engaged for the duration of the pursuit.
	Densely Populated Area	An area of the City of Worcester that is thickly settled and/or comprised of a business district marked by compactness, pedestrian and vehicular traffic.
	Discontinuing Pursuit	This means informing the dispatcher that you are no longer engaged in pursuing a suspect vehicle and are turning off the police vehicle's emergency warning equipment while simultaneously reducing the speed of the police vehicle to the speed limit for the roadway, observing all motor vehicle and traffic laws, and disengaging from following the suspect vehicle. The location at which you are discontinuing the pursuit shall be immediately broadcast to the Dispatcher.
	Supervisory Order Discontinuance of Pursuit	Department members shall discontinue a pursuit when conditions make it unreasonable to continue and/or when ordered to do so by the Operations Division Supervisor, Patrol Shift Commander or Command Staff Member of the Police Department. The same factors which were considered prior to engaging in a pursuit shall be continuously considered in determining whether or not to discontinue a pursuit once it has begun.
	Primary Unit	An authorized police vehicle that is the first vehicle behind the pursued vehicle.
	Secondary Unit	An authorized police vehicle that is actively involved in the pursuit behind the primary unit as a back-up.
	Supervisor	A police official from the Operations Division.
	Transmitting information	<p>When an officer encounters a situation where a pursuit is warranted, the officer shall notify the Dispatcher immediately. Whenever the operator of the vehicle which is being pursued fails to stop after having been directed or signaled to do so, the pursuing officer shall immediately inform the dispatcher on the relevant police radio frequency (F1 or F2) based upon location of pursuit, of the following information:</p> <ol style="list-style-type: none"> 1. The call sign of the unit involved in the pursuit. 2. The reason for the pursuit. 3. The best possible description of the vehicle and its occupants. 4. The direction of travel, the roadways being used, the estimated speed of the suspect vehicle and the speed of the police vehicle. <p>This information must be constantly updated by the pursuing unit.</p>
	Vehicular Pursuit	An active attempt by an officer in an authorized emergency vehicle, with emergency warning equipment activated, to apprehend one or more occupants of another moving vehicle,

		when the officer reasonable believes that the driver of the other moving vehicle is resisting apprehension by increasing the vehicle's speed, intentionally ignoring the officer, or who is actively attempting to elude the police.
<u>*Prohibited Pursuits</u>	Highway – Wrong direction of travel	Pursuing suspects the wrong way on a controlled access or divided highway shall not occur. In the event that the vehicle being pursued enters the divided highway the wrong way, the following options should be considered: <ol style="list-style-type: none"> 1. Maintain visual contact with the suspect vehicle by paralleling it on the correct side of the highway. 2. Request other units to observe the exits available to the suspect vehicle.
	Pursuits with Civilian passenger	Officers shall not engage in a pursuit when their vehicle is occupied by prisoners, suspects, complainants, witnesses or any other persons not on duty either as police officers or from another law enforcement agency working or assisting the Department. This restriction applies regardless of whether or not the passenger has signed a waiver of liability, (i.e. ride-alongs).
	Personal Vehicles	No police officer shall use a personal or private motor vehicle to engage in a pursuit. An officer who witnesses the commission or attempted commission of a violent or life threatening felony or observes a vehicle being operated in an erratic or dangerous manner which poses a threat of harm to the public if it is not stopped shall, if they are in a personal or private motor vehicle, notify the Operations Division of the vehicle involved, its direction of travel and the crime involved. The officer may then, with the permission of the supervisor, follow the vehicle but only if it is possible to do so in conformance to all traffic laws and without creating an undue risk of harm to the public or themselves.
	Prisoner Transport Vehicle	At no time shall the operator of the Patrol Wagon engage in a pursuit.
	Lake Boat Patrol	At no time shall anyone operating the Lake Boat or other WPD aquatic vehicle engage in a pursuit.
Vehicle Surveillance Procedures	Consistent with Department policy that a pursuit be avoided whenever possible, officers shall take the following steps	<ol style="list-style-type: none"> 1. Immediately notify the Dispatcher that a suspect vehicle is under surveillance and report their call sign, the reason for the surveillance, the best possible description of the suspect vehicle and its occupants, its direction of travel and roadways being used; 2. Follow the suspect vehicle at a discreet and safe distance, constantly informing the Dispatcher of the progress of the surveillance. Blue lights and siren shall <u>not</u> be utilized during the surveillance phase; 3. The Supervisor shall utilize all resources available to limit

	whenever they have a suspect vehicle under surveillance that they seek to pull over:	<p>the mobility of the suspect vehicle to include dispatching additional units to the immediate area to discourage initiation of a pursuit by the vehicle under surveillance.</p> <p>4. Blue lights and siren shall only be utilized after the suspect vehicle actively attempts to evade the police unit which is conducting the surveillance or accelerates and/or fails to stop after having been directed to do so.</p>
Pursuit Decision	No officer shall initiate a vehicular pursuit unless the officer reasonably believes that:	<p>1. The continued operation of the vehicle that the officer intends to stop poses a threat of physical harm to the public or others; and/or</p> <p>2. The occupant(s) of the vehicle that the officer intends to stop pose a threat of physical harm to the public or others.</p>
		<u>In making this determination, the following factors shall be considered by the officer, but are not limited to:</u>
	The Threat to Public Safety in the Absence of the Pursuit	<p>1. Severity of crime/offense believed to have been committed by one or more occupants of the vehicle;</p> <p>2. Nature and degree of the threat to public safety should the vehicle not be stopped;</p> <p>3. Alternatives to pursuit;</p> <p>4. Whether the identity of the occupant is known to the point where later apprehension is possible.</p>
	The Foreseeable Threat to Public Safety Arising from the Pursuit	<p>1. Driving skills of the officer and the performance capabilities of the pursuit vehicle.</p> <p>2. Type of area (residential, commercial, school zone; and the volume, type, speed and direction of vehicle traffic);</p> <p>3. Population density (including volume of pedestrian traffic);</p> <p>4. Presence and operational status of emergency warning equipment (lights and sirens);</p> <p>5. Type of police vehicle (unmarked cruiser, marked cruiser, motorcycle);</p> <p>6. Time of day;</p> <p>7. Road and weather conditions;</p> <p>8. Officer(s) familiarity with the area;</p> <p>9. Speeds involved;</p> <p>10. Quality of radio communications;</p> <p>11. Presence of other persons in the pursued vehicle;</p> <p>12. Other circumstances or conditions which mitigate or aggravate hazards associated with the pursuit.</p>
		If the degree of danger to the public, the pursuing officer(s), and/or the suspect(s) is greater than the necessity for immediate apprehension, a pursuit should not be initiated or, if in progress, terminated.
Pursuit Operations	<u>Position</u>	<u>Responsibilities</u>
	Primary	<ul style="list-style-type: none"> • Transmit the following information to Dispatcher: Cruiser

	Dispatcher	<ul style="list-style-type: none"> • Notify an Operations Division Supervisor of the pursuit and broadcast to clear the airwaves and deploy any additional units deemed necessary. • Receive, record, and coordinate information of the pursuit and the pursued vehicle. • Have information broadcast to other police frequencies. • Notify contiguous community if it appears that pursuit may enter their jurisdiction and if it is a <i>Courtesy Notification</i> with no participation or if we are requesting <i>Mutual Aid</i> assistance. • Enter information on electronic journal.
Pursuit Operations (continued)	Ops Division Supervisor Operations Division Supervisor (continued)	<ul style="list-style-type: none"> • Monitor and evaluate any pursuit which occurs in his area of responsibility and limit participation therein. • Personally broadcast that he/she has assumed command of the pursuit. • Be prepared to order the pursuit to be discontinued and do so if conditions warrant it. • In the event the Pursuit Officer is unable to transmit sufficient information, as stated on page 2 ‘Transmitting Information’, to allow the Operations Division Supervisor to properly evaluate the pursuit, He/She may order the pursuit terminated. • If the degree of danger to the public, the pursuing officer(s), and/or the suspect(s) is greater than the necessity for immediate apprehension, a pursuit should not be initiated, or if in progress, terminated. • Be responsible for controlling police action at the scene of the termination of a pursuit and ensuring adherence to Department policies. • Retain supervisory responsibility until the termination scene is cleared and all reports are completed. • Before the end of the tour of duty, complete a Pursuit Summary Sheet and submit it to the Shift Commander.
	Crash Investigations	<p>The Operations Division Supervisor shall assign an officer from the Patrol Division, who was not involved in the pursuit, to conduct the investigation of a motor vehicle accident that occurs as a result of a pursuit.</p> <p>When necessary, due to severity of a crash, the Traffic Division and Crime Scene Unit shall respond and conduct the investigation as with all accidents of a critical nature.</p>
	Rank/Authority	Regardless of the rank of the pursuing officer, the Operations Division Supervisor shall remain in command and control of the pursuit for the entire duration.
	Pursuit into other Jurisdictions	<p>When a pursued vehicle leaves the city pursuing officers shall notify the dispatcher who shall transmit the information previously outlined to the police department having primary jurisdiction.</p> <p>Pursuit driving is not justified and is prohibited unless the</p>

<p>Pursuit Operations (continued)</p>	<p>Pursuit into other Jurisdictions (continued)</p>	<p>occupants of the vehicle are known to be wanted for the commission or the attempted commission of a violent felony or the vehicle is being operated in an erratic or dangerous manner which poses a threat of harm to the public if it is not stopped.</p> <p>The pursuit of a motor vehicle, for the commission of a minor motor vehicle violation and /or operating a stolen motor vehicle, is therefore prohibited unless operated in an erratic and dangerous manner.</p> <p>Chapter 41: Section 98A. Arrest on fresh and continued pursuit</p> <p>A police officer of a city or town who is empowered to make arrests within a city or town may, on fresh and continued pursuit, exercise such authority in any other city or town for any offence committed in his presence within his jurisdiction for which he would have the right to arrest within his jurisdiction without a warrant. Said officer may return any person so arrested to the jurisdiction wherein said offence was committed. Nothing contained in this section shall be construed as limiting the powers of a police officer to make arrests and in so far as possible this section shall be deemed to be declaratory of the common law of the commonwealth.</p> <p>In addition, Inter-Jurisdictional pursuits must be authorized by an Operations Division Supervisor.</p> <p>Should a wanted person enter a jurisdiction from the City of Worcester, the dispatcher shall notify the agency of primary jurisdiction of the suspect's presence and the specific violation for which the suspect is wanted.</p>
	<p>Out of State Pursuits</p>	<p>If a felony has been committed, the Operations Division Supervisor may authorize the pursuing officer(s) to continue pursuit into another state. If this occurs, the Operations Division Supervisor shall immediately:</p> <ul style="list-style-type: none"> • Notify the law enforcement agency of jurisdiction and request their assistance; • Require that the first out-of-state law enforcement vehicle that joins the pursuit become the primary pursuit vehicle; and • Direct the Worcester Police vehicle to become a backup unit; and • Direct the Worcester Police officer(s) involved to return to the Commonwealth as soon as the pursuit investigation is terminated.
	<p>Secondary Unit</p>	<ul style="list-style-type: none"> • Notify the Dispatcher of his/her participation in the pursuit;

		<p>the pursuit as soon as possible, guidelines that the supervisor shall utilize shall include but not be limited to:</p> <ol style="list-style-type: none"> 1. Severity of crime/offense believed to have been committed by one or more occupants of the vehicle; 2. Nature and degree of the threat to public safety should the vehicle not be stopped; 3. Alternatives to pursuit; 4. Whether the identity of the occupant is known to the point where later apprehension is possible. 5. Type of area (residential, commercial, school zone; and the volume, type, speed and direction of vehicle traffic); 6. Population density (including volume of pedestrian traffic); 7. Presence and operational status of emergency warning equipment (lights and sirens); 8. Type of police vehicle (unmarked cruiser, marked cruiser, motorcycle); 9. Time of day; 10. Road and weather conditions; 11. Officer(s) familiarity with the area; 12. Speeds involved; 13. Quality of radio communications; 14. Presence of other persons in the pursued vehicle; 15. Other circumstances or conditions which mitigate or aggravate hazards associated with the pursuit.
<p>Other Law Enforcement Agency Pursuits (continued)</p>	<p>Assisting Other Agencies (Continued)</p>	<p>If approval is granted, Worcester Police officer(s) shall take up a position of advantage, with the potential to assist if necessary, a lone officer of the other agency. A Worcester Police Officer shall only continue assisting another department leaving the City of Worcester if the initiating agency's officer is alone. When a pursuit initiated by another agency leaves the City of Worcester with at least two units from other agencies in pursuit, Worcester Police Department officers shall terminate their pursuit and assistance at the City line, unless directed otherwise by an Operations Division Supervisor. The role of the Worcester Police Officer involved in such a pursuit will be only to assist the primary agency.</p> <p>Once the pursuit is no longer active, the Operations Division Supervisor shall order all Worcester Police Officers to return to the city. Crimes committed within the City shall be followed up by the assisting Worcester Police Officer.</p> <p>All Worcester Police Officers directly or indirectly involved in a pursuit initiated by another law enforcement agency shall adhere to all requirements established in the Worcester Police Department Duty Manual of Policies and Procedures as well as Rules and Regulations.</p>

Pursuit Driving Tactics	Barricading Roadways	Barricading a roadway is justified only in those situations where the suspect has committed a violent or life-threatening felony and where all other methods of apprehension have failed or would be ineffective. Only a Shift Commander or Command Staff Member may authorize that a roadway be barricaded for the purpose of apprehending the occupant(s) of a suspect vehicle. Whenever a barricade is utilized department vehicles shall utilize full emergency lights and no one shall remain in or directly behind the barricade or vehicle(s). The barricade shall never be around a 'blind corner', shall be plainly visible from a sufficient distance, and should be implemented in such a way as to have the suspect voluntarily stop fleeing.
	Caravanning	Only two (2) Worcester Police vehicles may engage in an active pursuit. An Operations Division Supervisor may permit additional officers to assist in a pursuit if circumstances warrant it.
	Deliberate Contact	Deliberate contact is prohibited unless specifically authorized and ordered by the Operations Division Supervisor, Patrol Shift Commander, or Command Staff Member and where the suspect poses an imminent threat of death or serious bodily harm to the public or officers.
	Firearms Discharges	Firearms shall not be discharged at or from a moving vehicle unless the officer is being threatened with deadly force by an occupant of the target vehicle. This prohibition exists for two reasons: <ol style="list-style-type: none"> 1. The probability that bullets might ricochet and cause injury to innocent persons; and/or 2. The probability of the suspect vehicle crashing and causing injury to innocent persons if the bullets do not ricochet, but disable the operator.
	Motorcycle Units	If a pursuit is initiated by a motorcycle unit, the motorcycle unit shall discontinue the pursuit as soon as a marked Department vehicle engages in the pursuit. Department members may always discontinue a pursuit when conditions make it unreasonable to continue.
	Passing	Attempts to pass another police vehicle are prohibited, unless the police vehicle is disabled, a marked vehicle takes the lead from an unmarked vehicle or motorcycle, or ordered by the Operations Division Supervisor.
Pursuit Driving Tactics (continued)	Reckless/Hazardous Driving	Officers shall not duplicate the reckless operation displayed by fleeing suspects. Officers are strictly prohibited from wrong way operation on a controlled access or divided highway.
	Spacing	All units in pursuit shall space themselves at a safe distance to ensure proper braking and reaction time. As speed increases, the distance between vehicles should increase to allow for a greater need of reaction time.
	Tire Deflation	Should be considered as an effective option for bringing a pursuit

	Devices (Stop Sticks)	to a conclusion. These are used for vehicles with four or more wheels only and deployed on concrete or blacktop surfaces. The use of these devices is prohibited for motorcycles, ATV's, or any similar type vehicles.
	Units Parallel to Pursuit	Additional Worcester Police officers may operate with emergency visual and audible systems activated and assist by paralleling the pursuit or by pre-positioning themselves at likely avenues of escape. These assisting units are strictly prohibited from direct/active pursuit unless specifically authorized by an Operations Division Supervisor.
	Unmarked Units	Officers operating unmarked Worcester Police vehicles shall only engage in pursuits if they are equipped with emergency visual and audible systems and shall allow a marked/semi-marked unit to assume the primary pursuit position at the earliest opportunity. The unmarked vehicle shall then become the assisting unit until an additional marked/semi-marked Worcester Police vehicle can assume the secondary role. Once two marked/semi-marked Worcester Police vehicles have become actively involved in the pursuit, the unmarked vehicle shall immediately disengage from the pursuit unless specifically authorized by an Operations Division Supervisor to continue involvement in the pursuit.
Post Pursuit Documentation and Review	Pursuit Officer	<ul style="list-style-type: none"> • Provide the Operations Division Supervisor with an incident report including information so he/she can complete the Pursuit Summary Sheet. (A copy of which is provided within and can also be found within the Department Forms Folder)
	Operations Division Supervisor	<ul style="list-style-type: none"> • Ensure that the Pursuit Officer has entered all pertinent information via incident report and is forwarded through the chain of command to the Deputy Chief of Patrol. • After receiving the relevant information from the Pursuing Officer, complete all required entries in the electronic Journal; • Submit a, Pursuit Summary Sheet through channels, to the Deputy Chief of Patrol with a copy to Training Division and BOPS; • Ensure follow-up investigation occurs for suspects who escape.
	Deputy Chief of Patrol	Appoint members to the Pursuit Review Committee.
	Pursuit Review Committee	Examine each pursuit to ensure compliance with this policy and report their findings to the Deputy Chief of Patrol. Modification or updating of this policy shall be made when based upon sound evidence gathered during this stage.
Training	Training Division Commander	Officers who drive police vehicles shall be given initial and periodic updated training in the agency's pursuit policy and in safe driving tactics.

Per:

A handwritten signature in black ink, appearing to read "Gary J. Gemme". The signature is written in a cursive style with a light blue rectangular highlight behind the middle portion.

Gary J. Gemme
Chief of Police



Worcester Police Department Pursuit Summary Sheet

Incident #	Date:	Start Time:	End Time:	Total Time:			
Officer Initiating Pursuit:			Supervisor In Charge of Pursuit:				
Outside Agency who initiated Pursuit:			Outside Agencies Supervisor in Charge of Pursuit:				
Location initiated:			Location Terminated:				
Maximum Speed:		Distance:		Number of Officers involved:			
Suspects Name:			DOB:	SS#: Sex:			
Registration #	Make and Type:		Registered Owner:				
Reason for attempting to stop vehicle: <input type="checkbox"/> Radio Broadcast <input type="checkbox"/> BOLO from other agency <input type="checkbox"/> Citizen report <input type="checkbox"/> Medically impaired operator <input type="checkbox"/> Violation-Misdemeanor <input type="checkbox"/> Violation-Felony <input type="checkbox"/> Violation-Traffic							
What was suspect wanted for at time of pursuit?							
Pursuit was terminated by:							
<input type="checkbox"/> Supervisory Officer/_____ <input type="checkbox"/> Pursuing Officer/_____ <input type="checkbox"/> Other Officer/_____ <input type="checkbox"/> Other/_____ <input type="checkbox"/> Other/_____							
Pursuit Terminated when: <input type="checkbox"/> Suspect stopped & Captured <input type="checkbox"/> Suspect stopped & Escaped <input type="checkbox"/> Suspect evaded capture <input type="checkbox"/> M/V became disabled & suspect captured <input type="checkbox"/> M/V became disabled & suspect escaped <input type="checkbox"/> Pursuit ordered terminated							
# of Arrests:	Operator:	Passengers:	# of Summonses:	Operator: Passengers:			
Primary Violation: <input type="checkbox"/> Violent Crime <input type="checkbox"/> Property Crime <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony Warrant <input type="checkbox"/> Misdemeanor Warrant <input type="checkbox"/> Traffic Violation							
Type of Traffic Violation: <input type="checkbox"/> OUI <input type="checkbox"/> Operating to Endanger <input type="checkbox"/> Speeding <input type="checkbox"/> Operating after Susp/Rev. <input type="checkbox"/> Unregistered/Uninsured <input type="checkbox"/> Other Violation-Describe _____							
	Chapter	Section	Offense		Chapter	Section	Offense
1				3			
2				4			
Accident Information (if Applicable)							
Vehicles Involved: <input type="checkbox"/> WPD Cruiser <input type="checkbox"/> Other PD Cruiser <input type="checkbox"/> Suspect Vehicle <input type="checkbox"/> Third Party Vehicle							
Accident Type: <input type="checkbox"/> No Injury <input type="checkbox"/> Personal Injury <input type="checkbox"/> Fatal Injury							
Accident Involved: <input type="checkbox"/> WPD Cruiser <input type="checkbox"/> Other PD Cruiser <input type="checkbox"/> Other Vehicle <input type="checkbox"/> Pedestrian <input type="checkbox"/> Parked MV <input type="checkbox"/> Fixed Object <input type="checkbox"/> Private Property: _____ Estimated amount of property damage \$ _____							
Accident occurred at: <input type="checkbox"/> Intersection <input type="checkbox"/> Primary roadway <input type="checkbox"/> Secondary roadway <input type="checkbox"/> Highway <input type="checkbox"/> Highway Ramp							
Injuries: <input type="checkbox"/> None <input type="checkbox"/> Minor <input type="checkbox"/> Serious <input type="checkbox"/> Fatal							
Injured Person: <input type="checkbox"/> WPD Officer <input type="checkbox"/> Other PD Officer <input type="checkbox"/> Suspect <input type="checkbox"/> Passenger <input type="checkbox"/> Bystander/Pedestrian							