

# SPRINGFIELD POLICE DEPARTMENT

## Standard Operating Guideline

<b>Effective Date:</b> 02/22/2019	<b>Supersedes Policy Dated:</b> 10/06/2015	<b>Rescinds:</b>	<b>SOG Number:</b>
<b>Accreditation Index:</b> 41.2.2, 41.2.3, 81.2.4 <sup>1</sup>			<b>304.2</b>
<b>Part Title:</b> Support Services		<b>Chapter Title:</b> Facilities and Equipment	
<b>Chief of Police:</b>			

## Pursuit Vehicle Operation

### I Policy

All pursuit operations shall be conducted in accordance with existing statutes, city ordinances, and regulations set forth in this procedure. The safety of the public will be a primary concern. Supervisors may authorize pursuits in exceptional circumstances, which do not otherwise conform to policy.

### II Definitions

**Emergency Vehicle** – A vehicle that sounds an audible siren as may be reasonably necessary and equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle. (RSMo. 304.022.4(3))

**Imminent Danger** – A situation which places the officer or others in immediate danger of death or serious bodily injury.

**Marked Police Vehicle** – Any department vehicle that is equipped with siren, roof mounted emergency lights and is clearly marked as a police vehicle.

**Vehicle Pursuit** – An attempt by the police to apprehend a suspect operating a motor vehicle, motorized bicycle/tricycle (i.e. scooters), or similar vehicles, while the suspect is trying to avoid capture or failing to yield to the officer's signal to stop by actively attempting to elude the officer.

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<sup>1</sup> 5<sup>th</sup> Edition removed from all CALEA references throughout the policy, per Policy Change Order 19-002.

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**Violent Felony** – A felony where the potential for serious bodily injury or death to the victim was demonstrated by the suspect(s) during the commission of the crime.

## **III Procedure**

### **1 INITIATION OF A PURSUIT**

- 1.1 Officers may initiate a pursuit when they have a reasonable belief the fleeing suspect has committed or attempted to commit a violent felony. (CALEA 41.2.2(b))
  - 1.1.1 A pursuit may also be initiated on a DWI where the driver is presenting an imminent danger to the officer or others.
    - 1.1.1(a) The probable cause for the initiation of the pursuit of a DWI must be specific to the charge.
      - 1.1.1(a.1) Example: Violating a stop sign or speeding will not be sufficient in itself to warrant the pursuit.
- 1.2 The decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large. (CALEA 41.2.2(a))
- 1.3 Existing circumstances and conditions shall be considered when deciding whether to initiate, continue, or abandon the pursuit. The following are examples of those factors which should be considered: (CALEA 41.2.2(a))
  - 1.3.1 Lack of backup
  - 1.3.2 Known suspect(s)
  - 1.3.3 Juveniles involved
  - 1.3.4 Loss of reliable radio communications
  - 1.3.5 Non-sworn persons present in a pursuing vehicle
  - 1.3.6 Adverse weather conditions
  - 1.3.7 Adverse road conditions
  - 1.3.8 Unfamiliar with the area
  - 1.3.9 Heavy vehicle or pedestrian traffic
- 1.4 Information developed or discovered after the pursuit cannot be used to justify the pursuit itself.

### **2 CONTINUATION OF A PURSUIT (CALEA 41.2.2(a))**

- 2.1 While acknowledging that any pursuit has certain inherent dangers, the decision to continue a pursuit must be continually evaluated by the officers involved, the supervisor, and the commander.
  - 2.1.1 Example: A pursuit where the suspect ignores solid red signals, or takes other steps demonstrating a total disregard for their safety and that of the public at large would be the grounds for terminating a pursuit.

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3 TERMINATION OF A PURSUIT (CALEA 41.2.2 (h & i))

3.1 Pursuits will be terminated under the following circumstances:

3.1.1 The pursuing officer, a supervisor, or commanding officer determines the pursuit does not meet the criteria outlined in Section 1, Initiation of a Pursuit;

3.1.2 The danger created by the pursuit outweighs the need for apprehension;

3.1.2(a) The decision not to pursue or to abandon a pursuit may be the most intelligent course of action.

3.1.2(a.1) An officer will not be criticized for their decision to terminate a pursuit.

3.1.3 When ordered to do so by a supervisor or commanding officer.

4 PURSUIT VEHICLE RESTRICTIONS (CALEA 41.2.2(e))

4.1 Any police vehicle equipped with emergency lights and siren may be used to initiate a pursuit.

4.1.1 In the event a pursuit is initiated by an unmarked police vehicle, the officer will relinquish their involvement in the pursuit at the first opportunity to a marked police vehicle.

4.2 Units transporting prisoners shall not initiate or engage in pursuit activities.

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**6 PURSUIT PROCEDURES, DUTIES AND RESPONSIBILITIES (CALEA 81.2.4(a))**

**6.1 Primary Unit (CALEA 41.2.2(c))**

6.1.1 Upon initiation of a pursuit, the primary unit will relay the following information to Communications:

6.1.1(a) Location, speed and direction of travel.

6.1.1(b) Information on suspect vehicle and occupants.

6.1.1(c) Reason for pursuit.

6.1.2 The primary unit will continuously update Communications when factors of the pursuit change.

6.1.2(a) This responsibility may be delegated to the secondary unit.

**6.2 Secondary Unit (CALEA 41.2.2(d))**

6.2.1 The purpose of the secondary unit is to provide immediate backup protection to the primary unit and the ability to continue the pursuit in the event of loss of the primary unit as a result of a crash, mechanical failure, or other problems.

6.2.2 The secondary unit shall be a marked police vehicle unless such a vehicle is not available. (CALEA 41.2.2(e))

6.2.2(a) Secondary units must conform with the definition of an emergency vehicle as stated in this policy.

6.2.3 Secondary unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

**6.3 Communications (CALEA 41.2.2(f))**

6.3.1 Immediately upon notification of a pursuit in progress, Communications will:

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- 6.3.1(a) Clear the channel on which the primary unit is operating for pursuit traffic only.
    - 6.3.1(a.1) All other radio traffic, including other related emergency traffic, will be conducted on an alternative channel.
  - 6.3.1(b) Notify the primary unit's supervisor.
  - 6.3.1(c) Assign a new primary unit, if requested.
  - 6.3.1(d) Assign a secondary unit.
  - 6.3.2 During the pursuit, Communications will assume the following duties:
    - 6.3.2(a) Monitor all radio traffic and relay information to the units involved in the pursuit and the field supervisor until the pursuit is terminated.
    - 6.3.2(b) Perform relevant records and Department of Revenue (DOR) checks.
    - 6.3.2(c) Coordinate assistance under the direction of the field supervisor or commanding officer.
  - 6.3.3 Dispatchers and other Communications personnel do not have the authority to terminate a pursuit; however, they have the responsibility of relaying information of which they are aware that may affect any decision to terminate or continue a pursuit.
  - 6.4 Field Supervisor (CALEA 41.2.2(g))
    - 6.4.1 Immediately upon notification of the pursuit, the field supervisor will:
      - 6.4.1(a) Notify the field commander of the pursuit
      - 6.4.1(b) Ensure that the radio channel is cleared for emergency traffic only.
      - 6.4.1(c) Ensure that no more than the required/necessary units are involved.
      - 6.4.1(d) Verify that only marked patrol units are in pursuit or that proper units are en route to take over the pursuit.
    - 6.4.2 The field supervisor will direct the pursuit, approve alternative tactics and maintain control until the pursuit is terminated.
    - 6.4.3 Upon termination of the pursuit, the field supervisor shall proceed to the termination point to provide necessary supervision. (CALEA 81.2.4(f))
  - 6.5 Commanding Officer (CALEA 41.2.2(g))
    - 6.5.1 The watch commander shall assume overall command of the pursuit.
- 7 PURSUITS INTO OTHER JURISDICTIONS (CALEA 41.2.2(j) and 81.2.4(a))
- 7.1 Authority
    - 7.1.1 RSMo 544.157 and Section 66-31 of the City Code authorize Springfield Police Officers in fresh pursuit of a person who is reasonably believed by the officers to have committed a felony in this state or who has committed, or has attempted to commit, in the presence of such officer, any criminal offense or violation of state law or city ordinance, or for whom such officer holds a warrant of arrest for a

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criminal offense, to have the authority to arrest and hold in custody such person anywhere in this state.

- 7.1.1(a) In all cases, the pursuit must be initiated within the Springfield City Limit.
- 7.1.2 Upon apprehension, the officer may issue a summons and/or take the violator into custody.
  - 7.1.2(a) If the arrest is made pursuant to a warrant or if it is accompanied by a summons, the officer may return the suspect to Springfield to be booked.
  - 7.1.2(b) However, if the arrest is not pursuant to a warrant and may not be accompanied by a summons (i.e. P/C felony charge), the suspect must be taken before a judge in the county in which the arrest was made by booking the suspect into that county jail.
  - 7.1.2(c) In all cases, the officer is not required to return the suspect to Springfield.
  - 7.1.2(d) In cases where the local law enforcement authorities wish to take custody of the suspect for charges that they may have, it would generally be appropriate to release the suspect into their custody rather than return the suspect to Springfield.
  - 7.1.2(e) A pursuit beyond the city limit of Springfield will not relieve the pursuing officer, field supervisor or commanding officer of the responsibility of conducting, terminating or reporting a pursuit as set forth in this or any other SOG.

## 7.2 Procedures

- 7.2.1 Upon leaving the city limit of Springfield, the primary unit shall notify the dispatcher.
- 7.2.2 Communications shall immediately notify the field supervisor the pursuit is proceeding outside the city and establish contact with law enforcement agencies that have jurisdiction in the area of the pursuit.
- 7.2.3 Pursuits that continue outside the city must be authorized by and may be terminated by the field supervisor or commanding officer.
- 7.2.4 Continued Pursuit
  - 7.2.4(a) Upon approval of the continued pursuit, the dispatcher shall immediately notify the primary unit and continue to relay information between all units and agencies involved in the pursuit.
  - 7.2.4(b) The field supervisor should request assistance from the assisting agency, if practical.
  - 7.2.4(c) The field supervisor will closely monitor the pursuit and coordinate operations with other law enforcement agencies through the dispatcher.
  - 7.2.4(d) As soon as practical, the primary unit will allow any assisting agency's unit to become the primary unit and will then become the secondary unit.
  - 7.2.4(e) If the assisting agency responds with a secondary unit, the Springfield primary unit and secondary units will proceed as directed by the field

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supervisor. (It is recommended that one Springfield unit continues to the point of termination unless otherwise requested by the assisting agency.)

- 7.2.4(f) In the event of the capture of the suspect, the field supervisor will proceed to the termination point, if practical, and insure that Springfield units and any assisting agency receives information and additional assistance that may be needed.

## **8 PURSUITS INTO THIS JURISDICTION FROM ANOTHER JURISDICTION (CALEA 41.2.2(j) and 81.2.4(a))**

- 8.1 Officers of this department may assist in the pursuit at the request of the originating agency.
- 8.2 The field supervisor will immediately approve or deny assistance.
  - 8.2.1 Ensure an approved pursuit is conducted using the guidelines established in the department's pursuit procedures insofar as practicable.
  - 8.2.2 The deployment of controlled tire-deflation systems may be authorized to assist outside agencies even if the pursuit does not meet department guidelines for active participation.
- 8.3 The dispatcher will assign Springfield units as directed by the field supervisor or commanding officer.
- 8.4 Communications will maintain contact with the agency initiating the pursuit and will relay information between both agencies.
- 8.5 Officers may continue to assist the originating agency if the pursuit again moves outside the city, subject to provisions of this policy.

## **9 REPORTING (CALEA 41.2.2(k) and 41.2.3(e))**

### **9.1 Initiating Officer**

- 9.1.1 The initiating officer will prepare the original report regarding the pursuit and ensure the following details are included:
  - 9.1.1(a) Weather conditions;
  - 9.1.1(b) Reason for the pursuit;
  - 9.1.1(c) Detailed information of route taken, including speeds attained and all traffic violations committed by the suspect during the pursuit;
  - 9.1.1(d) Suspect vehicle description;
  - 9.1.1(e) Identification of all occupants of suspect vehicle, if available;
  - 9.1.1(f) Final disposition of pursuit and charges for which the suspect was arrested.
- 9.1.2 The initiating officer shall complete a Pursuit Report (SPD Form # 95-OP-0209) and turn it in to their supervisor along with all other reports they have regarding the pursuit.

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- 9.2 Any officer participating in or having additional information regarding the pursuit will complete a supplemental report.
- 9.3 Field Supervisor (CALEA 41.2.3(d))
  - 9.3.1 The field supervisor will ensure that a complete report is made of the pursuit by all officers involved.
    - 9.3.1(a) In the event that a supervisor becomes physically involved in the pursuit or unusual circumstances exist, an IDC detailing the activity shall be completed.
  - 9.3.2 The field supervisor will ensure that the completed Pursuit Report along with all related reports, videos, photos, radio traffic, and other necessary documentation are forwarded to their Section Lieutenant for review. After the Section Lieutenant completes their review, they will forward the pursuit packet to the Inspections and Internal Affairs Unit.
  - 9.3.3 The IIAU staff will file the form and enter the Pursuit Report and supporting documentation in the Administrative Investigations Management System (AIM). IIAU will then track the Pursuit Report through AIM to the officer's immediate supervisor.
  - 9.3.4 The immediate supervisor will review the Pursuit Report and determine if the pursuit was in compliance with policy and consistent with training. If the supervisor finds the pursuit was not in compliance, a recommendation for disciplinary action will be included. The Pursuit Report will then be forwarded through the chain of command for supervisory review.
    - 9.3.4(a) The commander receiving the form will assess completeness, compliance with policy, and consistency with training and may recommend disciplinary action if appropriate. The Pursuit Report will then be forward to the Bureau Commander.
    - 9.3.4(b) The Bureau Commander will determine if the response was within policy, and consistent with training. If there are disciplinary issues pertinent to the pursuit, the Bureau Commander will recommend disciplinary action or cause an administrative complaint to be initiated with the Inspections and Internal Affairs Unit Supervisor. After review of the Pursuit Report, the Bureau Commander will forward it back to IIAU.
  - 9.3.5 IIAU will then compile all documents (Resistance Control Forms, Pursuit Reports, etc.) related to the incident and forward one complete packet to the Chief of Police for review.
    - 9.3.5(a) After completion of the review, the Chief of Police will make a final determination regarding the Pursuit and any associated discipline.

## **10 PURSUIT REPORT STORAGE AND ANALYSIS**

- 10.1 Upon completion of each command review of the pursuit, the Pursuit Report shall be archived in the Inspections and Internal Affairs Unit.

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- 10.1.1 Routine Pursuit Reports shall be archived for three years following the event.
- 10.1.2 Pursuit Reports involving personal injury or fatalities will be retained for five years following the event.
- 10.2 Pursuit Reports shall be made available to Research and Development to conduct an annual analysis of police pursuits by May of each year. (CALEA 41.2.2(1))
  - 10.2.1 The Support Operations Section Commander will conduct a review of the department's pursuit policies and practices.
  - 10.2.2 Comprehensive analysis of data shall be reported to the command staff to facilitate adjustments in training or policy.

**IV Attachments**