Vehicle Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public, fleeing violators and property.

307.1.1 POLICY

The Fargo Police Department recognizes the safety of the general public and any police officer involved in a vehicle pursuit is of paramount importance. This department's response to those who unlawfully flee from law enforcement action shall stress a common sense balance between the importance of apprehending offenders, and the high risk nature of vehicle pursuits.

307.2 DEFINITIONS

Definitions related to this policy include:

Motor Vehicle pursuit - An event involving one or more sworn officers attempting to stop a subject who is trying to avoid detention or arrest while operating a motor vehicle by using evasive tactics, and/or maneuvers such as using a high rate of speed, disregarding traffic warning signs, stop signs, red lights, driving off a roadway, turning suddenly, or willfully failing to yield to an officer's signal to stop (N.D.C.C. § 39-10-71 (1.).

Police Vehicle - Any motor vehicle, to include motorcycles, unmarked vehicles, special operations vehicles, or those clearly distinguishable as a police vehicle through markings, emergency lights, siren, and/or other devices, which are authorized for the official use of the Fargo Police Department.

Marked Police Vehicle - Any police vehicle that is equipped with externally mounted emergency lights and a siren, official Fargo Police Department insignia, and an official POLICE license plate issued by the North Dakota Motor Vehicle Department.

Unmarked Police Vehicle - Any police vehicle that is equipped only with internally mounted emergency lights and a siren, and an official POLICE license plate or a standard issued license plate issued by the North Dakota Motor Vehicle Department.

Undercover Police Vehicle - Any police vehicle owned or leased by the Department that is utilized for undercover operations, such as narcotics operations and is not equipped with emergency lights and siren.

Special Operations Police Vehicle - Any police vehicle that is not equipped for use in normal patrol or investigatory functions and is specifically designed to carry specialized equipment or personnel, such as SWAT, Crowd Management, etc.

Blocking or Vehicle Pinning - A slow-speed coordinated maneuver where law enforcement vehicles intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit of a parked or stopped vehicle.

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Boxing in - A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver intended to terminate the pursuit by causing the violator's vehicle to spin out and come to a stop.

Ramming - A deadly force tactic involving the deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

Roadblock (with escape route) - A tactic designed to impede or alter the normal flow of traffic to induce the violator's vehicle to stop by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle, but providing an alternate escape route.

Roadblock (no escape route) - A deadly force tactic designed to stop a violator's vehicle by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle forcing the vehicle to stop or crash.

Serious Bodily Injury - Any injury to a person that creates a substantial risk of death or permanent impairment to the person.

Tire Deflation Device (TDD) - Devices specifically designed to puncture the tires of a vehicle, causing the tires to deflate in a controlled manner and render the vehicle incapable of further operation. TDD's are primarily used as a forcible stopping technique and in limited circumstances as appropriate.

307.3 OFFICER RESPONSIBILITIES

A vehicle pursuit shall be conducted using an authorized emergency vehicle that is equipped with and using as reasonably necessary a flashing red or a combination of red and blue, red and white, or red, white, and blue lights and an audible signal by siren or airhorn (N.D.C.C. § 39-10-03(2)). Officers shall drive with due regard for the safety of all persons and property.

However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property:

- Proceed past a red light, stop signal, or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.

Marked or unmarked police vehicles, as defined in this policy, are considered authorized emergency vehicles. Undercover or special operations police vehicles should not initiate, engage or otherwise participate in a pursuit unless exigent circumstances exist.

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307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate and continue a pursuit after considering the below factors and when it is reasonable to believe that a subject is attempting to evade arrest or detention by fleeing in a vehicle that has been given a signal to stop by a peace officer.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include:

(a) The seriousness of the known or reasonably suspected crime and its relationship to community safety. Probable cause that a person committed a violent felony is considered more serious in terms of community safety.

(b) 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 officers, innocent motorists and others.

(c) The apparent nature of the fleeing suspect (e.g., whether the suspect represents a serious threat to public safety).

(d) 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.

(e) 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.

(f) The pursuing 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 officers under the conditions of the pursuit.

(g) The weather, traffic and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.

(h) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.

(i) Vehicle speeds.

(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(k) The availability of other resources, such as aircraft assistance.

(l) The police unit is carrying passengers other than on-duty police officers. Pursuits shall not be undertaken if a non-sworn department member or other person is or remains in the pursuit vehicle. Pursuits should not be undertaken with a prisoner in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the prisoner in transport. A unit containing more than a single prisoner shall not participate in a pursuit.

Officers shall not initiate a vehicle pursuit solely for a traffic violation.

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307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the 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. Department members shall not continue a pursuit in which the only underlying offense is a traffic violation.

The above factors on when to initiate a pursuit are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. 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 mean that the pursuing member(s) immediately discontinue or to stop chasing the fleeing vehicle.

In addition to the factors listed above, the following factors should be considered when deciding whether to terminate a pursuit:

(a) The distance between the pursuing officers 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.

(b) The pursued vehicle's location is no longer definitely known.

(c) The officer's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive.

(d) The pursuit vehicle has an emergency equipment failure that causes the vehicle to no longer qualify for emergency operation use.

(e) If at any time during the pursuit a person is injured as a result of the pursuit, the primary police unit shall be responsible for ensuring the injured person is provided with immediate medical assistance. This may include directing the secondary police unit to stop and render such assistance.

(f) The hazards to uninvolved bystanders or motorists.

(g) When the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.

(h) When directed to terminate the pursuit by a supervisor.

Upon termination of a pursuit, all police units involved shall come to an immediate stop. The primary unit shall provide the last known location and direction of travel for the suspect vehicle. With approval of the supervisor, involved units may proceed in a non-emergent status and check the immediate area to ensure the suspect vehicle did not cause or become involved in a crash.

307.4 PURSUIT UNITS

Pursuit units should be limited to three vehicles (two units and a supervisor). However, the number of units involved may vary based on the circumstances and with supervisor approval.

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A supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspect. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any 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.

Marked police vehicles should replace unmarked police vehicles and any special operations police vehicles or motorcycles involved in a pursuit as soon as practicable.

307.4.1 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or other persons.

The primary unit shall notify Dispatch, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable, provide information which includes:

(a) The reason for the pursuit.

(b) The location and direction of travel.

(c) The speed of the fleeing vehicle.

(d) The description of the fleeing vehicle and license number, if known.

(e) The number of occupants.

(f) The identity or description of the known occupants.

(g) The weather, road and traffic conditions.

(h) The identity of other agencies involved in the pursuit.

(i) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Failure of the primary unit to provide the above information as soon as practicable shall result in immediate termination of the pursuit.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall 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 or aircraft joining the pursuit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.

307.4.2 SECONDARY UNIT RESPONSIBILITIES

The second officer in the pursuit is responsible for:

(a) Immediately notifying the dispatcher of his/her entry into the pursuit.

(b) Remaining at a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.

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(c) Broadcasting the progress of the pursuit unless the situation indicates otherwise.

(d) Serving as backup to the primary unit once the subject has been stopped.

307.4.3 PURSUIT DRIVING TACTICS

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) 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.

(b) 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 shall exercise due caution and slow down as may be necessary for safe operation when proceeding through controlled intersections.

(c) As a general rule, officers should not pursue a vehicle driving the wrong way on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:

1. Requesting assistance from an available air unit.
2. Maintaining visual contact with the pursued vehicle by paralleling on the correct side of the roadway.
3. Requesting other units to observe exits available to the suspect.

(d) Notifying the North Dakota State Patrol or other law enforcement agency if it appears the pursuit may enter their jurisdiction.

(e) 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 officers.

307.4.4 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. 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. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

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The primary unit, secondary unit and supervisor should be the only units operating under emergency conditions (emergency lights and siren) unless other units are assigned to the pursuit.

307.4.5 PURSUIT TRAILING

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

The term "trail" means to follow the path of the pursuit at a safe speed, while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units to clearly indicate an absence of participation in the pursuit.

307.5 SUPERVISORY CONTROL AND RESPONSIBILITIES

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor shall be responsible for the following:

(a) Upon becoming aware of a pursuit, immediately notifying involved officers and Dispatch 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 judgment, it is not justified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that aircraft assistance is requested, if available.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring that outside agencies are notified and/or coordinated if the pursuit either leaves or is likely to leave the jurisdiction of this agency.

(i) Controlling and managing FPD units when a pursuit enters another jurisdiction.

(j) Preparing a post-pursuit critique and analysis of the pursuit for training purposes in in the approved department electronic database.

307.6 COMMUNICATIONS

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If

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the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

307.6.1 LOSS OF PURSUED VEHICLE

When 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.

307.7 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area, the risk of escape and other pertinent facts, should determine whether to request the other agency to assume the pursuit (N.D.C.C. § 40-20-05(2); N.D.C.C. § 11-15-33).

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary 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.

307.7.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Fargo Police Department officers shall discontinue the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Fargo 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. A supervisor should coordinate with the agency managing the termination point to determine the supervisor's need to respond or otherwise assist in the investigation. The supervisor should obtain any information that is necessary for inclusion in any reports from the agency managing the termination point.

The role and responsibilities of officers at the termination of a pursuit that was initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

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.

307.7.2 PURSUITS EXTENDING INTO THIS JURISDICTION

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 peace officers are in pursuit and the reason for the pursuit meets our policy requirements. Fargo

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officers should monitor the pursuit and provide assistance as needed in the event of a crash, footpursuit, etc.

When a request is made for this department to assist or take over a pursuit 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 this jurisdiction

(e) Safety of the pursuing officers

As soon as practicable, a supervisor or the Shift Commander should review a request for assistance from another agency. The Shift Commander or supervisor, after consideration of the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing outside agency by officers of this department will terminate at the City limits provided that the pursuing peace officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to peace officers from the initiating agency and other involved agencies including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

307.8 PURSUIT OR STATIONARY INTERVENTION

Pursuit or stationary intervention is an attempt to terminate the ability of a suspect to flee or continue to flee in a vehicle through tactical application of technology or other intervention tactics as defined in this policy. Department members should limit their intervention tactics to those in which they have received formal, department-approved training.

307.8.1 WHEN USE IS AUTHORIZED

An officer should seek approval from a supervisor before employing an intervention tactic. In deciding whether to use intervention tactics, officers and supervisors should balance the risk of allowing the fleeing vehicle to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

307.8.2 INTERVENTION TACTICS

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the suspect vehicle. 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. Officers and supervisors shall

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consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

Because of the potential risk involved in any of these tactics, they should only be employed by officers who have received department-approved training in such tactics. Supervisory approval should precede the use of any of these tactics.

(a) Blocking or vehicle pinning should only be considered in cases involving felony suspects, impaired or reckless drivers who pose an imminent threat to public safety or when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Before blocking or pinning, consideration should be given 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, officers or other members of the public.
2. Employing the blocking or pinning maneuver does not unreasonably increase the risk to officer safety.
3. The target vehicle is stopped or traveling at a very slow speed.
4. Civilian vehicles shall not be used to deploy this technique.

(b) The use of a pursuit intervention technique (PIT) requires specialized department-approved training and certification and also requires consideration of the circumstances and conditions present at the time, including the potential for injury to officers, the public and occupants of the pursued vehicle.

(c) Ramming as a means to stop a fleeing vehicle is considered deadly force. Ramming a fleeing vehicle shall only be done when the officer can justify the use of deadly force and only after other reasonable tactical means at the officer's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:

1. The suspect is an actual or suspected violent 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. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

(d) The use of a boxing-in or vehicle pinning 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 officers, the public and occupants of the suspect vehicle.

(e) Tire deflation devices should be deployed only when it is reasonably apparent that only the suspect vehicle will be affected by their use. Prior to the deployment of spike strips, the officer shall also notify other police units in addition to the supervisor of the

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intent and location. Officers should carefully consider the limitations of such devices as well as the potential risk to officers, the public and occupants of the suspect vehicle.

(f) 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. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention techniques 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, officers or other members of the public. Roadblocks without an escape route are considered deadly force.

307.8.3 TIRE DEFLATION DEVICES

The tire deflation device (TDD) may be deployed in the following circumstances:

(a) When attempting to stop a subject who is engaged in a vehicle pursuit.

(b) When pursuit of the vehicle is not authorized, but the vehicle is or has recently been operating in an extremely unsafe manner that creates an imminent safety risk to the public due to potential impairment or other reckless driving behavior, as defined in North Dakota Century Code § 39-08-03.

1. If a TDD is deployed in these circumstances, officers should attempt to stop the vehicle once the tire(s) are deflated following the guidelines in this policy. Supervisory approval should be gained prior to deploying the TDD.

(c) To prevent stationary vehicles from being moved in an attempt to leave a scene.

1. Pre-deployment Considerations

(a) The safety of oncoming traffic, the general public, law enforcement personnel, and of the fleeing motorist will be considered when determining the feasibility of deploying the TDD.

(b) Officers should not unduly risk their own safety in an attempt to deploy a TDD.

(c) Officers should attempt to deploy the TDD in locations with good sight distances to enable the deployment officer to observe the pursuit and other traffic as it approaches.

1. Deployment should not occur on curves, bridges, or locations where reasonable judgement under the circumstances would dictate avoidance.

(d) TDD's shall not be used to terminate a pursuit of a motorcycle, moped, three/four wheeled vehicles (ATV's), a vehicle transporting hazardous materials or other similar vehicles unless deadly force is justified.

(e) Only personnel trained in the use of the TDD's will deploy it in accordance with their training and established policy.

2. Deployment Considerations and Actions

(a) The on-duty supervisor and all units involved in the pursuit will be notified prior to the deployment, as practical, and the on-duty supervisor will direct the use of the TDD.

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(b) Once it is determined when and where a TDD will be deployed, RRRDC will be notified and will alert all other officers involved.

(c) The TDD is considered to be deployed when it is actually used in the field in an attempt to stop a moving vehicle or when it is used to keep a parked vehicle from moving.

(d) Once deployed, pursuing officers should increase their following distance in order to avoid striking the device.

(e) The deployment officer(s) at the scene should immediately seek protection out of the travel lane or escape route of the suspect and pursuing vehicles.

(f) Once the vehicle has driven over a TDD, the deployment officer will secure the device as soon as it is safe to do so.

1. The deployment officer will inspect the immediate area where the TDD was used and collect any spikes or points which may have become detached.

2. The deployment officer will inspect the TDD and notify the TDD manager of any repair needed.

(g) The TDD should be placed back into the storage case in accordance with the manufactures recommended guidelines.

3. Requests for Deployments by Another Agency

(a) An on-duty neighborhood services supervisor, may authorize the use of the TDD to assist another agency who is actively pursuing a fleeing vehicle into our jurisdiction.

(b) Requests for assistance regarding the deployment of the TDD that are non-emergent shall be referred to the on-duty shift commander who will make a decision based upon the totality of the circumstances involved and specific information received from the pursuing agency.

(c) Once a TDD has been deployed by a FPD officer, regardless of the TDD's effectiveness, supervisors will take into account department policy regarding the decision to pursue.

4. Reporting

(a) If deployed for a pursuit originated by our department, the officer(s) shall indicate in their case report/supplement the date, time, and location the device was used, nature of the offense, and the effectiveness of the device. In addition, the officer shall complete the Pursuit Reporting form on-line at www.stopstick.com/home/pursuit-reporting. The Pursuit Reporting form will be forwarded to the supervisor, who was on-duty during the time of the deployment, for his/her pursuit critique.

(b) If deployed for a pursuit originated by another agency, the officer(s) shall complete an "Assist Other Agency" report indicating the date, time, and location the device was used, nature of the offense, and the effectiveness of the device. The deployment officer shall complete the Pursuit Reporting form on-line at www.stopstick.com/home/pursuit-reporting.The Pursuit Reporting form will be forwarded to the supervisor, who was on-duty during the time of the deployment, for his/her pursuit notification memo to the command staff.

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(c) In the event the fleeing vehicle avoided the TDD, meaning none of the tires drove over the TDD device, the deployment officer does not need to complete the on-line pursuit reporting form.

5.Maintenance

(a) For spike replacement or other structural damage, the TDD will be delivered to the assigned department designee for servicing and repairs.

307.8.4 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary under the circumstances to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans to contain and capture the suspect.

307.9 REPORTING AND REVIEW REQUIREMENTS

All appropriate reports shall be completed to comply with local and state regulations. The primary officer shall complete appropriate crime and arrest reports.

After obtaining all of the available information, the on-duty field supervisor shall promptly complete the pursuit report form in the approved department electronic database, briefly summarizing the pursuit to the Professional Accountability Unit. This report should minimally contain the following information:

(a) Date and time of pursuit

(b) Length of pursuit in distance and time

(c) Involved units and involved officers

(d) Initial reason and circumstances surrounding the pursuit

(e) Starting and termination points

(f) Alleged offenses or disposition (e.g., arrest, citation or other release)

(g) Arrestee information should be provided if applicable

(h) Injuries and/or property damage

(i) Medical treatment

(j) The outcome of the pursuit

(k) Name of supervisor handling or at the scene

(l) A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted

After receiving copies of reports, logs and other pertinent information, the Professional Accountability Unit (PAU) shall conduct the post-pursuit policy review in concert with a member of the Training and Development Unit (TDU) who shall identify any potential training issues. Unless

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a personnel complaint is initiated, PAU should notify involved members within 96 hours whether the pursuit was within department policy. If a training need is identified, the TDU Lieutenant shall ensure department-wide training occurs to address all noted issues.

The results of the review shall be provided to the Professional Standards Division (PSD) commander for review and action as appropriate. Annually, the PSD commander shall direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

Pursuits initiated by other agencies that proceed into this jurisdiction, but do not involve members of this department, shall be documented by a supervisor on an Executive Staff Notification Report (ESNR), noting the agency involved, route of pursuit, result of the pursuit (arrest, crash, etc.), and assistance provided.

307.9.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all licensed employees 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 officers and others.

307.10 REVISION DATE 11/19/2024

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