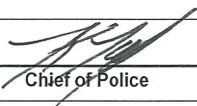
	CROWLEY POLICE DEPARTMENT	
	Policy 7.15 Vehicle Pursuits	
	Effective Date: 6/03/2021	Replaces: 4/24/19, 7/18/13
	Approved: _____ <div style="text-align: center;">  Chief of Police </div>	
Reference: TBP: 7.13, 7.14, 7.18, and 7.19		

I. POLICY

Pursuits represent a dangerous and difficult task that receives much public and legal scrutiny when accidents, injuries, or death result. Pursuing officers and supervisors must justify their actions and, once they have decided to pursue, continuously evaluate the safety of their actions. Further, forcible measures to stop a fleeing driver, as detailed below, are prohibited except where deadly force is appropriate.

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

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the risk to public safety created by vehicle pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits are not always predictable and decisions made pursuant to this policy shall be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are self-discipline and sound professional judgment. Officers' conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the same circumstances. An unreasonable desire to apprehend a fleeing subject at all costs has no place in professional law enforcement.

Officers shall comply with all applicable portions of Policy 7.15 when involved in vehicle pursuits.

II. PURPOSE

The purpose of this policy is to establish procedures governing the operation of police vehicles, with special attention to emergencies and pursuits.

III. DEFINITIONS

Channel - A tactic designed to cause a violator's vehicle to follow a particular path by blocking side streets and/or exit ramps with a patrol unit that has its emergency lights on.

Terminate - Means to shut off your lights and siren and stop chasing the fleeing vehicle.

Tire Deflation Device (TDD) - A device that extends across the roadway designed to puncture the tires of the pursued vehicle. These are also known as Spikes or Tack Strips.

Vehicle Pursuit - An active attempt by an officer in an authorized emergency vehicle to apprehend a suspect, who is fleeing or evading apprehension, provided the officer reasonably believes that the suspect is refusing to stop and is willfully fleeing capture by high-speed driving or other evasive maneuvers. Pursuits shall be conducted only with activated emergency equipment and under circumstances outlined in this order.

Not a pursuit - An attempt to stop a vehicle that is not fleeing, or an attempt to stop a vehicle that is refusing to stop while still obeying traffic-control devices and not exceeding the speed limit by more than ten miles per hour is not a pursuit.

Overtaking - An attempt by an officer, operating a marked police unit, to stop a vehicle to arrest or detain the driver or occupant. In this policy, the term “overtaking” does not include a “pursuit” as defined above.

Emergency equipment - Emergency lights and a siren, whistle, or air horn designed to give intermittent signals automatically. All marked vehicles have distinctive, reflective decals for additional visibility. In this order, an authorized emergency vehicle is one that is equipped with emergency equipment.

Code 3-Emergency Operation - Operating an emergency vehicle in response to a life-threatening or other serious incident (based on available information) which requires emergency equipment in operation. Emergency driving with emergency lights and siren activated allows officer to disregard certain traffic regulations but officers must still drive with due regard for the safety of the officer and others.

Boxing in - A deliberate tactic by two or more pursuit vehicles to force a pursued vehicle in a specific direction or to force it to reduce speed or stop by maneuvering the pursuit vehicles in front of, behind, or beside the pursued vehicle. Boxing in is a prohibited tactic of this department.

Roadblock - Any method, restriction, or obstruction used to prevent free passage of vehicles on a roadway in order to stop a suspect. Roadblocks are a prohibited tactic of this department. (TBP: 7.18)

IV. PROCEDURES FOR PURSUITS (TBP: 7.13)

The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway (as required by Tex. Transp. Code §546.005).

A. RESTRICTIONS ON VEHICLE PURSUITS

1. Officers **will not** engage in a pursuit under any of the following circumstances:
 - a. The subject evades after having committed only:
 - b. Any Class C Offense, including traffic and City Ordinance Violations.
 - c. Any Class A or Class B misdemeanor in which the **identity is known** to the officer(s).
 - d. The officer has a prisoner, subject, or other non-police passenger who has not signed a liability release.
 - e. The road surface is wet or otherwise slippery,
 - i. A pursuit may still be initiated under these road conditions if the violator, based on the best information available at that time, is presumed to have committed a felony involving violence. Only after all considerations for safety have been taken into account will the pursuit is still deemed reasonable.
2. Officers **may** engage in a pursuit under any of the following circumstances:
 - a. The subject evades after having committed:
 - ii. Any Class A or Class B misdemeanor in which the identity is **unknown** to the officer(s).

NOTE: Officers who do not make any efforts to identify the subject in misdemeanor cases will not be exonerated from this criterion.

- iii. An operator suspected of DWI/DUI, regardless if identity is known.

NOTE: An officer must be able to articulate his/her reasons, based on previous experience and training, as to why it is believed that the operator is suspected of DWI/DUI. The act of evading and evasive maneuvers alone does not solely justify that the operator is suspected of DWI/DUI. The officer must take into account the initial traffic violation(s), driving behavior, or other contributing factors, prior to initiating the stop, which can potentially indicate intoxication.

- iv. Any felony level offense (regardless if identity is known) that, based on the best available information at that time, is being or has been committed. The

act of evading alone does not establish justification to engage in a pursuit for a felony offense.

3. Officers **may** engage in a pursuit if a subject possesses a valid arrest warrant **and** meets the criteria outlined in this policy. In addition, officers are responsible for:
 - a. Verifying that the arrest warrant is valid. This may be done by checking the individual's information through the TCIC/NCIC system to ensure that the warrant is still active. Any additional inquiries regarding the validity of the warrant should be requested of the issuing agency.
 - b. Officers who are assisting outside agencies in a warrant service may pursue if there is reasonable belief that the warrant is valid. Efforts should be made, if time dictates, to verify the warrant information prior to the warrant service.
 - c. Prior to engaging in the pursuit, officers must be able to articulate with certainty that the wanted person is an occupant of the vehicle. If there is any uncertainty or reasonable doubt of the subject's identity, officers will not engage in any pursuit.

B. FACTORS TO CONSIDER BEFORE INITIATING A PURSUIT

With the exception of the above specified restrictions on vehicle pursuits listed in this policy, officers are authorized to initiate a pursuit when it is reasonable to believe that a subject is attempting to evade arrest or detention by fleeing in a vehicle.

1. The following factors will be considered both individually and collectively when deciding whether to initiate or continue a pursuit:
 - a. Seriousness of the known or reasonably suspected crime and its relationship to 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. Apparent nature of the fleeing subject (e.g., whether the subject represents a serious threat to public safety).
 - d. Extended pursuits of violators for misdemeanors not involving violence or risk of serious harm (independent of the pursuit) are discouraged.
 - e. The identity of the subject has been verified and there is comparatively minimal risk in allowing the subject to be apprehended at a later time.

- f. 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.
- g. Pursuing officer's familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- h. Weather, traffic, and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the subject's escape.
- i. Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- j. Vehicle speeds.
- k. Other subjects in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- l. Availability of other resources such as aircraft assistance.
- m. Presence of other persons in the police vehicle such as observers.

C. WHEN TO TERMINATE A PURSUIT

Pursuits shall 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 risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the subject's escape. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to motorists, themselves, and the public when electing to continue a pursuit. This section shall not be construed to authorize a pursuit that is expressly prohibited as outlined in the Restrictions on Vehicle Pursuits section of this policy. **ANY officer monitoring the pursuit may terminate the pursuit if that officer has knowledge of information not currently available to pursuing officers, which would place the officers, suspect, or citizens in danger (e.g. officer working construction zone ahead of pursuit).**

- 1. The factors listed in this policy on when to initiate a pursuit are expressly included herein and shall also apply to the decision to discontinue a pursuit. In addition to those factors listed, the following should also be considered in deciding whether to terminate a pursuit:
 - a. 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. Pursued vehicle's location is no longer definitely known.
- c. Officers **shall** discontinue the pursuit when they become aware their vehicle has developed a mechanical malfunction. This includes, but is not limited to:
 - i. Any engine warning light activates on the dash (e.g., brake, ABS, or check engine lights) that activates during the course of the pursuit.
 - ii. Audible warning tones.
 - iii. Physical damage that affects the performance, maneuverability, or functioning of the vehicle.
- 2. Hazards to uninvolved bystanders or motorists.
- 3. If the identity of the offender is known and a felony offense is presumed to have been or is being committed, but 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.
- 4. Directed by a supervisor.
- 5. Pursuit speeds:
 - a. Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
 - b. Pursuit speeds have exceeded the driving ability of the officer.
 - c. Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.
- 6. A person has been injured during the pursuit and no medical or department personnel are able to provide help.

D. PURSUIT DRIVING CONSIDERATIONS AND RESTRICTIONS

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

- 1. Officers will space themselves from other involved vehicles, in consideration of their driving skills and vehicle performance capabilities, so they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle and other police units.
- 2. Officers should not attempt to pass other units in a pursuit unless the situation indicates otherwise or requested to do so by the primary unit or control supervisor.

3. Officers shall not intentionally ram, bump, or collide with a fleeing vehicle nor shall officers pull alongside such vehicles in an attempt to force them off the road or into an obstacle, or conduct a boxing in maneuver.
4. In the event that the pursued vehicle drives the wrong way on a roadway, the following tactics should be used:
 - a. Request Air Support assistance, OR
 - b. If a divided roadway, maintain visual contact with the pursued vehicle by paralleling on the correct side.
 - c. Request other units to watch for exits available to the vehicle.
5. **Officers will not pursue a vehicle driving the wrong way on a:**
 - a. Highway or Freeway,
 - b. Highway or Freeway frontage / service roads, or
 - c. Any roadways that are:
 - i. Directly connected to highway/freeway entry or exit ramps, or
 - ii. Adjacent to or running parallel to a highway or freeway.
6. Officers have a legal obligation to drive with a due regard for the safety of lives and property. Driving the wrong way on a roadway does not necessarily protect the officer from the consequences of a disregard for traffic and/or legal restrictions.
7. The use of tactics such as channeling, stationary or rolling roadblock is prohibited. (TBP: 7.18)
8. Should the person(s) attempting to avoid apprehension stop the fleeing vehicle and precede on foot, the officer shall stop, give his or her location, and continue efforts to apprehend on foot. Circumstances may dictate, however, a continued pursuit in a vehicle. Support vehicles shall be dispatched in close proximity to offer assistance. The pursuing officer should be cautious, however, that the pursued vehicle may carry other persons who might assault the pursuing officers. Should the individual stop and remain in the vehicle, officers will not rush the vehicle. Appropriate felony stop procedures should be used.

E. PURSUIT GUIDELINES

Pursuit units shall be limited to three vehicles (two units and a control supervisor); however, a control 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

stop the pursuit and/or arrest the subject(s). All other officers will stay out of the pursuit but should remain alert to its progress and location.

1. An officer or supervisor involved in a pursuit may request aircraft assistance, if available, as soon as practicable.
2. All officers involved in a pursuit **shall**:
 - a. Operate their police unit with emergency lights and siren activated (Code 3).
 - b. Ensure that all DMAV recording systems has been activated. This includes both body worn camera and in-car recording systems, if equipped with one.
3. Any officer who drops out of a pursuit may, with permission of a control supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance in the arrest of the subject(s).
4. 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 so as to clearly indicate an absence of participation in the pursuit.
5. Pursuit communications shall be handled as follows:

Radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher.

V. POLICE MOTORCYCLES AND UNMARKED UNITS

Police motorcycles and unmarked units (CID cars) equipped with emergency lights and siren may initiate a pursuit; however, those officers should terminate their involvement in the pursuit immediately upon arrival of at least two distinctively marked law enforcement vehicles equipped with emergency lights and siren, or any law enforcement aircraft.

VI. POLICE UNITS WITHOUT EMERGENCY EQUIPMENT

Police units not equipped with emergency lights and siren are prohibited from initiating or joining in a pursuit. Officer(s) in such vehicles may become involved in emergency activities involving serious crimes or life-threatening situations.

VII. UNITS NOT INVOLVED IN A PURSUIT

- A. There shall be no paralleling of a pursuit route by officers not authorized to be in a pursuit.
- B. Officers not directly involved in the pursuit are authorized to proceed safely to controlled intersections ahead of the pursuit and use emergency equipment to warn vehicular and pedestrian traffic in an effort 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.

- C. Non-pursuing personnel needed at the termination of a pursuit should respond in the appropriate manner based on the totality of the circumstances and type of assistance needed.

VIII. PURSUITS INITIATED BY OTHER LAW ENFORCEMENT AGENCIES

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not participate in, join, or assume control of a pursuit initiated by another agency unless requested by that agency and approved by an on-duty supervisor or a Bureau Lieutenant, if on duty. As soon as practicable, an on-duty supervisor or a Bureau Lieutenant should review a request for assistance from another agency to determine if assistance will be provided.

- A. At no time should a request to join or take over a pursuit from another agency that has entered this jurisdiction be granted if it violates the considerations and restrictions on vehicle pursuits outlined in this policy, with the following exceptions:
 - 1. Authorization to participate in the pursuit may be granted for the sole purpose of ending the pursuit using TDD's or other approved devices and methods as outlined in this policy, regardless of the reason for the pursuit.
 - 2. In the event that a pursuit from another agency terminates within this jurisdiction, approval may be given to provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, containment, subject search, completion of supplemental reports, and any other assistance requested or needed.
- B. Pursuit assistance to an allied agency by officers of this department should terminate at the City limits. Ongoing participation from this department may only continue with the approval of a supervisor.

IX. CPD PURSUITS ENTERING OTHER JURISDICTIONS

- A. Officers should request communications to notify the appropriate law enforcement agency when it appears that the pursuit may enter another jurisdiction.
- B. When a pursuit enters another agency's jurisdiction, the primary officer or supervisor should determine whether to request the other agency to assume the pursuit by taking into consideration distance traveled, unfamiliarity with the area, and other pertinent factors.
- C. CPD officers shall not pursue offenders beyond the boundaries of the area comprised of the combination of the following adjoining counties: Tarrant, Denton, Johnson, Dallas, Wise, Ellis, Hood, or Parker. If it becomes apparent that the pursuit will leave those boundaries, the control supervisor shall request other jurisdictions and/or DPS to take over the pursuit, and all CPD units involved in the pursuit shall immediately terminate pursuit functions.

- D. Notwithstanding section (c) above, if the offender being pursued is suspected of committing the following crimes: capital murder, murder, aggravated sexual assault of a child, kidnapping, aggravated robbery of a business, or any crime resulting in death or serious bodily injury to another, the control supervisor or a Bureau Lieutenant, if on duty, may authorize CPD units to pursue beyond the above limits. Consideration must be given to the fact that in such instance, communications via radio with CPD dispatch will be unavailable and this could pose a serious officer safety issue.

X. LOSS OF PURSUED VEHICLE AND SUBJECT BAILING

- A. When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating the vehicle. The control supervisor will determine if the pursuit should be terminated and whether Air Support (if available) should continue searching the area.
- B. When subjects abandon the vehicle and flee on foot, the primary unit will be responsible for coordinating any further search with the permission of the control supervisor.

XI. PURSUIT UNIT ROLES AND RESPONSIBILITIES

This section outlines the roles and responsibilities of police units involved in a pursuit.

A. PRIMARY UNIT RESPONSIBILITIES

The initial pursuing officer will be the primary pursuit unit and is responsible for the conduct of the pursuit unless unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the subject(s) without unreasonable danger to themselves or other persons.

1. The primary officer shall have all emergency equipment activated (Code 3 operation) as defined by this policy.
2. The primary unit should notify Communications on the appropriate primary channel corresponding to the area the vehicle pursuit was initiated in and, as soon as practicable, provide the following information:
 - a. Reason for the pursuit.
 - b. Location and direction of travel.
 - c. Speed of the fleeing vehicle.
 - d. Description of the fleeing vehicle and license number, if known.
 - e. Number of occupants.
 - f. The identity or description of the known occupants.

- g. Evasive actions being taken by the fleeing vehicle (e.g., disregard of traffic control devices, intentional collisions, driving on the wrong side of the roadway).
 - h. Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.
- 3. As soon as possible, the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit to the secondary unit joining the pursuit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.

B. SECONDARY UNIT(S) RESPONSIBILITIES

- 1. The secondary officer shall have all emergency equipment activated (Code 3 operation) as defined by this policy.
- 2. The second officer in the pursuit is responsible for the following:
 - a. Immediately notify the dispatcher of entry into the pursuit.
 - b. Take over broadcast of the progress of the pursuit and pursuit tactics, unless the situation indicates otherwise, or otherwise instructed by the control supervisor.
 - c. Help the primary officer in making arrests.
- 3. The secondary unit should remain a safe distance behind the primary unit in the event that it is directed to assume the role of primary unit (e.g., the primary unit is unable to continue the pursuit).

C. CONTROL SUPERVISOR RESPONSIBILITIES

It is the policy of the Crowley Police Department that supervisor control shall be exercised overall vehicle pursuits involving officers from this department.

- 1. The immediate on duty supervisor of the officer initiating the pursuit **shall** assume the responsibility as the control supervisor. He/she must promptly acknowledge dispatch that command and control of the pursuit has been taken over by that supervisor.
- 2. Officers in Charge (OIC) shall assume the responsibility as the control supervisor during a pursuit initiated **ONLY** if no sergeant is on-duty.
- 3. If an on duty supervisor (Sergeant/Lieutenant/Chief) initiates a pursuit, he/she will relinquish that pursuit to responding units, and assume the role of control supervisor as soon as other units take over. The Chief of Police may not be a control supervisor since he/she will be the ultimate reviewing authority. The Chief of Police shall direct

any other ranking on duty unit (Sergeant/Lieutenant) to act as control supervisor in that event.

4. The control supervisor will be responsible for the following:
 - a. Upon becoming aware of a pursuit, immediately 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. Engage in the pursuit when appropriate and provide on scene supervision.
 - c. Exercise management and control of the pursuit even if not engaged in it.
 - d. Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.
 - e. Direct that the pursuit be terminated if, in his judgment, it is unjustified to continue the pursuit under the guidelines of this policy.
 - f. Ensure that aircraft assistance is requested if needed.
 - g. Ensure that the proper radio channel is being used.
 - h. Ensure the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
 - i. Control and manage CPD units when a pursuit enters another jurisdiction.
 - j. Prepare a post pursuit critique and analysis of the pursuit for training purposes and direct participants to submit reports and/or other relevant documentation.

D. COMMUNICATIONS RESPONSIBILITIES

Upon notification that a pursuit has been initiated, Communications shall:

1. Notify any available supervisor of the pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other officers and jurisdictions.
2. Assign an incident number and log all pursuit activities in CAD history.
3. Advise all other officers of the pursuit and the information given by the pursuing officer.
4. Notify all other nearby law-enforcement agencies of the pursuit and information given by pursuing officers when continuing beyond the city.

5. Record all information about the pursued vehicle. Query MVD and TCIC/NCIC for license data and any warrants.
6. Broadcast updates and other pertinent information, as necessary.
7. Ensure that the Communications Supervisor (if on duty) and Bureau Lieutenant (if on duty) are notified of the pursuit.

E. OPERATIONS BUREAU LIEUTENANT RESPONSIBILITIES

The Operations Bureau Lieutenant shall review all vehicle pursuits to ensure they are conducted within the guidelines and requirements of this policy.

1. The Operations Bureau Lieutenant shall review all pertinent reports, supplements, and pursuit packet documents for content, complete a Memorandum critique of the pursuit, and forward his/her findings, and all ancillary documents to the Chief of Police.
2. In the event that a Lieutenant is involved in a pursuit, the Chief of Police, or designee, will take over the responsibilities of the Operations Bureau Lieutenant for purposes of this policy.

IX. APPROVED PURSUIT INTERVENTION AND TERMINATION TACTICS

Any approved tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public, or anyone in the vehicle being pursued. It is imperative that officers act within the bounds of legality, good judgment, accepted practices, and policy.

- A. Certain applications of intervention and termination tactics may be construed to be a use of force, including deadly force, and are subject to Department policies guiding such use and reporting.
- B. In deciding whether to use an approved tactic, officers and supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers, and subjects in or on the pursued vehicle. With these risks in mind, the decision to use any tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.
- C. Unless exigency exists, the use of intervention tactics should be employed only after approval of a supervisor.

X. USE OF FIREARMS

- A. Discharging a firearm at a moving motor vehicle is prohibited, except, when there is a clear and imminent danger of serious bodily injury or death to the member or another

person if the action is not taken. Members need to consider that once a driver of a moving vehicle has been incapacitated, the driver no longer has control over the movement of the vehicle.

- B. Officers should exercise good judgment and not place themselves in the path of a moving vehicle since doing so may increase the likelihood of having to resort to the use of deadly force.
- C. Unless it reasonably appears that it would endanger officers or the public, officers are expected to move out of the path of any approaching vehicle.
- D. Discharging a firearm from a moving motor vehicle is prohibited at all times; unless an overwhelming extenuating circumstance exists that dictates its use.

XI. TIRE DEFLATION DEVICE(TDD)(TBP:7.19)

The use of a Tire Deflation Device (TDD) should be approved in advance by the control supervisor and deployed only when it is reasonably apparent that only the pursued vehicle will be affected by their use. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. **If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.**

- A. TDD's **shall not** be used when a motorcycle unit from any law enforcement agency is involved in the pursuit.
- B. TDD Deployment:
 - 1. Only officers who have received and successfully completed Department approved training in the application and use of an approved TDD shall use this intervention tactic.
 - 2. Officers who are driving units equipped with a TDD and are authorized to deploy the TDD may proceed Code 3 to a location likely to be in path of the pursuit.
 - 3. TDD units shall advise Communications when they have reached the deployment site and give their location.
 - 4. After a deployment site has been established, the control supervisor may authorize other units to operate Code 3 in order to channel the fleeing vehicle to this location.
 - a. Channeling may include blocking freeway exits and/or major side streets.
 - b. Police units shall not attempt to make a fleeing vehicle take any action other than continuing straight on the road upon which it is already traveling.

- c. Police units shall activate all emergency lighting while blocking exits or streets.
- 5. The officer calling the pursuit shall broadcast the identity of the target vehicle to the TDD unit when the pursuit approaches the deployment site. The information should include details of the vehicle such as license plate, color, make and model.
 - a. The target vehicle should be visually confirmed by the TDD unit to reduce errors in deployment.
 - b. All pursuing units should maintain at least a three to five second gap behind the target vehicle to allow sufficient time for the setup and retrieval of the TDD.
 - c. Pursuing vehicles should proceed cautiously upon approaching.
 - d. **Police vehicles shall not be used to physically force a pursued vehicle off the roadway or to a stop, or to otherwise change its direction of travel or alter its speed.**

XII. REPORTING AND REVIEW REQUIREMENTS (TBP: 7.14)

A. INVOLVED OFFICER(S) RESPONSIBILITY

All officers involved in the pursuit will write a detailed incident report or supplement and submit their DMAV media as evidence. This includes the primary officer initiating the pursuit, any secondary officer(s), and any additional officer(s) who assisted with the pursuit (e.g., Officers using a TDD).

B. CONTROL SUPERVISOR RESPONSIBILITIES

The control supervisor shall complete an officer involved pursuit packet within four (4) working days and forward it to the Operations Bureau Lieutenant. The packet should contain:

1. Supervisor's supplement report to include the following information:
 - a. Date/Time of pursuit.
 - b. Length of pursuit.
 - c. Involved units and officers.
 - d. Initial reason for pursuit.
 - e. Starting and termination points.
 - f. Disposition: arrest, citation or other release. Arrestee information should be provided if applicable.

- g. Injuries and/or property damage.
 - h. Medical treatment, if applicable.
 - i. Any other significant events that may occur.
- 2. A preliminary determination, in Memorandum form, whether the pursuit appears to be in compliance with this policy or if additional review and/or follow-up is warranted.
- 3. Pursuit log.
- 4. Incident and supplement reports from all involved officers.
- 5. Crash report and diagrams, if applicable.

C. LIEUTENANT'S RESPONSIBILITIES

After receiving copies of reports, logs, and other pertinent information the Operations Bureau Lieutenant shall, within four (4) working days after receipt of such documents:

- 1. Review the information contained in the supervisory pursuit packet and all DMAV media.
- 2. Prepare a critique Memorandum which provides the following information:
 - a. Date/Time of pursuit.
 - b. Length of pursuit.
 - c. Weather and traffic conditions.
 - d. Involved units and officers.
 - e. Identity of the control supervisor.
 - f. Initial reason for pursuit.
 - g. Starting and termination points.
 - h. Disposition of the subject (e.g., arrest, citation, other release). Arrestee information should be provided if applicable.
 - i. Injuries and/or property damage.
 - j. Medical treatment.

- k. A preliminary determination whether the pursuit appears to be in compliance with this policy or if additional review and/or follow-up is warranted.
3. Forward the pursuit packet and the critique memorandum to the Chief of Police.

D. CHIEF OF POLICE RESPONSIBILITIES

1. If the Chief of Police determines that the pursuit falls within policy guidelines, he/she shall ensure the information is forwarded to the Records Division for retention.
2. If the Chief of Police determines that the pursuit violates CPD policy guidelines, he/she shall initiate an Internal Affairs administrative investigation to look into the alleged violations. The investigation shall comply with CPD Policy governing administrative investigations.