



Milford Police Department

General Orders



Vehicular Pursuit

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Vehicular Pursuit

1. Purpose

The purpose of this Order is to establish guidelines for making decisions with regard to vehicular pursuit.

2. Scope

This Order applies to all sworn personnel.

3. Definitions

- A. *Vehicular Pursuit*: An attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempts to stop the vehicle. An officer who follows or attempts to follow the motorist at speeds greater than the speed limit is in pursuit, regardless of whether or not emergency lights and sirens are used.
- B. *Authorized emergency vehicle*: A vehicle of this Department equipped with operable audio siren and emergency strobe lights.
- C. *Primary unit*: The police unit, which initiates a pursuit or any unit, which assumes control of the pursuit.
- D. *Secondary unit*: Any police vehicle, which becomes involved as a backup to the primary unit.

4. Procedures

A. Authorization to Pursue

- 1. A police officer has the authority, at all times, to attempt the stop of any person suspected of having committed any criminal offense or traffic violation.
- 2. To decrease the likelihood of a pursuit, a police officer intending to stop a vehicle for any reason will, when possible and without creating a threat to public safety, close the distance between the two vehicles prior to activating emergency lights and an audible device.
- 3. It is clear that while it is the officer who initiates the stop, it is the violator who initiates the pursuit. The decision to pursue a vehicle must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
- 4. A police officer may only pursue in the following situations:
 - a. When the officer reasonably believes that the offender has committed or attempted to commit a violent felony.
 - b. When the actions of a motor vehicle operator prior to any Police action creates an imminent risk to public safety if the operator is not stopped.

5. In deciding whether to initiate pursuit, the officer shall take into consideration:
 - c. Likelihood of successful apprehension.
 - d. The identity of the violator is known, where later apprehension is possible.
 - e. Degree of risk created by pursuit including:
 - i. Volume, speed and direction of vehicular traffic
 - ii. Nature of area: residential, commercial, school zone, etc.
 - iii. Population density and volume of pedestrian traffic
 - iv. Environmental factors such as darkness, weather and road conditions
 - v. The presence of other persons in the police vehicle
 - vi. Officers driving skills
 - vii. Officers familiarity with roads
 - viii. The relative performance capabilities of the police vehicle
 - ix. General health, condition and performance capability of the officer at the time of the pursuit decision

B. Pursuit Operations

1. Role of Primary Officer

- a. The officer must at all times during a pursuit actively engage in a process of assessing and reassessing the balance between the need to apprehend the violator and all of the risks being created by the pursuit.
- b. Upon the commencement of a pursuit, the pursuing officer will immediately activate emergency lights, siren and headlights. Emergency lights and siren will be utilized at all times during the pursuit.
- c. Once the pursuit has been initiated, the primary unit must notify Communications providing as much of the following information as is known.
 - i. Reason for the pursuit
 - ii. Direction of travel and location of the roadway
 - iii. Identification of the violator's vehicle
 - iv. Number of occupants
 - v. Speed of the pursued vehicle
 - vi. Other information that may be helpful in terminating the pursuit or resolving the incident
- d. All intervention tactics short of deadly force such as [Tire Deflation Devices](#), low speed tactical intervention techniques, and low speed channeling (with appropriate advance warning) should be used when it is possible to do so in safety and when the officers utilizing them have received appropriate training in their use.

2. Role of Secondary Officer

- a. The secondary officer will be the officer dispatched to cover the pursuing officer or the first officer who comes in contact with the pursuit. i.e. the pursuit passes an area where a beat car is standing by prior to the arrival of the dispatched unit.
- b. The secondary officer must at all times during a pursuit actively engage in a process of assessing and reassessing the balance between the need to apprehend the violator and all of the risks being created by the pursuit.
- c. The secondary is responsible for notifying the communications room of the current speeds, locations and circumstances of the pursuit.

3. Restrictions

- a. No pursuits will be conducted:
 - i. In the direction opposite to the flow of traffic on a divided highway or a one-way street
 - ii. In a police vehicle in which an individual who is not a police officer is either the driver or passenger
- b. No more than two (2) police vehicles (a primary unit and secondary unit) will become actively involved in pursuit unless otherwise directed by the HQ Sgt.
- c. Officers not involved in the pursuit shall not follow the pursuit on parallel streets, unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
- d. An unmarked police vehicle will not participate in a vehicular pursuit unless it is equipped as an authorized emergency vehicle as defined in [DMV Regulation 14-283a-3](#). Unmarked vehicles will relinquish primary unit status immediately upon the participation of a marked police vehicle.
- e. Motorcycles may be used for pursuit in exigent circumstances and when weather and related conditions allow. They shall disengage when support from marked patrol units becomes available.
- f. Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is a substantially increased likelihood of collision, the operator of any pursuit vehicle will, prior to entering the intersection, reduce the vehicle's speed and control the vehicle so as to avoid collision with another vehicle or pedestrian. The officer will observe that the way is clear before cautiously proceeding through the intersection.
- g. The primary pursuit unit shall become the secondary unit when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary unit status.
- h. Boxing in or heading off a violator's moving vehicle is permitted only under extraordinary circumstances. These tactics substantially increase the risk inherent in the pursuit and will only be employed:
 - i. At low speeds, and
 - ii. With the approval of the HQ Sgt. and

- iii. In response to an immediate and substantial threat to the safety of the public or a police officer

C. Use of Force

1. Roadblocks may only be employed as a last resort in circumstances where deadly force would otherwise be justified
 - a. The use of a roadblock must be authorized by the HQ Sgt
 - b. At no time will a roadblock be established until all pursuing vehicles are made aware of its location and have acknowledged this awareness
 - c. The location for the roadblock will be carefully chosen to ensure that there is adequate distance for the pursued vehicle to see the roadblock upon its approach
 - d. Once a roadblock has been established and a vehicle or barricade has been positioned in the roadway, no one shall be in the blocking vehicles.
2. Officers should not discharge their firearms at a moving vehicle or its occupants unless the occupants are using deadly physical force against the officer or another person present, by means other than the vehicle.
 - a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the others such as in a vehicle ramming attack.
 - b. No officer should intentionally position his or her body into the path of a vehicle that is attempting to flee or elude apprehension. Whenever possible, the involved officer should make a reasonable effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

D. Supervisory Responsibilities

1. The responsibility to supervise a pursuit shall immediately fall upon the Headquarters Sergeant.
2. The Shift Commander bears full responsibility for the actions of the officers working and may take over direct supervision of the pursuit by advising the HQ Sgt. and the Officers involved of the intention to do so.
3. Upon being notified or becoming aware of a pursuit, the HQ Sgt. shall decide as quickly as possible whether or not the pursuit should continue and shall resolve any doubts against the continuation of the pursuit.
4. The HQ Sgt. may permit a pursuit to continue only if he has a reasonable belief that the violator has committed or attempted to commit a violent felony.
5. Any supervisor may order a pursuit terminated at any time if he believes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the violator.
6. If an Officer is working in the capacity of acting supervisor, his responsibilities will be the same as the supervisor's position they are filling.

7. Where possible, a supervisory officer shall respond to the location where a vehicle has been stopped following a pursuit.

E. Role of Communications

1. Communications personnel shall:
 - a. Immediately notify the HQ Sgt. of a pursuit in progress.
 - b. Clear the radio channel of non-emergency traffic.
 - c. Keep the supervisor apprised of the duration and progress of the pursuit.
 - d. If the supervisor is not immediately available to supervise the pursuit, it shall be terminated.

F. Termination of the Pursuit

1. The pursuing officer will immediately terminate the pursuit when:
 - a. Instructed to do so by a supervisor, or
 - b. The officer believes or reasonably should believe, based on his police training and experience, that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the violator, or
 - c. The violator's identity is established to the point where later apprehension may be accomplished and where there is no immediate threat to the safety of the public or police officers, or
 - d. The pursued vehicle's location is no longer known or the distance between the pursuing vehicles and the violator's becomes so great that further pursuit is futile, or
 - e. There is a person injured during the pursuit and there are no police or medical personnel able to render assistance, or
 - f. There is a clear and unreasonable danger to the police officer or the public. A clear and unreasonable danger exists when the pursuit requires that the vehicle be driven in a manner, which exceeds the performance capability of the pursuing vehicles or police officers.
2. The primary pursuing unit shall continually re-evaluate and assess the pursuit situation and terminate the pursuit whenever he or she reasonably believes the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
3. The pursuit may be terminated by the primary pursuit unit at any time.
4. A supervisor may order the termination of a pursuit at any time.
5. A pursuit will be considered terminated when:
 - a. The pursuing Officer deactivates his emergency lights and siren, and
 - b. The pursuing Officer reduces the patrol vehicle's speed to within the posted limits for the roadway they are traveling on, and

- c. The pursuing Officer radios HQ that he has terminated the pursuit and provides the offending vehicles last known location and directions travel
6. An officer shall not continue to follow a vehicle after a pursuit has been terminated except under the following conditions:
 - a. With the approval of the HQ Sgt., and
 - b. If the officer can follow the vehicle in a safe and controlled manner obeying all applicable traffic laws, and
 - c. The Officer's following of the vehicle does not precipitate continued reckless operation by the fleeing subject, and
 - d. When the suspect vehicle has reduced its speed and is conforming to safe and legal standards of vehicle operation
7. If a vehicular pursuit ends and a foot pursuit ensues all procedures set forth in the [Foot Pursuits](#) Order shall come into effect.
8. If the vehicular pursuit ends in a motor vehicle accident with another civilian vehicle officers must first ensure the safety and well-being of the victims prior to pursuing the suspect on foot.

G. Reinstating Pursuits

1. Reinstating of any previously terminated pursuit will be undertaken consistent with the authorization criteria for originally initiating the pursuit

H. Interjurisdictional Pursuits

1. The pursuing officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction.
2. The Headquarters Sergeant will ensure that immediate notification is made to the agency into whose jurisdiction the pursuit is entering and advise them of the:
 - a. Description of the suspect's vehicle
 - b. The offense for which they are wanted
 - c. Our intention to continue the pursuit
3. When a pursuit enters another police agency's area of law enforcement responsibility, the actions of the police officers shall be governed by the uniform statewide pursuit policy, the policy of the officer's own agency, specific interagency agreements and state law, as applicable.

I. Pursuits Initiated by Other Agencies

1. This policy will apply to all pursuits including those initiated by another agency entering the City.

J. After-Action Reporting

1. All vehicular pursuits will require an incident report. Such incident report should contain, at a minimum, the following information:
 - a. Location, date and time of pursuit initiation
 - b. Location, date and time of pursuit termination
 - c. Highest speeds achieved, weather conditions, road surface and description of the pursuit area
 - d. Reasons for initiating and terminating the pursuit
 - e. Consequences of the pursuit such as accidents, injuries or fatalities
 - f. Whether or not the pursued violator was apprehended
 - g. The offense with which the violator was, or would have been charged
2. The Shift Commander shall initiate a review of the pursuit and will forward his findings to the Division Commander. Said findings will include whether the pursuit was justified and the basis for such justification and whether or not the pursuit policy was followed, including his recommendations.
 - a. A Supervisor not involved in the pursuit must conduct this review; therefore, if the Shift Commander becomes involved in the pursuit then the Patrol Division Commander or his/her designee shall conduct the review.

K. Training

1. Officers who drive police vehicles shall be given initial and periodic update training in the agency's pursuit policy and in safe driving tactics.
2. The Patrol Division Commander shall analyze police pursuit activity yearly and identify any additions, deletions or modifications warranted in Departmental pursuit procedures. This analysis will be submitted to the Chief of Police.

Reference
[Foot Pursuits](#)
[Tire Deflation Devices](#)