

St. Joseph, Missouri Police Department



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SUBJECT: Vehicle Pursuits		
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I. Policy

The Department places its highest operational priority on the protection of life. All members operating Department vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary, thereby risking the safety of innocent persons. Members will be held strictly accountable for their actions. Only commissioned members of the Department will operate emergency vehicles.

II. Definitions

- A. Emergency:** When the immediate presence of the Police Department is required in order to protect a person from possible death or serious injury, or for the protection of property.
- B. Emergency Vehicle:** Any police vehicle equipped with a siren and one or more emergency lights may be operated as an emergency vehicle. Both siren and emergency lights must be in operation when functioning as an emergency vehicle. As defined, in part, by Section 304.022, RSMo: “an emergency vehicle giving audible signal by siren and while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle or a flashing blue light authorized by section 307.175, RSMo”.
- C. Pursuit:** An attempt by one or more police officers to apprehend a suspect operating a motor vehicle while the suspect is actively attempting to avoid capture by using evasive tactics.
- D. Primary Pursuit Unit:** The police unit that initiates a pursuit or any unit that assumes control of the pursuit.
- E. Roadblock:** Any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to affect the apprehension of an actual or suspected violator in a motor vehicle. A roadblock that

completely blocks a roadway shall only be performed when the use of deadly force may be justified.

- F. Code 1 Response:** A non-emergency response (no emergency equipment used) that is used when responding to non-emergency calls. Members responding Code 1 shall do so without unnecessary delay, but may handle other violations of the law or situations requiring their attention that they encounter en-route to the original call. When responding Code 1, members shall adhere to posted speed limits and traffic /parking regulations.
- G. Code 2 Response:** A non-emergency response (no emergency equipment used) that requires adherence to posted speed limits and traffic/parking regulations. Members responding Code 2 shall do so without delay.
- H. Code 3 Response:** An emergency response (using emergency lights and siren), that is used when responding to an emergency call and the member's quick arrival is necessary, including but not limited to:
 - 1. Situations that have resulted or might reasonably result in serious injury or death.
 - 2. Situations that might have a disastrous effect on the community (such as escaped prisoners who pose a serious threat to citizens; hazardous chemical spills, etc.).
- I. Termination:** For purposes of this policy termination of a pursuit means to immediately discontinue chasing, pursuing, or following a suspect vehicle after being instructed to terminate/end such pursuit by any supervisor. Any officers who may encounter the pursued vehicle after the order was given to terminate by a supervisor shall not engage such vehicle in any way unless permission is granted by a supervisor.
- J. Dangerous Felony:** By state statute, this term applies to the following offenses: first degree arson, first degree assault, attempted forcible rape if physical injury results, attempted forcible sodomy if physical injury results, forcible rape, forcible sodomy, kidnapping, murder, first degree assault of a law enforcement officer, first degree domestic assault, first degree robbery, first degree statutory rape when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, first degree statutory sodomy when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, and abuse of a child pursuant to subdivision (2) of subsection 3 of Section 568.060 RSMo.
- K. Evasive Tactics:** A system or mode of procedure used to elude or avoid.

III. Procedure

A. Initiation of a Pursuit/Limitations on Who May Engage in a Pursuit:

- 1. When a pursuit begins, without air support or a StarChase unit, the decision to initiate a pursuit must be based on the pursuing member's conclusion that the immediate threat to the public created by the pursuit is less than the immediate or potential threat to the public should the suspect remain at large. Officers **will not** initiate a vehicle pursuit unless they determine that there is reasonable belief that the suspect presents a **clear and immediate danger** to the safety of others. Factors involved in this decision may include the commission of a **dangerous felony**. This determination shall be continually evaluated during the pursuit.

2. When aerial support is available, and with supervisor authorization, officers may briefly pursue a suspect vehicle until an air unit can locate and take over the pursuit (See also III.A.5). Officers equipped with StarChase may also briefly pursue a vehicle to attempt a StarChase tag deployment. StarChase deployment attempts shall conform to training and the guidelines set forth in policy (See also SO1802).

NOTE: Unless authorized by a supervisor, officers **will not** initiate a vehicle pursuit if the suspect vehicle is a stolen auto **unless** it has been involved in a dangerous felony. This prohibition includes situations such as a serious traffic violation and DUI's, except where the suspect vehicle presents a clear and immediate danger to the safety of others (See also III.A.5).

3. The decision to initiate a pursuit must also be based on the pursuing member's consideration of the condition of the road surface, speeds involved, the amount of vehicular and pedestrian traffic in the area, the location of the pursuit (i.e. residential, near a school, etc.), and overall weather conditions. The discretionary decision to initiate, continue, or become involved in a pursuit will be based upon **factors known to the officer at the time the officer initiates the pursuit**. Absent the availability of air support or a StarChase unit a person whose identity is known or can reasonably be determined by investigative means, who has not been involved in a dangerous felony, and who can be apprehended at a future time shall not be the subject of a pursuit.
4. Pursuits **are restricted** under the following circumstances:
 - a. Motorcycles shall not engage in a pursuit unless the fleeing suspect represents an immediate threat to life. When a marked unit is available to take over, the motorcycle will immediately withdraw from active pursuit, and will serve in a support function by monitoring the pursuit.
 - b. Unmarked units that are equipped with operating emergency equipment may engage in a pursuit only until a marked unit is in a position to take over. The unmarked unit will immediately withdraw from active pursuit, and will serve in a support function by monitoring the pursuit.
 - c. Unmarked units that are not equipped with operating emergency equipment shall not engage in a pursuit.
 - d. A member who has a civilian ride-a-long in his/her vehicle shall only become involved in a pursuit as a last resort. A citizen ride-along shall read and sign a Department Waiver before being allowed to ride with a Department member. (See also Department General Order governing the "Citizen Ride Along Program"). Certain criteria must be weighed before deciding to pursue a fleeing vehicle when there is a ride-along in the police unit, including, but not limited to:
 - 1) Nature of the offense: The fleeing suspect vehicle is suspected of a dangerous felony that has resulted or might reasonably result in serious injury or death. The situation is one that might have a disastrous effect on the community if the member does not attempt to capture the fleeing suspect;
 - 2) Speeds of units involved;
 - 3) Lack of back up;

- 4) There are no other police units immediately available to engage the fleeing suspect vehicle. There will be occasions when a police unit (with a ride-along) may be the unit initially dispatched to a call that has involved potential serious injury and/or death. This may be due to the fact that this unit is the only available unit at the time, or it may be the closest available unit at the moment. If a suspect flees the scene upon the member(s) arrival, and the ride-along unit must engage the suspect, the Department member will take every practical precaution available to him/her at the time to prevent injury to their ride-along citizen. The member should consider dropping off the citizen at a safe location, such as a convenience store, then as soon as possible notify dispatch of the location so another unit can respond and pick up the citizen observer;
- 5) A Department member (with a ride-along) shall immediately disengage from the pursuit when another unit becomes available to take over for that ride-along unit; and
- 6) See other criteria listed in **IIIC 2** of this General Order.
 - e. Police units transporting prisoners shall not engage in pursuit activities, including the initiation of a pursuit.
 - f. There shall be no pursuit originating from observed traffic-related offenses only.
 - g. There shall be no pursuit in such instances (i.e. misdemeanor assaults, fights, etc.) when it becomes apparent that the fleeing suspect may become a danger to public safety only because they are fleeing the primary member.
 - h. While acknowledging that any vehicle pursuit has certain inherent dangers, the decision to continue a pursuit must be constantly evaluated by the member(s) and the supervisor involved.
5. Supervisors may authorize pursuits, in limited circumstances, that do not otherwise conform to policy. This may be done only in situations when the officer initiating the pursuit and the Supervisor can articulate exceptional factors which demonstrate that public safety is best served by the initiation/continuation of the pursuit.

B. Geographic Considerations of a Pursuit:

1. The initiating pursuit officer may pursue to the geographical boundaries of the City of St. Joseph.
2. A pursuit may proceed beyond the boundaries of the City of St. Joseph only with the approval of the on-duty supervisor.

C. Termination of a Pursuit: (See Also Pursuits into Other Jurisdictions Below)

1. Pursuits may be terminated by the pursuing member(s), any Field Supervisor, the Watch Commander, the Division Commander, or the Chief of Police. When the order to terminate by a supervisor has been given, the pursuing member(s) shall immediately discontinue traveling in the direction of the fleeing vehicle, and will cease all further attempts to follow, observe, apprehend, etc. the fleeing vehicle. The officer will advise the supervisor of their location at the time of

termination, and the supervisor will direct the officer to a location to meet. The supervisor shall view the dash cam recorder, if available, to determine if it needs to be flagged for evidence and to receive a briefing of the pursuit. All necessary reports will be filled out as defined in III-H of this order.

2. Existing circumstances and conditions shall be considered when deciding whether to abandon a pursuit, including, but not limited to:
 - a. Seriousness and type of offense committed by the suspect(s);
 - b. Speeds of vehicles involved;
 - c. Lack of backup;
 - d. Known suspect(s): Has the suspect's identity been established to the point that later apprehension can be accomplished and there is no need for immediate apprehension at the present risk to public safety;
 - e. Juveniles in the pursued vehicle;
 - f. Loss of reliable radio communication;
 - g. Non-sworn persons present in a pursuing vehicle;
 - h. Adverse weather conditions;
 - i. Adverse road conditions;
 - j. Unfamiliar with the area;
 - k. Heavy vehicle or pedestrian traffic;
 - l. The pursued vehicle's location is no longer known;
 - m. The distance between the pursuit vehicle and fleeing vehicle is so great that further pursuit is futile; and
 - n. When a member is involved in a personal accident or accident involving another vehicle.

D. Vehicle Operations and Tactics During a Pursuit:

1. Emergency vehicles in pursuit shall comply with procedures as described under Section **II.B** and **II.H** of this General Order, in addition to the following:
 - a. Pursuing members should keep a safe distance from the suspect and attempt to keep the vehicle in sight until the suspect stops.
 - b. Emergency vehicles should keep a safe distance apart, particularly at intersections, to avoid collisions.
 - c. Department policy pertaining to the use of deadly force shall be adhered to during the pursuit.
 - d. A member shall not discharge his/her firearm at or from a moving vehicle even when fired upon unless it can be reasonably and justifiably documented that the action was immediately necessary to prevent death or serious bodily injury to such member or other innocent persons. Members should be aware that innocent persons or hostages may be occupants of the fleeing vehicle.
 - e. A member may not intentionally use his/her police unit to bump or ram the suspect vehicle in order to force the vehicle to stop, unless the use of deadly force would be authorized.
 - f. Members may use Department issued "Stop Strips" in order to slow down or stop a fleeing suspect vehicle in accordance with SO0004 "Tire Deflating Devices".

- g. Members may use StarChase pursuit reduction technology to affix a GPS tracking projectile/tag to a suspect vehicle in order to track and later apprehend a fleeing suspect in accordance with SO1802 “StarChase Pursuit Management System”.
- h. When aerial support is available, and with supervisor authorization, officers may briefly pursue a suspect vehicle until an air unit can locate and take over the pursuit (See also III.A.5).
 - 1) The pursuing officer and authorizing supervisor shall continuously evaluate the danger to the community against the need to apprehend the suspect.
 - 2) These brief pursuits may be terminated at any time by the involved officer(s) or the authorizing supervisor.
 - 3) Once the air unit identifies the fleeing vehicle the pursuing officer will break off and let the air unit continue the pursuit.
 - 4) Officers shall position themselves based upon updates from the air unit as to the current location of the suspect vehicle. In these limited circumstances shadowing and paralleling will be authorized but those units doing so will be designated by the authorizing supervisor. Any unit shadowing or paralleling will do so only after notifying and receiving specific permission to do so from the authorizing supervisor.
 - 5) Those units shall make every effort to reposition themselves while being out of sight of the suspect vehicle and shall obey all traffic laws unless operating as an emergency vehicle while doing so.
 - 6) The air unit will advise officers when the suspect vehicle has stopped or is in a location where it can be approached and/or blocked in.
 - 7) Officers are not restricted from deploying spike strips or a StarChase tag during the initial pursuit or while the air unit is tracking the vehicle. All such deployments shall comply with SO0004 “Tire Deflating Devices” and SO1802 “StarChase Pursuit Management System” respectively.
- i. Controlled Access Highways: Members shall not pursue suspects in the wrong way on interstates, controlled access highways, or divided roadways. Members may proceed on a parallel course.
- j. Caravans: No more than two police vehicles (not including a supervisor’s unit) will become actively involved in a pursuit. Instances involving a pursued vehicle occupied by multiple assailants or pursuits involving armed suspects may necessitate the use of more than two pursuing police vehicles in order to adequately provide for officer safety at the conclusion of the pursuit. Other members may become involved in a pursuit at the direction of the controlling supervisor/commander.
- k. Shadowing: Shadowing or taking a parallel course by a member not directly involved in the pursuit is prohibited, unless specifically directed by a Field Supervisor.

- l.** Passing: Any attempt to pass other police vehicles involved in a pursuit will be made only when deemed safe and only with specific permission from the unit to be passed. Permission is to be sought and acknowledged one passing at a time. Officers driving the passing vehicle will identify which side of the overtaken vehicle they will pass.
- m.** Roadblocks/Forcible Stopping: Members shall receive training reference agency-authorized roadblocks and other forcible stopping techniques (See also SO0004 “Tire Deflating Devices”). Roadblocks must be authorized and canceled by a Field Supervisor or Commanding Officer. A supervisor will respond to the scene of any roadblock and direct operations unless extenuating circumstances prevent response. The following criteria must be met:
 - 1)** The person fleeing is suspected in the commission of a felony;
 - 2)** The suspect is creating an immediate and continuing threat to life;
 - 3)** Other methods of apprehension have failed;
 - 4)** The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a complete stop;
 - 5)** The roadway shall not be completely blocked with police vehicles or other obstructions except in deadly force situations;
 - 6)** Firing upon a vehicle from a stationary position is not permitted, except for those situations outlined in section II.D.1.d. of this order.
 - 7)** Any roadblock or attempted roadblock meets the same reporting and administrative review requirements as those set for vehicle pursuits.

E. Pursuit Duties and Responsibilities:

- 1.** Upon initiation of a pursuit, the primary unit shall relay the following information to the Communications Dispatcher:
 - a.** Location, speed, and direction of travel of the fleeing vehicle;
 - b.** Arrestable offense supporting the decision to pursue;
 - c.** Information on suspect vehicle and occupants; and
 - d.** Directional information should be transmitted regularly, or when the suspect vehicle changes direction.
- 2.** The primary unit shall also continuously update the Communications Dispatcher when other factors of the pursuit change. (i.e. speeds change, vehicular and pedestrian traffic amounts change, occupants “bail” from suspect vehicle, etc.)
- 3.** If a secondary unit becomes involved in a pursuit, this secondary unit will take over the responsibility of updating the Communications Dispatcher for the primary unit, allowing the primary unit to devote full attention to driving. The secondary unit must be a marked police unit, unless such a unit is not available. Secondary units must conform to the definition of an emergency vehicle. The secondary unit will take up a position to the rear of the primary unit, maintaining visual contact.

4. Communications Dispatcher Responsibility:
 - a. Immediately upon notification of a pursuit in progress, the Communications Dispatcher shall :
 - 1) Clear the channel on which the primary unit is operating for pursuit traffic only;
 - 2) Notify the primary unit's Field Supervisor or Commanding Officer;
 - 3) Recognize and assign the primary unit for documentation;
 - 4) Recognize and assign the secondary unit for documentation;
 - 5) Monitor the pursuit and relay all information to the units involved in the pursuit and the field supervisor until the pursuit is terminated;
 - 6) Ensure that relevant records checks and motor vehicle checks are done for the units; and
 - 7) Coordinate assistance under the direction of the field supervisor.
 - b. Communications personnel do not have the authority to terminate a pursuit; however, they have the responsibility of relaying information of which they are aware, which may affect a decision by a supervisor to either terminate or continue a pursuit.
5. Field Supervisor Responsibility: Immediately upon notification of the pursuit, the Field Supervisor shall:
 - a. Acknowledge and assert command of the pursuit by radio communication with the Communications Center.

NOTE: Pursuit Command does not prevent the termination of the pursuit by the pursuing member, any other Field Supervisor, Watch Commander, Division Commander or the Chief of Police.
 - b. Ensure that the radio channel is cleared for emergency traffic only;
 - c. Ensure that no more than the required/necessary units are involved;
 - d. Verify that only marked patrol units are in pursuit or that proper units are en-route to take over the pursuit;
 - e. Monitor the incoming data reference continuing or terminating the pursuit;
 - f. If the pursuit is allowed to continue, determine and/or approve any alternative tactics, and maintain control until the pursuit is terminated or completed; and

F. Pursuits into Other Jurisdictions:

1. State law provides that law enforcement officers may exercise their powers outside their jurisdictional limits when a request has been received from that jurisdiction or when in fresh pursuit of a fleeing suspect. (RSMo, Section 544.155)
2. Upon leaving the City of St. Joseph, the primary unit shall notify the Dispatcher.
3. The Communications Dispatcher shall immediately notify the Field Supervisor that the pursuit is proceeding outside the City, and shall establish contact with law enforcement agencies that have jurisdiction in the area of the pursuit.

4. Pursuits that continue outside the City shall be authorized by, and may be terminated by, the Field Supervisor.
5. Upon approval of the continued pursuit, responsibilities shall be:
 - a. The Communications Dispatcher shall immediately notify the primary unit and continue to relay information between all units and agencies involved in the pursuit.
 - b. The Field Supervisor should request assistance from the assisting agency, if practical.
 - c. The Field Supervisor shall closely monitor the pursuit and coordinate operations with other law enforcement agencies through the Communications Dispatcher.
 - d. As soon as practical, the primary unit shall allow any assisting agency's unit to become the primary unit, and shall then become the secondary unit.
 - e. If the assisting agency responds with a secondary unit, the St. Joseph units shall proceed as directed by their own Field Supervisor. (It is recommended that one St. Joseph unit continue to the point of termination, unless otherwise requested by the assisting agency).
 - f. In the event of the capture of the suspect, the Field Supervisor shall proceed to the termination point, if practical, and ensure that St. Joseph units and any assisting agencies receive information and additional assistance that may be needed.
 - g. Should written reports be requested, by the affected agency, reports shall be completed at the St. Joseph Police Department before the member's duty shift is completed. These reports shall not be submitted until approved by a St. Joseph Police Department Supervisor.
 - h. Suspect vehicles may be pursued into another state on felony cases only.
 - i. Within the State of Missouri, a suspect apprehended in another jurisdiction may be returned to the St. Joseph/Buchanan County Law Enforcement Center for booking. This shall depend upon whether or not the outside agency desires to file its own related charges on the suspect, first.
 - j. Outside the State of Missouri, the suspect shall be booked into the jurisdiction in which the arrest was made and warrants requested.
 - k. Vehicle pursuits may not be initiated outside St. Joseph City limits unless a St. Joseph police officer has been officially requested to be in the jurisdiction on a mutual aid basis.

G. Pursuits in St. Joseph from another Jurisdiction:

1. Officers of the St. Joseph Police Department may assist in the pursuit at the request of the originating agency.
2. A Field Supervisor shall immediately approve or deny assistance. If approved, the Field Supervisor shall ensure that an approved pursuit is conducted using the guidelines established in this General Order insofar as practicable.
3. A Communications Dispatcher will assign St. Joseph units as directed by the Field Supervisor.

4. The Communications Center will maintain contact with the agency initiating the pursuit and will relay information between both agencies.
5. The Field Supervisor may terminate St. Joseph involvement at any time during the pursuit, but may direct St. Joseph units to assist in the capture of the suspect upon completion of the pursuit by the outside agency.

H. Report and Review Process:

1. Primary Officer:

- a. The initiating officer will prepare the original report regarding the pursuit and ensure the following details are included:
 - 1) Reason for pursuit;
 - 2) Route taken, including speeds attained and traffic violations committed by the suspect during the pursuit, including any relevant roadway conditions affecting the pursuit (weather, traffic, pedestrians, etc);
 - 3) Suspect vehicle description;
 - 4) Identification of all occupants of suspect vehicle, if available; and
 - 5) Final disposition of pursuit and charges for which suspect was arrested.
- b. The primary officer will turn in his/her original report to his/her supervisor, along with all other reports, including the Mobile Video Recording Request, which he/she may have regarding the pursuit.
- c. Any other officer participating in, or having additional information regarding the pursuit, shall complete a supplemental information report and forward such reports to his/her supervisor.

2. Field Supervisor:

- a. The Field Supervisor shall ensure that complete reports are made of the pursuit by all members involved, including the justification for the initiation, continuation, or termination of each pursuit by the field supervisor; and
- b. The Field Supervisor shall ensure that all related reports are forwarded to the appropriate Watch Commander, Division Commander, and the Professional Standards Officer.

3. Report Review:

- a. The Professional Standards Officer will review all reports related to a pursuit. If he/she believes that Department policy and/or procedures were violated, the Chief of Police shall be notified. The Chief of Police may direct additional investigation and/or convene a Pursuit Review Panel at his/her discretion.

4. Review Panel

- a. The review panel is an official debriefing and review of the facts surrounding a pursuit incident. The panel will determine the appropriateness of the pursuit taking into consideration all available facts. This internal review process will ensure compliance with the law and current policy while also serving to promote understanding and

awareness regarding police pursuits. Because disciplinary action may result, protocol for interviewing personnel that may receive discipline shall be followed.

- b. The panel shall consist of the primary officer's Division Commander, Watch Commander, the on-duty Field Supervisor at the time of the pursuit and any other Department personnel the Chief of Police or his/her designee deems pertinent for the review process. In the event the Division Commander, Watch Commander or Field Supervisor were involved in and/or authorized the pursuit an additional Department Supervisor, of equal rank, shall also sit on the panel.
- c. Involved or authorizing Division Commanders, Watch Commanders and Field Supervisors shall sit on the review panel to provide an overview of the justification for the pursuit. They may be questioned on their role and responsibility for allowing the pursuit. When deliberations begin they may make recommendations to the panel regarding the actions of subordinate personnel. However, when deliberations regarding their involvement begin they will be excused from the panel and their alternate Department Supervisor shall serve in their place.

I. Annual Analysis:

- 1. Pursuits: The St. Joseph Police Department shall conduct an annual, written analysis of incidents involving vehicle pursuits. This written analysis may reveal patterns or trends that indicate training needs and/or policy modification. The Professional Standards Officer will prepare this analysis each year. The analysis will contain information from the preceding year.
- 2. Policy: Members of the Police Department, to include the Professional Standards Officer and the Policy Compliance Manager, shall conduct a documented annual review of the pursuit policy and associated reporting procedures. If changes are deemed necessary, with the Chief's approval, the Policy Compliance Manager will make such changes and distribute accordingly.

Chris Connally, Chief of Police

Date