



## Vehicle Pursuits

### .01 Policy

It is the policy of the Bladensburg Police Department to protect lives while enforcing the law. In addition, it is the responsibility of the Bladensburg Police Department to guide its officers in the safe and reasonable performance of their duties. To accomplish these goals, the following policy is provided to control and regulate the manner in which emergency vehicle operations are undertaken and performed. When engaged in emergency vehicle operations in the performance of official duties, drivers of authorized emergency vehicles are granted exemptions, by statute, from certain traffic laws. These exemptions are provided to help protect lives, not to place them at undue risk.

### .02 Terms

**Pursuit:** A process by which a police officer initiates a vehicular stop and a driver resists the signal or order to stop, increases speed, takes evasive action and/or refuses to stop the vehicle. Once the driver refuses to obey the police officer's signal or order, this pursuit policy and procedure will determine the officer's and agency actions.

**Termination of a Pursuit:** A pursuit shall terminate when the pursuing officer(s) turn-off the emergency equipment, resume routine vehicle operation and informs dispatch, or when the suspect vehicle stops.

**Marked Unit:** A police vehicle which prominently displays by its markings that it is an emergency police vehicle, and which is equipped with a siren and roof mounted emergency light.

**Marked Unit:** A police vehicle which prominently displays by its markings that it is an emergency police vehicle, and which is equipped with a siren and roof mounted emergency light.

**Unmarked Unit:** An emergency police vehicle which does not display visible police markings, but is equipped with a siren and visible emergency lights in the grill, rear deck, dashboard, or temporarily mounted to the roof of the vehicle, or a combination of these lights

**Emergency Lights:** Some form of flashing or oscillating light, blue, white, and/or red in color, conforming to the Maryland Transportation Article

requirements for emergency vehicle lighting on police vehicles.

**Pursuit Supervisor:** The on duty supervisor of the primary pursuit unit or senior officer who may assume control of the pursuit.

**Primary Pursuit Unit:** The marked police vehicle which is closest to the fleeing vehicle. This unit is at the start of the pursuit, the unit initiating the pursuit. During the course of the pursuit, the primary unit could change because of mechanical or other difficulties experienced by the initiating unit, or because of operational tactics employed to apprehend the fleeing person.

**Secondary Pursuit Unit:** The marked police vehicles assigned to assist the primary pursuit unit by remaining in close proximity to the primary pursuit unit and the fleeing person. There is normally no more than one secondary pursuit unit.

**Infraction:** Violation of a county or municipal ordinance.

**Misdemeanor:** A crime less serious than a felony. In Maryland, traffic offenses are misdemeanors.

**Non-Violent Felony:** A crime declared a felony by statute because of the punishment imposed.

**Violent Felony:** Murder, Rape, Robbery by Firearm, First Degree Assault by Firearm.

**Channeling:** To direct vehicle traffic into a progressively narrowing passageway or lane location on the roadway.

**Forced Stopping:** The intentional maneuvering of a police vehicle in close proximity to a fleeing vehicle, or to contact the fleeing vehicle, in order to force it to stop.

**Stationary Roadblocks:** Devices used to prevent movement of vehicles past a point on the roadway where the roadblock is constructed. The roadblock could be in the form of vehicles or barrier devices of any sort. Agency policy prohibits the use of roadblocks.

**Traffic check points:** Used to gather information or screen passing vehicles are not considered roadblocks under this policy.

**Rolling Roadblock:** A technique designed to stop a fleeing vehicle by surrounding it with pursuit

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vehicles and intentionally slowing until stopped. Agency policy prevents the use of roadblocks.

**Paralleling:** Maintaining a course which approximates that of the fleeing vehicle, but on another roadway. Paralleling may occur a considerable distance from the fleeing vehicle's location with the intent of being in a position to intercept the fleeing vehicle's course should it turn toward the paralleling unit.

### .03 Governing Legislation and Reference

Governing Legislation:

Maryland Transportation Article.

Reference:

General Order 311, Response Classifications and Guidelines..

Forms:

Vehicle Pursuit Report (Form 608).

Case Report (automated).

### .04 Procedure

#### A. Pursuit Considerations

Pursuit is justified when:

- police officer has probable cause to believe the vehicle operator has committed a violent felony or non-violent felony. Explicit supervisory authorization is required for a non-violent felony;
- a vehicle operator fails to stop after being given a visual or audible signal to stop by a police officer, and,
- there is reasonable expectation of a successful apprehension of the suspect.

Factors to be considered:

- the initial decision to engage in a pursuit shall rest primarily with the officer who has initiated the vehicle stop, after considering the elements of this policy;
- these elements shall include, but are not limited to: the crime for which the suspect is wanted (the need to apprehend immediately), and the risk to the community created by the pursuit (traffic, area of pursuit, environmental factors, and weather conditions);
- the officer must continually consider the risks created by the pursuit, as those risks may change during a pursuit;

- terminating a pursuit shall be considered a decision made in the interest of public safety; and,
- the officer's decision to continue a pursuit may be overridden by a supervisor at any time.

Standards applied to the evaluation of a pursuit, as well as the decision to continue a pursuit shall include the following:

- is the need to immediately apprehend the suspect more important than the risk created by the pursuit?
- do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape?

#### B. Procedures and Tactics for an Officer Engaging in a Pursuit

Pursuits of recreational vehicles, such as bicycles, mopeds, dirt bikes, motorcycles, three or four-wheel all terrain vehicles (ATV), and the like present extraordinary danger to the operator and public. Pursuits are therefore prohibited.

Emergency vehicles shall be driven in a safe manner and with due regard for public safety.

Emergency vehicles operating in emergency mode are permitted to violate certain traffic regulations when necessary, as long as the operator continues to exercise due care in vehicle operation.

Members shall also comply with the provisions of Transportation Article Section 21-106, titled Emergency Vehicles. The driver of an emergency vehicle may:

- park or stand without regard to the other provisions of this title;
- Pass a red or stop signal, a stop sign, or a yield sign, but only after slowing down as necessary for safety;
- exceed any maximum speed limit, but only so long as the driver does not endanger life or property;
- disregard any traffic control device or regulation governing direction of movement or turning in a specified direction; and,
- be aware that this section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

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Only marked vehicles will engage in pursuit as a primary or secondary unit, except when the initiating unit is an unmarked vehicle. If the pursuit is initiated by an unmarked vehicle, a marked unit will replace it as soon as practical. Civilian, unmarked, or vehicles without emergency lights or siren will not be used for pursuit in any circumstance.

The number of vehicles involved in a pursuit will be limited to the primary and secondary units.

No vehicle containing a passenger who is not a police officer will engage in a pursuit.

The pursuing vehicle shall be known as the primary unit, which will be the unit closest to the fleeing vehicle and the secondary unit, which shall remain at a safe distance behind the primary unit, but close enough to provide support and communicate with dispatch. Backup units as needed shall operate at a safe distance to provide support.

Units involved in the pursuit will not pass each other except for some specific planned purpose. Each unit involved in the pass should be aware of the other's intentions, and the pass should be coordinated verbally over the radio. This section does not prevent or preclude a pass required because of safety requirements necessitated by unexpected movements of any vehicle.

Radio transmissions from all units other than the secondary pursuit unit will be kept at a minimum. Normally, all units will maintain radio silence unless acknowledging transmissions from the secondary unit, dispatcher, or a supervisor.

No officer will intentionally make vehicle-to-vehicle contact.

Roadblocks, channeling techniques, creating a compelling path, and stop sticks are prohibited.

In cases involving wrong-way drivers, parallel pursuits will be used.

### C. Responsibilities of the Primary Unit

The driver of the primary unit shall notify dispatch of the pursuit and shall provide at least the following critical information to dispatch:

- Unit designation;
- Offense for which the suspect is being pursued;

- Suspect vehicle description, including license number if reasonably possible;
- Location, direction, and speed of both vehicles;
- Description of occupant(s) and if suspect is known to officer; and,
- Any other important information about the suspect vehicle or environment (for example: suspect is traveling without lights, officer loses sight of vehicle, etc.).

### D. Supervision of Pursuit Activities

A supervisor or command officer will assume supervisory control of all pursuits. The primary responsibility for supervisory control is that of the shift supervisor.

Based on the known information, the supervisor shall make the decision to either take further appropriate action or terminate the pursuit.

The supervisor controlling the pursuit will ensure that agency rules, policy, and procedures are followed during the pursuit. The supervisor will limit the number of vehicles involved in the pursuit to primary and secondary units.

In making the decision concerning the number of backup units to allow, the supervisor will consider such factors as:

- The number of occupants in the fleeing vehicle;
- The crime for which they are pursued;
- The known or probable weapons available to the fleeing suspects; and,
- Such other information as may help assess the danger posed by the fleeing suspects when they are finally stopped.

Supervisors must evaluate the nature of the pursuit:

- The fleeing person and the offense for which he or she is wanted;
- The pursuing officers' skill;
- The nature of the roadways upon which the pursuit is being conducted;
- The weather and time of day as it may affect the pursuit;
- The character of the neighborhoods through which the pursuit is proceeding, or may proceed; and,

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- Any other condition or circumstance which may affect the safety of the pursuit.

If at anytime the supervisor determines that the danger posed by the pursuit is greater than the danger posed by the fleeing person, the supervisor will terminate the pursuit.

A notification will be made to the chief of Police when a pursuit is of an unusual or newsworthy nature, results in property damage or injury, an unusually large number of pursuit vehicles involved, a pursuit involving multiple jurisdictions, or an unusual arrest as a result of the pursuit.

### E. Dispatch Responsibilities

Based on the known information, the supervisor shall make the decision to either take further appropriate action or terminate the pursuit. The dispatcher will make, or cause to be made, an immediate notification of the pursuit to the shift supervisor and Chief of Police.

In cases where the dispatcher receives a notification of a pursuit in a neighboring jurisdiction that is anticipated to enter Bladensburg, the dispatcher will obtain all relevant information concerning the pursuit and immediately notify the shift supervisor.

Dispatchers will immediately relay all information regarding a request for assistance in a pursuit from another jurisdiction to the shift supervisor. The shift supervisor will make the decision as to whether Bladensburg units should engage in the pursuit.

### F. Factors influencing the Termination of a Pursuit

The driver of the primary unit and the supervisor shall continually evaluate the risks and likelihood of a successful apprehension of the suspect, and shall terminate the pursuit when:

- The conditions of the pursuit become too risky for the safe continuation of the pursuit;
- A supervisor orders it terminated;
- Information is communicated that indicates the pursuit is out of compliance with policy;
- Communication is broken;
- Visual contact is lost for a reasonable period of time or the direction of travel cannot be determined; or,

- The suspect is known and could be apprehended later, and to delay apprehension does not create a substantial known risk of injury or death to another.

### G. Interjurisdictional Pursuit

#### **Pursuits initiated by Bladensburg officers**

Bladensburg police officers are prohibited from entering another state or the District of Columbia, except upon explicit supervisory approval in violent felony pursuits.

Arrests made in another state or the District of Columbia are governed by extradition procedures.

Bladensburg police officers are permitted to continue a pursuit outside Bladensburg while within Prince George's County. However, may not leave Prince George's County without explicit supervisory approval in violent felony pursuits.

Arrests made in other Maryland jurisdictions may be returned to Bladensburg without further legal process.

Requests by the arrest jurisdiction to take custody of arrested person(s) will be evaluated by a supervisor and approved only if it will not jeopardize the Bladensburg case, or the Bladensburg case is not significant when compared with the case in the arrest jurisdiction.

The primary unit, before leaving its jurisdiction, shall update critical information to the dispatcher.

Once outside of Bladensburg, Bladensburg units will abandon the pursuit as they are replaced by units from the entered jurisdiction.

Upon receiving notification that the pursuit is entering another agency's jurisdiction, the dispatcher shall forward all critical information possessed by the dispatcher to that agency.

#### **Pursuits initiated by other agency**

Whenever a request is received by the Bladensburg Police Department to assist in the pursuit of a person who is fleeing from another law enforcement agency, the shift supervisor will evaluate the request in the light of this entire policy. The fact that another jurisdiction has already joined the pursuit does not relieve Bladensburg police personnel from any of the requirements of this policy.

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### H. Air Support

Once contact is made with air support and air support has the suspect vehicle in sight, the pursuit unit(s) shall reduce the level of pursuit to that of support or a backup unit.

### I. Care and Consideration of Victims

The care for human life exceeds the need to capture a fleeing person. Therefore, the primary pursuit unit will be responsible for ensuring that assistance is provided to people who may have been injured during the course of a pursuit. The primary pursuit unit may delegate the responsibility to render assistance to a specific support or backup unit when they are immediately available to render assistance.

### J. Risk Assessment

Individual officers as well as individual agency vehicles have different levels of performance. The decision to abandon a pursuit must be considered in light of these individual factors. No officer should feel compelled to continue a pursuit when personal and/or vehicle limitations would be exceeded.

### K. Pursuit Report

The primary officer and the supervisor shall file a pursuit report. The report must contain the following elements:

- The reason(s) for, and the circumstances;
- Surrounding the incident;
- The alleged offense;
- the length of the pursuit including time and distance;
- The outcome of the pursuit;
- Any injuries or property damage resulting from the incident; and,
- Any pending criminal charges against the driver.

### L. Evaluation and Critique

For all significant pursuit incidents, involving more than one unit, high rates of speed, injuries, or other unusual circumstances, an incident report will be completed by the officer who initiated the pursuit. The shift supervisor will ensure that this report is completed for any pursuit he views as significant. In addition, for a pursuit involving more than one pursuit unit, there will be an after-action critique.

For all critiques, where training or policy questions are identified, there will be an after-action report generated. The report will describe the pursuit and discuss tactics, procedures, and policies which worked well, and those which need improvement. This report is the responsibility of the shift supervisor who is on duty at the time the pursuit begins. The shift supervisor will also arrange for and moderate the after-action critique. The report will be submitted to the Chief of Police.

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HISTORY: Adopted July 1, 2012

This General Order supersedes all other orders and memoranda in conflict therewith.

Authority:

A handwritten signature in black ink, appearing to read "Charles L. Owens". The signature is written in a cursive style with large, looping letters.

Charles L. Owens  
Chief of Police