

	ANDOVER POLICE DEPARTMENT GENERAL ORDER		Number: O2103
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			Distribution: All
Title: VEHICULAR PURSUITS		Section: Organization	
Issued: 06/08/2010	Effective: 06/16/2010	Revised: 9/19/2016	
Rescinds: All Previous		Amends:	
CALEA References: 41.2.2			
Review: Semi-Annual	Authority: Chief Michael A. Keller		

I. Purpose

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

II. Policy

Vehicle pursuits present hazards and risks that can be life threatening and should be conducted only in accordance with the provisions of applicable law and Andover Police Department General Orders. While it is the duty and responsibility of Department personnel to apprehend offenders, officers should use discretion in selecting the pursuit techniques applied. Officers should also continuously use discretion in evaluating the benefit of immediate apprehension compared to the risk of property damage or personal injury to the pursuing officers and the general public. Ultimately, each pursuit will be judged upon reasonableness of participant's actions. The Department will make every effort to provide continuing training regarding this General Order.

III. Definitions

- A. Vehicular Pursuit:** An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.
- B. Emergency Vehicle:** An authorized law enforcement vehicle, used for emergency response situations, equipped with emergency lights, siren and other emergency warning devices required by K.S.A. 8-1738 and K.S.A. 8-1720.
- C. Emergency Warning Devices:** Devices placed in/on each agency emergency vehicle that emit audible or visual signals in order to warn others that law enforcement services are in the process of being delivered.
- D. Primary Unit:** The police vehicle that initiates a pursuit, or any police vehicle which assumes control of the pursuit.
- E. Secondary Unit:** Any police vehicle that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

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IV. Regulations

- A. When engaged in pursuit, officers shall not drive with reckless disregard for the safety of other road users and will follow all laws related to the operation of an emergency vehicle [C].
- B. Pursuits shall be terminated if the suspect's identity has been determined and immediate apprehension is not necessary to protect the public or officers [C].
- C. Officers engaged in pursuit will terminate the pursuit when directed to do so by a supervisor, a secondary pursuit unit or any other officer monitoring the pursuit [C].
- D. Pursuits will be terminated when the immediate danger to the officer and the public created by the pursuit is greater than the immediate or potential danger to the public should the suspect remain at large [C].
- E. Officers will not attempt to pass other units involved in a pursuit unless the passing officer receives specific permission from the primary unit or the primary unit becomes disabled [C].
- F. No more than two law enforcement vehicles will become actively involved in a pursuit, unless specifically directed otherwise by a supervisor [C].
- G. Police vehicles that have prisoners, witnesses, suspects, complainants, or other non-police personnel aboard who have not signed a waiver of liability should not become engaged in pursuits [C].
- H. When a pursuit is terminated, officers will not continue to follow the pursued vehicle absent exigent circumstances involving a danger/threat of death or serious bodily injury [C].

V. Procedures

A. Initiation of a Vehicular Pursuit

1. The decision to initiate a pursuit 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 (41.2.2a).**
2. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when properly directed to do so. Pursuit may also be justified if the officer reasonably believes the suspect, if allowed to flee, would present a danger to human life or cause injury.

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3. In deciding whether to initiate pursuit and when to continue a pursuit, the officer shall strictly adhere to the Decision Matrix Grid absence exigent circumstances (41.2.2a).
4. Information that is not known to the initiating officer cannot and will not be used in the determination to initiate and/or continue a pursuit (41.2.2a).

B. Pursuit Operations

1. All emergency vehicle operations shall be conducted in strict conformity with applicable traffic laws and regulations (41.2.2b).
2. Upon engaging in pursuit, the pursuing vehicle(s) shall activate appropriate warning equipment (41.2.2b).
3. Upon engaging in a pursuit, the primary officer shall notify Communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The officer shall keep Communications updated throughout the pursuit (41.2.2b).
4. Unless circumstances dictate otherwise, a pursuit shall consist of no more than two law enforcement vehicles, a primary and a secondary unit. All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.
5. The primary pursuit unit shall become secondary when the fleeing vehicle comes under air surveillance or when another unit has been assigned primary responsibility.
6. The secondary unit(s), upon joining the pursuit, will immediately notify Communications (41.2.2c).
7. Secondary unit(s) will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required, and assume radio communications so the primary unit can devote full attention to driving (41.2.2c).
8. If the primary unit becomes disabled, the secondary unit will become the primary unit and the supervisor will designate a secondary unit if available (41.2.2c).

C. Supervisory Responsibilities (41.2.2f)

1. When made aware of a vehicular pursuit, the on-duty supervisor, unless relieved by a higher ranking officer, shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used, and shall have the discretion to terminate the pursuit.
2. When possible, a supervisory officer shall respond to the location where a vehicle has been stopped following a pursuit.

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D. Communications Responsibilities (41.2.2e)

1. The Communications Officer will transmit available information pertinent to the pursuit to other police units.
2. The Communications Officer will immediately notify the on-duty patrol supervisor.
3. The Communications Officer will advise pursuit vehicles of any known or potential hazards in the path of the pursuit such as accidents, street closures, etc.
4. If it becomes evident the pursuit might cross into another jurisdiction having a different radio frequency, the Communications Officer will ensure the appropriate jurisdiction is aware of the pursuit.
5. Communications Officers should document all relevant information provided by the officer including, but not limited to, reported traffic violations, speeds of the suspect and the officer, location, traffic collisions, etc. The documentation should be documented in CAD as it occurs.
6. Communications Officers should limit their radio traffic to a minimum so as to not interfere with the radio traffic of the field units.

E. Pursuit Tactics

1. Officers shall not normally 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.
2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall disengage when a marked unit becomes involved (41.2.2d).
3. All intervention tactics short of deadly force, such as tire deflation devices, low speed tactical intervention techniques, and low speed channeling (with appropriate advanced warning) should be used when it is possible to do so in a safe manner and when the officers utilizing them have received appropriate training in their use.
4. Decisions to discharge firearms at or from a moving vehicle, or to use roadblocks, shall be governed by this Department's General Order on the Use of Force and are prohibited if they present an unreasonable risk to others. If used, they should first be authorized, whenever possible, by a supervisor.
5. Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall be aware for the necessity to utilize only reasonable and necessary force to take suspects into custody.

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F. Termination of the Pursuit

1. The primary pursuing unit shall continually re-evaluate and assess the pursuit situation including all of the initiating factors 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 (41.2.2g).
2. The pursuit may be terminated by the primary pursuit unit at any time and for any or no reason. Officers in primary units who terminate a pursuit can do so without justification and without explanation (41.2.2g).
3. A supervisor may order the termination of a pursuit at any time (41.2.2f, g).
4. The secondary pursuit unit, or any officer monitoring the pursuit, regardless of rank, may order the termination of the pursuit at any time (41.2.2g).
5. If vehicle contact is lost, other than momentarily, the pursuit should be terminated.
6. When a pursuit is terminated:
 - a. Officers will turn off emergency equipment and drive according to city ordinance and state law.
 - b. Communications will be notified of the termination.
 - c. Officers involved will promptly acknowledge any order to terminate a pursuit.
 - d. When a pursuit is terminated, officers will not continue to follow the pursued vehicle absent exigent circumstances involving a danger/threat of death or serious bodily injury.

G. Inter and Intarjurisdictional Pursuits

1. The pursuing officer shall notify Communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line.
2. Pursuit into a bordering state shall conform with the law of both states and any applicable inter-jurisdictional agreements and are only permitted in pursuits involving serious felony offenses (41.2.2h).
3. The primary pursuit vehicle shall remain the primary vehicle in other jurisdictions when possible.
4. When a pursuit enters this jurisdiction, the action of officers shall be governed by the policy of each officer's own agency, specific inter-local agreements and state law as applicable (41.2.2h).
5. Officers of this department will not engage in a pursuit initiated by another jurisdiction unless the other jurisdiction requests assistance and a supervisor determines the pursuit is within the guidelines of this General Order (41.2.2h).

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6. Officers may assist officers from other jurisdictions involved in a pursuit entering this jurisdiction by providing directions to the pursuing officers, helping to prevent non-involved traffic from entering the path of the pursuit, and assisting with the apprehension of offenders if the pursued vehicle is stopped within this jurisdiction.

H. After Action Reporting

1. Whenever an officer engages in a pursuit, the officer shall file a written report detailing the circumstances and complete an Andover Police Department Pursuit Field Data Form (APD Form 5) and submit them to their immediate supervisor for review (41.2.2i).
2. The officer's supervisor will enter the Pursuit Field Data Form into the department's early warning system computer program. The officer's supervisor will forward completed reports, Pursuit Field Data Forms and any videos documenting the pursuit to the Operations Commander. The Operations Commander will review the documentation to ensure the pursuit was in compliance with departmental written directives and to identify training issues that need to be addressed (41.2.2i).
3. Annually, the Operations Commander will analyze departmental pursuit activity for the previous year and identify any training needs and additions, deletions or modifications warranted in departmental pursuit procedures. A report on the analysis will be submitted to the Chief of Police (41.2.2j).
4. Annually, the Special Services Commander will review departmental pursuit policies and reporting procedures (41.2.2k).

Rev. 09162016

I. Training

1. Officers who drive police vehicles shall be given initial and periodic update training in the Department's pursuit policy and in safe driving tactics.

(Pursuit Decision Matrix Attached)

**Andover Police Department
Pursuit Decision Matrix**

Nature of Offense	Low Risk*	Moderate Risk*	High Risk*
Violent Felony Offense with Imminent Threat (murder, rape, robbery and aggravated assault)	May pursue: Continue to assess risk	May pursue: Continue to Assess risk	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed
Violent Felony Offense (murder, rape, robbery and aggravated assault)	May pursue: Continue to assess risk	May pursue: Continue to assess risk	May Pursue: Strongly consider risk factors. Discontinue if risks exceed known threat to public safety if capture is delayed
Felony Property and Misdemeanor Crimes (including serious traffic offenses)	May Pursue: Strongly consider risk factors. Discontinue if risks exceed known threat to public safety if capture is delayed	Presumption of termination: Continue only if substantial threat to public safety if capture is delayed which clearly outweighs risk of pursuit	Presumption of termination: Continue only if substantial threat to public safety if capture is delayed which clearly outweighs risk of pursuit
Traffic Infractions	May Pursue: Strongly consider risk factors. Discontinue if risks exceed known threat to public safety if capture is delayed. Rev. 10042012	Termination: Do not pursue unless extraordinary or extreme circumstances exist	Termination: Do not pursue unless extraordinary or extreme circumstances exist

The Andover Police Department Pursuit Decision Matrix shall be used only as a guideline for officers.

***Low Risk**

1. Marked vehicles
2. Straight roads, good surfaces, clear line of sight
3. Few intersections
4. Few or no pedestrians
5. Good weather
6. No hazardous maneuvers by violator
7. Speeds less than 20 mph over the posted limit
8. Officer is calm and in control
9. Lack of special circumstance (i.e. school zones, hospitals, etc.)

***Moderate Risk**

1. Unmarked Vehicles
2. Some intersecting streets
3. Light pedestrian traffic
4. Moderate traffic, little congestion
5. Speeds 20 mph greater than the posted speed limit
6. Officer generally calm, under control
7. Some hazardous, but not extreme maneuvers by violator (i.e. crossing centerline to pass, sudden lane changes)

***High Risk**

1. Frequent intersecting streets
2. Poor weather, slippery streets, low visibility
3. Blind curves, or intersections, narrow
4. Numerous pedestrians
5. Heavy, congested traffic
6. Speed twice posted speed limit, or greater than 80 mph
7. Extremely hazardous maneuvers by violator (i.e. driving against oncoming traffic, failing to stop for red lights)
8. Numerous vehicles in pursuit
9. Officer excited, not in full control of emotions
10. Special circumstances present (i.e. school zones, hospitals, etc.)