



Somerville Police Department 	TYPE: GENERAL ORDER		POLICY NUMBER: 125	
	Subject: Motor Vehicle Pursuit			
	Issuing Authority: David Fallon Chief of Police		Signature:  Effective Date: August 4, 2015	
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Accreditation Standards (5th Edition) 41.2.2, 41.2.3		<input checked="" type="checkbox"/> New <input type="checkbox"/> Revised <input type="checkbox"/> Amended		
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Purpose

The primary purpose of this policy is to secure a balance between the need to protect the lives of the public and the occupants of the pursued vehicle and the obligation of police officers to enforce laws and apprehend violators.

This policy also recognizes that vehicular pursuits do not automatically occur when officers activate their emergency warning equipment in an attempt to effectuate a lawful motor vehicle stop. Motorists occasionally may not immediately see or hear an officer's emergency warning equipment, or may not realize that they are the target of the officers' efforts. Officers may be required to follow a motorist with emergency warning equipment activated for a significant distance before that motorist actually stops the vehicle. Consequently, an officer's lawful attempt to stop a motorist is not considered a vehicular pursuit subject to the requirements and restrictions of this policy unless and until such time as the officer reasonably believes that the motorist is intentionally ignoring the officer or actively attempting to elude the officer.

Policy

As a general rule, pursuits are not recommended or favored when the potential danger to the officer and the general public outweighs the potential advantage of apprehending a fleeing vehicle by such means. Stated simply, pursuits are clearly inappropriate when the pursuit itself endangers life more than the escape of the person pursued. Delay may also be the wiser choice when the subject of the pursuit is known and poses no apparent or immediate threat to the community. Since numerous unique situations arise in law enforcement, it is impossible for this policy to anticipate all possible vehicular pursuit circumstances. Therefore, in unusual situations an officer should use common sense and consult with a supervisor whenever possible.

Definitions

Authorized Police Vehicle: A police department owned motor vehicle, equipped with permanently affixed and operable emergency warning equipment (blue lights and siren), and with clearly marked vehicle unit numbers. This does not include auxiliary vehicles.

Primary Unit: An authorized police vehicle that is the first vehicle behind the pursued vehicle.

Secondary Unit: An authorized police vehicle that is actively involved in the pursuit behind the primary unit as backup.

Patrol Supervisor: An officer of the Somerville Police Department with the rank of Sergeant, or higher, assigned to patrol.

Shift Commander: An officer of the Somerville Police Department with the rank of Sergeant or higher assigned as commander of a patrol shift.

Vehicle Pursuit: An active attempt by an officer, in an authorized police vehicle, with permanently affixed emergency warning equipment activated, to apprehend one or more occupants of another moving vehicle, when the officer reasonably believes that the driver of the other moving vehicle is resisting apprehension by increasing the vehicle's speed, or intentionally ignoring the officer, or otherwise attempting to elude the officer.

Procedure

1. Motor Vehicle Pursuit Guidelines

- A. Authorization must be obtained via radio from the on duty Patrol Supervisor of the Patrol Division before commencing pursuit.
- B. Prior to initiating any pursuit, an officer must consider relevant factors, which may include[41.2.2(a)]:
 1. When the identity of pursued is known to the officer
 2. Speed involved
 3. Volume of traffic
 4. Weather conditions
 5. Road conditions
 6. Location of pursuit
 7. Nature of the charges against the suspect(s)
 8. Pedestrian traffic

9. Police vehicle condition

10. Quality of radio communication

C. Motor vehicle pursuits for the following conditions are prohibited:

1. In condition(s) when the pursuit itself has a higher potential for serious injury or loss of life than does the threat posed by the escape of the suspect.
2. When non-sworn personnel are in the police vehicle, including, but not limited to prisoner, suspects, complainants, witnesses, or civilian ride-a-long.

D. Officers shall immediately terminate a pursuit for the following reasons[41.2.2(g)]:

1. Ordered to by the patrol supervisor or shift commander or any supervisor or their designee (i.e.911 dispatcher).
2. When there is an equipment failure involving the emergency warning equipment, radio, brakes, steering, or other essential mechanical equipment of the police vehicle.
3. When additional information is developed that would decrease the need for immediate apprehension of the subject.
4. No officer or supervisor shall be disciplined for deciding to discontinue a pursuit.

E. The following driving tactics or maneuvers are prohibited during a pursuit: [41.2.2(d)]

1. The pursuing vehicles will not duplicate reckless or hazardous driving maneuvers of the suspect.(i.e. one way streets and off road situations)
2. Ramming or intentional contact of a police vehicle with a suspect's vehicle is prohibited.
3. Passing, overtaking, or boxing in of the suspect's vehicle by police units is prohibited.
4. Motorcycles are strictly prohibited from pursuits.
5. Personal vehicles and unmarked units are strictly prohibited from pursuits.
6. "Soft cars" are strictly prohibited from pursuits.
7. Roadblocks and the forcible stopping of motor vehicles, is strictly prohibited. [41.2.3]

F. The following are general guidelines for pursuits: [41.2.2(d)]

1. Only marked police vehicles with permanently affixed blue lights and siren may engage in vehicle pursuits.

2. Unmarked cruisers may follow without pursuing but shall obey speed limits and control signs and signals and must terminate engagement when a marked cruiser gets involved.
3. Only authorized Somerville Police vehicles will be involved in a pursuit. Typically, a primary unit and a secondary unit. The secondary unit will keep the street supervisor apprised of the situation as it evolves. This includes number of occupants, type of offense, etc.

2. Duties and Responsibilities of Motor Vehicle Pursuit Participants

A. Primary Unit's Duties and Responsibilities – the following are responsibilities of the officer upon initiation of a motor vehicle pursuit: [41.2.2(b)] [41.2.2(i)]

1. Notify dispatch of location, direction of travel, and speed.
2. Provide reason for initiating pursuit.
3. Get permission from the patrol supervisor or the shift commander before initiating pursuit.
4. Provide dispatch with full description of suspect vehicle and occupants(s).
5. Communicate pursuit status as frequently as practicable include speed and driving behavior of the suspect vehicle.
6. Monitor all communications in order to coordinate with other units and receive instruction from the supervisor.
7. Upon termination, notify dispatch of location.
8. File a station report on vehicle pursuit before end of shift. The commanding officer shall document the pursuit via administrative item before the end of the shift. The item should also contain a descriptive narrative of said pursuit.

B. Secondary Unit's Duties and Responsibilities –The following are the responsibilities of the secondary unit involved in the pursuit:

1. Operate vehicle so as to allow for ample reaction time and distance in order to reduce the possibility of an officer-involved accident.
2. The secondary unit shall assume the responsibility for all radio transmissions during the pursuit. This will allow the primary unit to concentrate on the pursuit itself.
3. Immediately terminate pursuit when ordered to.

4. File a station report on vehicle pursuit before end of shift. The commanding officer shall document the pursuit via administrative item before the end of the shift. The item should also contain a descriptive narrative of said pursuit. [41.2.2(c)]

3. Patrol Supervisor's Duties and Responsibilities

The patrol supervisor has responsibility to take control of vehicle pursuits and to terminate/disallow pursuit immediately if danger to the public and or officer(s) outweighs the apprehension of the suspect. The following are the responsibilities of the patrol supervisor:

- A. Assess information from appropriate pursuing vehicle, about the pursuit and evaluate if the pursuit should be terminated/disallowed.
- B. Take control of the pursuit.
- C. Assign a unit to act as a secondary unit.
- D. File a station report on vehicle pursuit before end of shift. The commanding officer shall document the pursuit via administrative item before the end of the shift. The item should also contain a descriptive narrative of said pursuit. [41.2.2(f)]

4. Shift Commander's Duties and Responsibilities

In pursuit situations, command responsibility rests with the shift commander. The following are the responsibilities of the shift commander upon being notified that a pursuit has commenced:

- A. Review and consider as many of the facts of the pursuit as are available, including reason for pursuit and other factors.
- B. Order the termination of the pursuit, when based on all the information available, in the opinion of the shift commander, the danger created by the pursuit outweighs the need for immediate apprehension.
- C. Review any and all reports filed by officers involved in the pursuit for accuracy and completeness. [41.2.2(f)]
- D. The commanding officer shall document the pursuit via administrative item before the end of the shift. The item should also contain a descriptive narrative of said pursuit.

5. All Other Unit's Responsibilities

Only the primary and secondary units will take an active role in the pursuit. All other units will follow the steps below:

- A. Reduce radio transmission to only what is necessary.
- B. Stay in your area unless otherwise assigned by the patrol supervisor or shift commander.
- C. Position yourself, within your area, to assist if the pursuit enters your area.

6. Dispatcher's Responsibilities

The following are the responsibilities of the dispatcher upon being notified that a pursuit has been initiated:

- A.** Immediately notify the shift commander and patrol supervisor.
- B.** Receive and record all incoming information in the pursuit.
- C.** Advise all other units that a pursuit is in progress and to clear the channel for emergency radio traffic only.
- D.** Perform LEAPS and NCIC checks of the suspect vehicle.
- E.** Notify the affected agencies over the radio, and seek their assistance if the pursuit may enter their jurisdiction. Inter- jurisdictional pursuits are strongly discouraged.
- F.** Monitor the pursuit until it has been terminated.
- G.** Notify all units and affected agencies when the pursuit has been terminated. [41.2.2(e)]

7. Multi-Jurisdictional Pursuits

- A.** If an outside agency notifies us of a pursuit entering Somerville or being initiated within Somerville, the notification in and of itself will not be construed as a request to join the pursuit. Officers shall comply with the following guidelines for an inter-jurisdictional pursuit entering Somerville:
 - 1.** Officers shall not become involved without authorization from the patrol supervisor or shift commander.
 - 2.** If authorization is approved, the first unit to join the pursuit shall be designated as the backup unit, and all other department units will discontinue pursuit.
 - 3.** The designated backup unit will terminate any involvement in the pursuit at the Somerville city line unless specifically otherwise authorized by the shift commander. [41.2.2(h)]
- B.** Any pursuit that originates in Somerville and then leaves the city limits shall be guided by the following:
 - 1.** The primary unit shall notify the station that the pursuit is leaving Somerville.
 - 2.** The street supervisor or shift commander may authorize the pursuit to continue beyond the city limits.
 - 3.** Only the primary unit, secondary unit and the patrol supervisor shall continue the pursuit beyond the city limits.

4. All other units will remain in their assigned areas in Somerville. [41.2.2(h)]

8. Administrative Review

The Deputy Chief of Patrol, as long as he/she was not personally involved in the pursuit, will conduct an administrative review of all pursuit reports and submit an evaluation to the Chief of Police. If he/she was involved in the pursuit, the Chief shall designate an individual who was not involved, to conduct the review and submit a report. [41.2.2(i)]

9. Annual Analysis of Motor Vehicle Pursuit Reports

Annually, the Chief of Police will appoint a committee to analyze motor vehicle pursuit reports filed during the preceding year. The committee will identify any needed change(s) to this policy or training needs and file a report to the Chief. [41.2.2(j)]

10. Firearms

- A. The use of firearms shall comply with the Use of Force Policy and the following guidelines:
 1. Officers shall not discharge a firearm from within a moving vehicle.
 2. Discharging a firearm at a moving vehicle by an officer is prohibited, except, to defend him/herself or another, when the occupants of the suspect vehicle are employing deadly force, which the officer reasonably perceives as an immediate threat of death or serious physical injury and the officer reasonably believes that he/she will not endanger innocent person(s).
 3. Shooting at a fleeing vehicle or a vehicle that is going away from the officer and is no longer an immediate threat, is prohibited.
 4. Firing strictly to disable a vehicle is prohibited.
- B. Firearms should not be utilized when the circumstances do not provide a high probability of striking the intended target, or when there is a substantial risk to the safety of other person(s), including the risks associated with a motor vehicle accident.