

10.06
CRAIG POLICE DEPARTMENT
Office of Chief of Police
General Order

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Subject: **Vehicle Pursuits**

Reference CACP STD.90.1- 90.12 &
100.1

To: All Officers

I. POLICY:

By its very nature, pursuit of a person operating a fleeing motor vehicle places the officer, the fleeing suspect, and the public at risk of serious injury or death. As a result all use of force guidelines in General Order 7.02 apply during a pursuit. It is a basic responsibility of Craig police officers to apprehend suspects whenever feasible; however, it is also the duty of every member of this agency to protect all persons' lives as much as possible when enforcing the law. The first choice should always be NOT to pursue, unless the reasons for NOT pursuing are outweighed by the urgency to apprehend the violator. All patrol officers will be provided this General Order through the means described in General Order 1.04

In addition, many of the hazards present during the pursuit of a motor vehicle may also be encountered during the pursuit of a suspect who is using a mode of transportation other than a motor vehicle, such as a bicycle. Therefore, this policy and procedure also applies to the pursuit of a suspect who uses a vehicle other than a motor vehicle.

It is the policy of this department that officers may engage in an emergency vehicle operation only in accordance with applicable laws, including C.R.S. Section 42-4-108, as from time to time amended.

II. DEFINITIONS:

- A. Vehicular Pursuit - When used in this directive fleeing or eluding means any person who, while operating a motor vehicle, having been given a visual or audible signal by an officer directing such driver to bring their vehicle to a stop: willfully fails to obey such direction by, willfully increasing speed, extinguishes lights, or willfully attempts in any other manner to elude the police, and/or operates a motor vehicle in a reckless manner. These standards comply with C.R.S. 18-9-116.5 Vehicular Eluding as well as C.R.S. 42-4-1413 Eluding or attempting to elude a police officer.
- B. Non-Compliant Traffic Stop- When a motor vehicle fails to stop in response to an officer's attempted contact yet takes no overt action associated with fleeing or eluding defined above, and the driver is not operating a vehicle in a reckless manner.
- C. Authorized Emergency Vehicle - means a department vehicle equipped with an audible signal and a visual signal as defined in C.R.S. 42-4-213. Patrol vehicles will also have

mounted emergency lights; the agency name; an emergency telephone number; and reflective materials placed on the sides and rear of the vehicle, such as reflective striping, lettering, or decals. Vehicles not so equipped, or vehicles with equipment that is inoperative shall not be used as a pursuit vehicle, unless very extenuating circumstances exist.

- D. Reasonable/Reasonably - When used in this directive, the terms "reasonable" and "reasonably" refer to an objective standard of what a prudent police officer exercising sound judgment would do in like circumstances. All officers involved in a pursuit must, at all times, be able to justify their reasons for the pursuit.
- E. Emergency Operation – is the act of driving an authorized emergency vehicle while on an emergency call or a pursuit.
- F. Violent felony – is an attempted or completed felony in which a perpetrator uses aggressive physical force, or aggravating circumstances involving the use or the suspect(s) represents they have or will use a deadly weapon as defined in C.R.S. 18-1-901 (3) (E) or any of the following which are classified as a felony:
 - 1. Homicide;
 - 2. Kidnapping;
 - 3. Assault, vehicular assault, or sexual assault;
 - 4. Robbery;
 - 5. Arson;
 - 6. Any other crime of violence, or any other crime involving the use or an imminent threat to use deadly force; or
 - 7. Escape for one or more of the foregoing offenses.

III. VEHICLE PURSUIT - REQUIREMENTS

- A. Officers SHALL not initiate or become involved in a Vehicular Pursuit for traffic offenses, property crimes, whether felony or misdemeanor, or when the suspect flees for unknown reasons which are not authorized in this pursuit policy.
- B. An officer may engage in a Vehicular Pursuit ONLY:
 - 1. When in pursuit of a person who has committed or is reasonably suspected by the officer to have committed:
 - a. A violent felony as defined in this policy; or
 - b. Some other act of violence which, in the officer's reasonable judgment, requires that the person be pursued for the immediate protection of the public safety.
 - c. All other pursuits, except for those covered by section II A, are prohibited.
- C. An officer may engage in a Non-Compliant Traffic Stop when:
 - 1. The operator's actions do not meet the criteria for a Vehicular Pursuit as defined in this order. The officer must use reasonable judgment in following the violator

with due regard for public safety. This type of action applies to non-reckless driving by the suspect driver, usually slow speeds, or the suspect drives further than average before making a stop.

2. Officers will follow the same procedures listed below in pursuit initiation.
3. This type of action may escalate into a vehicle pursuit; if so then it must meet the criteria required for a vehicle pursuit, if not it must be terminated.
4. This type of action may be terminated by the officer or supervisor at any time.

IV. PURSUIT INITIATION:

- A. The initial decision to start a pursuit shall lie primarily with the officer who has initiated the vehicular stop. That decision shall be made based on the elements of this policy, including the need to apprehend immediately, and the risk the pursuit poses to the community. Considerations shall be:
 1. The nature and seriousness of the criminal offense;
 2. Whether or not the suspect can be identified and apprehended at a later time;
 3. The amount of vehicular and pedestrian traffic in the area;
 4. The condition of the road surface upon which the pursuit will be conducted;
 5. Weather conditions;
 6. The equipment and performance capabilities of the pursuit vehicle; and,
 7. The officer's familiarity with the area and the terrain where the pursuit will occur.
- B. The officer shall continually consider the risks created by the pursuit, as those risks change during the pursuit.
- C. The officer may choose to terminate the pursuit at any time. No officer or supervisor shall be subject to discipline for making the decision not to initiate, or the decision to terminate, a pursuit.
- D. If a civilian rider or a family member is present in the police vehicle, the officer shall use reasonable judgment in deciding when to initiate or participate in a pursuit.
- E. The driver of a vehicle conveying a prisoner, witness, or suspect shall not initiate or become involved in a pursuit.
- F. In a pursuit, no more than two emergency vehicles from this department shall be involved unless specifically approved by a supervisor.
- G. In a pursuit, no officer shall pursue a suspect the wrong way on any roadway absent exigent circumstances. Rather, the supervisor shall consider alternatives that the officer may use, such as a parallel roadway.
- H. In a pursuit, no officer shall establish a termination roadblock, i.e., a roadblock with no exit option, without specific directions from a supervisor. Roadblocks shall conform to the use of force policy. The supervisor shall consider alternatives that may be used, such as notifying the next jurisdiction, using stop sticks, channeling traffic into a desired lane on the roadway,

or creating a compelling path by channeling traffic towards a modified roadblock, i.e., a roadblock in which the driver has an exit option.

- I. An officer driving an unmarked police vehicle shall not initiate or become involved in a pursuit unless the officer reasonably believes that such pursuit is necessary to protect the public from imminent and serious physical injury and an on-duty patrol supervisor has authorized the pursuit. When engaging in a vehicular pursuit, an officer driving an unmarked police vehicle shall use all available warning equipment on the unmarked vehicle including, without limitation, siren, flashing lights, horn, and/or flashing blinkers. In addition, an officer driving an unmarked police vehicle in a vehicular pursuit shall discontinue the pursuit as soon as a marked police vehicle is able to take over the primary pursuit vehicle responsibilities.

V. RESPONSIBILITIES

A. Primary Officer Responsibilities

1. The primary officer engaged in a pursuit is the officer who initiates the pursuit. That officer bears full responsibility for initiating any pursuit and is accountable for their decisions and judgment during the pursuit.
 - a. If the primary pursuit unit becomes disabled, this responsibility shall fall to the secondary unit officer continuing the pursuit.
2. Upon initiating a pursuit, the primary pursuit officer shall activate their headlights, all emergency lights and siren, immediately notify the Communications Center that a pursuit is underway, and provide the following information to the Communications Center:
 - a. Unit identification;
 - b. Location, speed and direction of the fleeing vehicle;
 - c. Description including license plate number, color, make, model and unique characteristics of the fleeing vehicle;
 - d. Number and descriptions of occupants in the fleeing vehicle; and
 - e. A brief explanation of the reason(s) supporting the decision to initiate pursuit.
3. Failure to provide the required information to the Communications Center may result in an immediate order by a field supervisor to terminate the pursuit.
4. All contacts with suspects involved in a pursuit must be considered high risk contacts; therefore, the primary pursuit officer has the responsibility to assure all other involved officers of the high risk stop procedure that will be implemented.
 - a. Any officers not in uniform who will be involved in the stop must ensure they are readily identifiable as police officers.

5. If another officer is assigned primary pursuit responsibility, the primary pursuit officer shall reduce his/her level of pursuit to that of a secondary pursuit vehicle unless otherwise assigned by the field supervisor.
6. If a supervisor communicates with the driver of an emergency vehicle, the driver shall not fail to acknowledge the communication.

B. Secondary Pursuit Vehicle Responsibilities

1. Only one secondary pursuit vehicle shall fall in line behind the primary pursuit vehicle unless additional secondary units are expressly authorized by the field supervisor.
2. The secondary pursuit vehicle shall have its headlights, emergency lights, and siren activated, but shall attempt to use a siren variation different than that of the primary pursuit unit.
3. The secondary vehicle shall maintain a safe distance in relation to the fleeing vehicle and primary pursuit vehicle for the purpose of assisting the primary pursuit officer upon termination of the pursuit or assuming the primary position if required.
4. The officer driving the secondary vehicle is responsible for keeping the Communications Center informed of the progress of the pursuit.

C. Other Assisting Units

1. Other assisting officers should attempt to station themselves at strategic points in anticipation of assisting when the suspect is stopped, or becoming actively involved if the primary or secondary units lose the suspect vehicle or become disabled.

D. Communications Center Responsibilities

1. Upon notification that a pursuit is in progress, Communications Center personnel shall immediately advise the field supervisor of the essential information regarding the pursuit. If there is no supervisor on duty, the on-call supervisor will be immediately notified.
2. The Communications Center will follow their policy and procedures for a pursuit.

E. Field Supervisor Responsibilities

Note: If there is no supervisor on duty the senior officer on duty will assume these duties until relieved by a supervisor.

1. Upon notification that a pursuit incident is in progress, the on duty field supervisor shall assume responsibility for the monitoring and control of all aspects of the pursuit, including:
 - a. Directing pursuit vehicles into or out of the pursuit;
 - b. Re-designating primary, secondary or other assisting unit responsibilities;
 - c. Approving, disapproving, and coordinating pursuit tactics; and
 - d. Determining if the pursuit should be continued or terminated.

2. The on duty field supervisor may order the pursuit terminated at any time.
3. The on duty field supervisor may assign additional vehicles to assist the primary and secondary pursuit vehicles based on an analysis of:
 - a. The nature of the offense for which the pursuit was initiated;
 - b. The number of suspects and any known propensity for violence;
 - c. The number of officers in the pursuit vehicles;
 - d. Any damage or injuries to the assigned primary and secondary vehicle or officers;
 - e. The number of officers necessary to effect an arrest at the conclusion of the pursuit; and
 - f. Any other clear and articulable facts that would reasonably warrant the increased hazards caused by additional pursuit vehicles.
4. The on duty field supervisor shall respond to the termination point of all pursuits involving Craig police officers to assist and/or control police actions at the scene and ensure that all reports are completed accurately. The supervisor will ensure that all witness information is obtained, including all officers from this agency, as well as officers from other jurisdictions.
5. Upon termination of the pursuit, the on duty field supervisor will conduct a debriefing with all officers involved.
6. Pursuits – Post – Incident Documentation, Review and Critique.
 - a. All participating officers shall document their involvement in the pursuit within 24 hours of the event whether or not the suspect was stopped. The supervisor or the supervisor's designee shall prepare a summary report which includes:
 - i. The names of participating officers.
 - ii. A narrative description of where the pursuit began and under what circumstances (including the weather conditions and road description), where it ended and under what circumstances, at what speeds, and the duration of the pursuit.
 - iii. A description of the tactics used to stop the suspect's vehicle and an evaluation of their effectiveness.
 - iv. Any observations on the behavior or actions of the fleeing driver that may support additional criminal charges.
 - v. A description of how the suspect was apprehended, and the force measures employed. A description of property damaged or an account of injuries sustained during the pursuit.
 - vi. The offenses for which the suspect was charged.
 - b. Following completion of the report, a post-incident critique shall be conducted by the supervisor on duty at the time of the pursuit. Each officer and supervisor involved in the pursuit shall participate in the critique.
 - c. After the critique the supervisor shall submit an after-action report to the Chief of Police, through the Operations Bureau Commander that reviews all aspects of the pursuit.

VI. METHODS OF STOPPING PURSUED VEHICLE

- A. Boxing-in: the maneuvering of an emergency vehicle into the path of a vehicle traveling slower than 20 mph, or a stopped vehicle, with the intent of slowing and stopping the vehicle and/or keeping the vehicle stopped. Officers may box in another vehicle, but must be aware that the placement of their vehicle in the path of another vehicle moving faster than 20 mph constitutes barricading.
- B. Spike strips: devices used to deflate tires in a controlled fashion. Use of spike strips requires an on-air notification prior to deployment. Only officers trained in use of these strips are permitted to deploy them.
- C. Pursuit Intervention Technique (PIT): intentional contact between an emergency vehicle and a pursued vehicle in such a manner as to cause a 180-degree spin and subsequent stop of the pursued vehicle. Only officers trained in the technique are permitted to employ it. PIT may be used to end a pursuit when other means have been considered and tried or ruled out. PIT will not be used on any two-wheeled vehicle, passenger occupied bus, vehicle transporting hazardous material, or any vehicle that would pose an unusual hazard to the public.
- D. Barricading: the intentional blocking of a roadway, by any means, to prevent passage of the pursued vehicle. Barricading is considered deadly force within the meaning of the Department's use of force policy; furthermore, it is subject to the following additional requirements:
 - 1. Barricading requires the approval of a supervisor.
 - 2. The barricade must be set up in such a manner as to afford the operator of the pursued vehicle ample time to see the barricade.
 - 3. Once authorized, only unoccupied emergency vehicles may be used for the barricade. Under no circumstances shall a roadway be barricaded with any occupied vehicle, or any vehicle belonging to a private citizen.
 - 4. Pulling in front of a fleeing vehicle to give the operator of the pursued vehicle a look at the police vehicle is strictly prohibited (except during boxing in or to travel in the same direction as the fleeing vehicle, when done in compliance with the other provisions of this policy).
- E. Ramming (deliberate): Using an emergency vehicle to purposely cause contact with another moving vehicle to bring that vehicle to a stop (except PIT). Ramming is considered deadly force within the meaning of the Department's use of force policy.
- F. Shooting: shooting at or from moving vehicles. Shooting is considered deadly force within the meaning of the Department's use of force policy. Officers may shoot at a fleeing vehicle ONLY if:
 - 1. The officer is being fired upon.
 - 2. If it is in a rural or non-populated area.
 - 3. There are no citizens or motorist nearby.
 - 4. Control of the patrol vehicle can be maintained.
 - 5. It conforms to CPD Firearms [Order 7.01](#).
 - 6. The suspect is firing at a third party.

7. It is used ONLY as a last resort.

VII. TERMINATION OF PURSUIT

- A. Once a pursuit is undertaken; officers are obligated to continuously evaluate the need for maintaining the pursuit against the potential for bodily injury or death. However, assumptions alone do not justify continuing a pursuit; only facts and circumstances known to the officers and which establish reasonable suspicion or probable cause relating to criminal activity shall be considered. Sometimes, the decision to terminate a pursuit may be the most rational means of preserving the lives and property of everyone concerned.
- B. A pursuit may be terminated by the pursuing officer, the field supervisor, a Division Commander, or the Chief of Police. All officers shall immediately comply once notified that the pursuit has been terminated.
- C. A pursuit shall be terminated immediately under any of the following circumstances:
 1. The distance between the fleeing vehicle and the pursuing vehicle(s) is so great that further pursuit is futile;
 2. The danger to all persons involved, including the general public, posed by continued pursuit becomes greater than the value of apprehending the suspect;
 3. Weather or traffic conditions change and substantially increase the danger of pursuit beyond the value of apprehending the suspect;
 4. The offense does not meet the criteria of Section III. A. 1. above;
 5. The officer is not reasonably familiar with the area and terrain of the pursuit;
 6. When the pursued vehicle enters a controlled access divided roadway going the wrong way; or
 7. The pursuit is ordered terminated by a supervisor.
- D. If any officer involved in a pursuit discovers any malfunction which would limit his/her vehicle's capability to function at maximum efficiency and safety, that officer shall immediately terminate active participation in the pursuit.
- E. If an officer is no longer able to maintain radio communication with a communications center, it is highly recommended that the pursuit be terminated.
 1. Consideration should be given to whether the nature of the crime warrants continuation of the pursuit, if a secondary pursuit vehicle can maintain radio communication, when additional support units may be encountered, and when radio communication might be re-established.

VIII. INTERJURISDICTIONAL PURSUIT

- A. The pursuing officer shall notify the CSP communications center when it appears that a pursuit will continue into a neighboring jurisdiction.
- B. Whenever a pursuit enters a receiving jurisdiction, the CSP communications shall, as soon as practical, notify the receiving jurisdiction of the existence of the pursuit and the reason for

the pursuit, and shall keep the receiving jurisdiction apprised of the status of the pursuit.

- C. Pursuit into another jurisdiction shall conform to the Northwest Colorado Inter-Agency Chase Policy, incorporated herein by reference.
 - 1. If a pursuit leaves the Craig Police Department's jurisdiction and enters another jurisdiction in which an officer from that jurisdiction is available to assume responsibility for the pursuit, the primary pursuit officer shall relinquish primary pursuit responsibility when the other officer is in position to assume the pursuit.
 - a. The original primary pursuit officer shall then assume the role and responsibilities of secondary pursuit vehicle.
 - b. If the original pursuit involved both a primary and a secondary pursuit vehicle, the original secondary pursuit vehicle shall disengage from the pursuit when the new primary pursuit vehicle assumes responsibility for the pursuit.
 - 2. When a pursuit is discontinued or reaches termination, all units should be so advised immediately.

IX. PURSUIT BY OTHER LAW ENFORCEMENT AGENCIES

- A. Normally, officers should not become involved in a pursuit originating in another jurisdiction. However, a supervisor may assign officers to assist with traffic control, to render assistance at the termination or discontinuation point, or to monitor the progress of the pursuit. Such officers shall not be considered to be directly involved in the pursuit.
- B. Upon request of the primary jurisdiction and supervisory approval, a vehicle from our agency may assist with the pursuit or become the primary vehicle. In order for officers to assist in this capacity, the pursuit must meet the requirements for a Vehicular Pursuit as defined in this order.
- C. The overall command of a pursuit shall rest with the primary jurisdiction.
- D. When a pursuit has entered a receiving jurisdiction, the primary jurisdiction should attempt to notify the receiving jurisdiction, in advance if possible, of any method to be used by the primary jurisdiction to stop the pursued vehicle.
- E. In the event of an accident during the pursuit, this agency shall stop and render aid as necessary.

X. PURSUIT REVIEW BOARD

- A. After reviewing the field supervisor's after-action report, the Chief of Police will determine if a Pursuit Review Board will be convened to review the pursuit.
- B. If convened, the board will review the facts to determine if the pursuit was necessary and within departmental guidelines; what training needs should be considered; what, if any,

policy changes need to be considered; and, determine if the pursuit should have been discontinued.

1. The Pursuit Review Board will be appointed by the Operations Division Commander and/or the Chief of Police. The Pursuit Review Board shall consist of the Chairperson, and two other officers. The Chairperson shall be appointed by the Operations Division Commander. The Chairperson will select one officer; the second officer may be selected by the officer(s) involved in the pursuit if they wish, if not the Chairperson will make the second appointment, (one of the officers on the board may be from an outside local law enforcement agency).
2. The board shall convene within 7 days of being appointed, and conduct their review and reach a final recommendation within 15 days unless an extension is granted by the Chief of Police or Operations Division Commander for good cause.
3. The board shall have the authority to call witnesses, victims, suspects and/or other police department employees as necessary to aid in their investigation of the pursuit.
4. The officer(s) under review may request to address the board in person to answer questions or clarify their decisions.
5. The board shall make a written report of its findings, which must include a factual basis to the Division Commander and the Chief of Police, within 5 days of the completion of their review.
6. After the board has made its final decision, the officer(s) under review will be advised of the board's findings, decisions and recommendations by the Division Commander.
7. Should the board find that the officer(s) involved violated policy and procedure, those involved will be subject to appropriate corrective action.

Approved By:



Walter K. Vanatta
Chief of Police