



SYKESVILLE POLICE DEPARTMENT

Vehicle Pursuits

General Order 6-6

Effective: 03/29/17

Authorized By: *Michael A. Spaulding* Chief of Police

I. PURPOSE

To provide the procedures by which a member of the Sykesville Police Department may engage in a vehicle pursuit.

II. POLICY

It is the policy of the Sykesville Police Department that sworn officers may engage in vehicle pursuits within the restrictions and limitations listed herein.

III. PROCEDURES

- A. Vehicle pursuit is the active attempt by an officer in an authorized emergency vehicle to apprehend fleeing suspects who are attempting to avoid apprehension through evasive tactics and/or a refusal to yield to the pursuing officer's authority.
- B. A sworn officer in an authorized emergency vehicle may initiate a vehicular pursuit when all of the following criteria are met:
 - 1. The suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension for an alleged felony, misdemeanor, or serious traffic offense. This criterion removes minor traffic violations requiring only citations and not arrests from consideration.
 - 2. The suspect operating the vehicle refuses to stop at the direction of the officer.
 - 3. The officer will not pursue if the risk of allowing the driver to flee is determined to be greater than the risk of engaging in the pursuit. Officers will not pursue motorcycles of any kind (including ATV's) solely for violation of minor traffic offenses. Consideration shall be given to the following when determining whether to initiate pursuit:
 - a. Any information known about the suspect, other occupants of the vehicle, and the offense committed
 - b. The performance capabilities of the pursuit vehicle and the vehicle being pursued.

- c. The condition of the road surface upon which the pursuit is being conducted
 - d. The amount of vehicular and pedestrian traffic in the area
 - e. Weather conditions
 - f. Location (e.g., schools, business districts, residential areas)
 - g. Speed involved
 - h. Visibility
 - i. Driver capabilities
4. The pursuing officer shall immediately notify communications center personnel upon initiating a pursuit.
- a. The officer shall provide the following information:
 - (1) Unit identification
 - (2) Location, speed, and direction of travel of the fleeing vehicle
 - (3) Description and license plate number of the fleeing vehicle, if known
 - (4) Number of occupants in the fleeing vehicle, and description, when possible
 - (5) Reasons for the stop and decision to pursue
 - b. Failure to provide this information may result in an immediate decision by the on duty supervisor to order termination of the pursuit.
5. Upon notification that a pursuit is in progress, Emergency Communications Center personnel will:
- a. Immediately advise the on duty patrol supervisor of essential information regarding the pursuit.
 - b. Receive and record all incoming information on the pursuit and the pursued vehicle.

- c. Control all radio communications and clear the radio channels of all non-emergency communications.
 - d. Obtain criminal record and vehicle checks of the suspect, when known.
 - e. Coordinate and dispatch back-up assistance and air support units under the direction of the on duty patrol supervisor.
 - f. Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality.
6. Upon notification that a vehicular pursuit is in progress, the on duty patrol supervisor shall monitor and control the pursuit, including:
- a. Continuously reviewing incoming data to determine whether the pursuit should be continued or terminated
 - b. Directing pursuit vehicles and/or air support units into or out of the pursuit
 - c. Assigning primary, support, and other back-up vehicle responsibilities
 - d. Approving or disapproving, and coordinating pursuit tactics
 - e. Deciding whether to allow pursuit vehicles to leave the jurisdiction to continue pursuit
 - f. Contacting and coordinating the pursuit with other agencies
 - g. Approving and/or assigning additional back up vehicles or air support units, based on an analysis of:
 - (1) The nature of the offense for which the pursuit was initiated
 - (2) The number of suspects and any known propensity for violence
 - (3) The number of officers in the pursuit vehicles
 - (4) Any damage or injuries to the assigned primary and back up vehicles or officers
 - (5) The number of officers necessary to make an arrest at the conclusion of the pursuit

- (6) Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles
7. When operating an emergency vehicle in a pursuit situation, the primary concern of the operator shall be safety of all persons involved. Although officers are given a qualified privilege from observing certain traffic regulations while operating an emergency vehicle utilizing emergency equipment during a pursuit, they are not relieved of the responsibility of driving with due regard for the safety of all persons, nor protected from the consequences of failing to exercise reasonable care under these circumstances, despite the operation of emergency equipment. Officers authorized to engage in a vehicular pursuit:
 - a. Shall activate headlights and all emergency vehicle equipment (lights and siren) prior to beginning the pursuit
 - b. Shall at all times exercise reasonable care for the safety of themselves and all other persons and property within the pursuit area
 - c. May suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect
 - d. Shall not pass through stop signs and/or red stop signals without first coming to a stop, and then proceeding with caution
 - e. Shall not discharge a firearm at or from a moving vehicle except as provided in General Order #6-3 - Use of Force
8. The primary pursuit vehicle shall reduce the level of pursuit to that of a support or back up unit if either of the following occur:
 - a. The fleeing vehicle comes under the surveillance of an air unit; or
 - b. Another unit has been assigned primary pursuit responsibility.
9. Any primary or back up unit sustaining damage to, or failure of essential vehicular equipment during the pursuit shall discontinue the pursuit. The unit shall notify the dispatcher and the on-duty supervisor so that another unit may be assigned to the pursuit.

10. Forming a caravan (succession of patrol vehicles in single file) will not be allowed. Additional units will take up positions along the pursuit route in case of a "double back" of the pursued vehicle.
11. Unmarked vehicles equipped with emergency lights and siren may initiate a vehicular pursuit. When a marked unit becomes involved in the pursuit, it will become the primary unit, and the unmarked vehicle will assume the role of a secondary vehicle.
12. Unless expressly authorized by the on duty supervisor, pursuit shall be limited to the assigned primary and back up vehicles.
 - a. Officers shall not join the pursuit team, or follow the pursuit on parallel streets.
13. Forcible stops using the officer's vehicle to ram, spin, or otherwise strike a fleeing vehicle are prohibited.
14. The pursuing officer shall notify communications center personnel and the on duty supervisor when it is likely that a pursuit will continue into a neighboring jurisdiction.
 - a. Officers shall not pursue a violator known or believed to have committed only a misdemeanor or a traffic violation across a state line.
 - b. Authority to pursue the vehicle will be decided by the supervisor.
 - c. Officers may arrest felons after a legal pursuit across a state line; however, they shall hold the violator for and relinquish custody to the law enforcement agency of the entered jurisdiction for processing. Extradition will be at the discretion of the Carroll County State's Attorney.
 - d. A decision to terminate the pursuit may be the most rational means of preserving the lives and property of the public, as well as the officers and suspects engaged in the pursuit.
 - e. Pursuit may be terminated by the pursuing officer, the on-duty supervisor, or the Chief of Police.
 - f. Pursuit shall be immediately terminated when any of the following occur:

- (1) Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect
 - (2) The distance between the pursuit and fleeing vehicle is so great that further pursuit is futile
 - (3) The danger posed to the public, the officers, or the suspect, by continued pursuit is greater than the value of apprehending the suspect(s)
 - (4) The suspect's identity has been established, and the need for immediate apprehension is no longer present
 - (5) A violator who is known or believed to have committed only a misdemeanor or a traffic violation leaves the state of Maryland, in which case the officer shall ensure that the affected jurisdiction is notified
- g. Officers involved in a vehicular pursuit, as well as the on duty supervisor, will be held accountable for the continuation of the pursuit when circumstances indicate the pursuit should have been terminated.
- h. Upon termination, the pursuing officer shall relay this information to Emergency Communications Center personnel, along with any further information acquired which may assist in the arrest of the suspect at a later date.
- i. Under certain circumstances, roadblocks may constitute deadly force. With the exception of the cordon roadblock, the use of a road block to stop a vehicle can reasonably be assumed to have the potential to cause serious bodily injury or death.
- j. Only a supervisor may authorize the implementation of a roadblock. Before authorizing a roadblock, the supervisor will evaluate available information and decide if a roadblock is appropriate, considering all of the following:
- (1) The inherent threat to the personal safety of the public, law enforcement personnel, and the suspect
 - (2) The number of personnel available for assignment to the roadblock
 - (3) The seriousness of the crime or incident

- (4) The sufficiency of information and description of wanted persons and vehicles
 - (5) Traffic and roadway conditions
 - (6) The available time and methods to provide a reasonable system of warning to motorists
 - (7) The type of roadblocks which are available, and the selection of the most appropriate one for the circumstances
- k. Members may initiate a roadblock, with supervisory approval, only after reasonable and conventional means to stop a vehicle have failed.
- l. Only marked police vehicles will be used in roadblock situations, ensuring easy identification.
- m. Types of roadblocks and accompanying considerations are as follows:
- (1) Moving roadblocks constitute a risk to the safety of law enforcement personnel and to the public. Particular care should be taken to determine if this option is the only reasonable means available in apprehending the suspect.
 - (2) Fixed type "A" roadblocks - roadblocks where heavy material, vehicles or equipment are used to stop, disable, or divert an approaching vehicle - constitute a danger to the police, the public, and the suspect, and are permitted only when no reasonable alternative is available.
- n. Type "A" roadblocks will include the use of town owned vehicles and property only.
- (1) This type of roadblock will not be used at the following locations:
 - i. Over the crest of a hill where visibility is limited
 - ii. During foggy or misty weather conditions
 - iii. Around a curve in the roadway
 - iv. Any location where limited sight creates a potential problem
 - (2) When possible, this type of road block should be used in conjunction with a "safe passage" for the suspect vehicle to

be diverted to a roadway that limits hazards and increases the likelihood of an apprehension.

- o. Fixed type "B" roadblocks - employing the use of signs, flares, barricade devices or other warning devices, which, if struck, cause little or no damage - are less dangerous and should be given consideration when the use of a roadblock becomes a reasonable alternative.
- p. Cordon roadblocks are identical to check points and may present the best option in identifying the occupants of a vehicle. These roadblocks allow vehicles to be checked before continuing, and could be used in an incident such as a hostage situation or other serious crime where a perimeter needs to be secure.

15. Reporting responsibilities regarding pursuits are as follows:

- a. The officer in the primary pursuit unit shall submit an incident report outlining the details of the pursuit to her/his supervisor by the end of his/her tour of duty.
- b. Supervisors who observe emergency vehicle responses by their subordinates will discuss the incident with the officer, and document their observations.
- c. Supervisors shall submit all reports and endorsements through the chain of command to the Chief of Police within 24 hours of receipt of the initial report.

16. Review of Pursuits

- a. The Chief of Police will conduct an annual review of all pursuit reports as required in this section.
- b. The review shall be compiled with regard to recognizing any trends or patterns that may indicate training and/or policy modifications.

IV. CANCELLATIONS

This General Order cancels and replaces the following policies:

General Order 41.2.5, entitled Pursuit of Motor Vehicles, dated May 21, 2012.