

GREENTOWN POLICE DEPARTMENT

DEPARTMENT POLICY REGARDING VEHICLE PURSUITS

PURPOSE

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

POLICY

Vehicular pursuit of fleeing suspects can present a danger to the lives of the public, Police Officers, and suspects involved in the pursuit. It is the responsibility of this Police Department to assist Officers in the safe performance of their duties. To fulfill these obligations, it shall be the policy of this Law Enforcement Agency to regulate the manner in which vehicular pursuits are undertaken and performed.

DEFINITIONS

1. **Vehicular Pursuits:** An active attempt by a police officer in an authorized emergency police vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.
2. **Authorized Emergency Vehicle:** A vehicle of this Department equipped with operable emergency equipment as designated by Indiana State Law.
3. **Primary Unit:** The police unit which initiates a pursuit or any unit which assumes control of the pursuit.
4. **Secondary Unit:** Any police vehicle which becomes involved as a back up to the primary unit and follows the primary unit at a safe distance.
5. **Indiana Code 9-21-1-8:**

Emergency vehicles

Sec. 8. (a) This section applies to the person who drives an authorized emergency vehicle when:

- (1) responding to an emergency call;
- (2) in the pursuit of an actual or suspected violator of the law; or
- (3) responding to, but not upon returning from, a fire alarm.

(b) The person who drives an authorized emergency vehicle may do the following:

- (1) Park or stand, notwithstanding other provisions of this article;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation;
- (3) Exceed the maximum speed limits if the person who drives the vehicle does not endanger life or property;
- (4) Disregard regulations governing direction of movement or turning in specified directions;
- (5) Execute a lawful intervention technique if the person has completed a training course that instructs participants in the proper execution of lawful intervention techniques;

(c) This section applies to an authorized emergency vehicle only when the vehicle is using audible or visual signals as required by law. An authorized emergency vehicle operated as a police vehicle is not required to be equipped with or display red and blue lights visible from in front of the vehicle.

(d) This section does not do the following:

- (1) Relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons; or
- (2) Protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.

PROCEDURES

A. Initiation of pursuit:

1. The decision to initiate pursuit must be based on the pursuing Officer's conclusions 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.
2. Any Greentown Police Officer in an authorized police 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 that

the suspect, if allowed to flee, would present a danger to human life or cause serious injury.

3. In deciding whether to initiate pursuit, the Officer shall take into consideration:
 - a. Would the suspect be taken into physical custody if he/she had not made the decision to flee from Law Enforcement Officers.
 - b. Road, weather, and environmental conditions;
 - c. Population density and vehicular and pedestrian traffic;
 - d. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued.
 - e. The seriousness of the offense and;
 - f. The presence of other persons in the police vehicle.

B. Pursuit operations:

1. All emergency vehicle operations shall be conducted in strict conformity with applicable traffic laws and regulations;
2. Upon engaging in a pursuit, the pursuing police vehicle shall activate appropriate warning equipment;
3. Upon engaging in pursuit, the Officer shall notify the radio dispatch center of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the traffic stop. The Officer shall keep dispatch updated of the pursuit. The Officer shall request the dispatch center to notify The Greentown Town Marshal, or the Chief Deputy Marshal, if the Marshal is unavailable, of the pursuit;
4. When engaged in pursuit, Officers shall not drive with reckless disregard for the safety of other road users;
5. Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles, the primary and secondary unit. All other personnel shall stay clear of the pursuit;
6. The primary pursuit unit shall become secondary when the fleeing vehicle comes under air surveillance or when another unit has been assigned primary responsibility;
7. If the initiating Officer is inexperienced or has not received proper training in police pursuit operations, then the Officer shall become the secondary unit, and the secondary unit shall become the primary unit.

C. Supervisory Responsibilities:

1. When made aware of a vehicular pursuit, the Town Marshal, or the Chief Deputy Marshal, if the Marshal is not available, 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;

D. 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 police units having the most prominent markings and emergency lighting shall be used to pursue, particularly as the primary unit;
3. All intervention tactics short of deadly force including, but not limited to, spike strips, Stop Sticks, low speed tactical intervention techniques, and low speed channeling should be used when it is possible to do so in safety and when officers utilizing them have been properly trained in their use;
4. Decisions to discharge firearms at or from a moving vehicle, or use of roadblocks, shall be governed by the Greentown Police Department use of force policy, and are prohibited if they present an unreasonable risk to others;
5. Once the pursued vehicle is stopped, Officers shall utilize appropriate Officer Safety tactics and shall be aware of the necessity to utilize only reasonable and necessary force to take the suspects into custody;

E. Termination of Pursuit:

1. The primary pursuing unit shall continually reevaluate and assess the pursuit situation including all of the initiating factors and terminate the pursuit whenever he or she reasonable believes the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension;
2. The pursuit may be terminated by the primary unit at any time;
3. The Town Marshal or Chief Deputy Marshal may order the termination of a pursuit at any time;

4. A pursuit may be terminated if the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension at a later time is feasible;

F. Inter-Jurisdictional Pursuits:

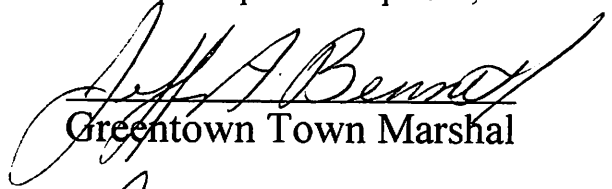
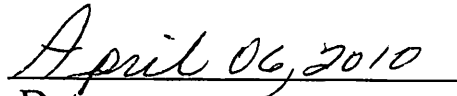
1. The pursuing Officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across county lines;
2. When a pursuit enters a neighboring jurisdiction, the action of the neighboring officers shall be governed by the policy of the neighboring officers' own agency, specific inter-local agreements and state law as applicable;
3. Greentown Police Officers shall not be involved in another Agencies pursuit unless requested to assist. Greentown Police Officers then shall adhere to the Policy of the Greentown Police Department;

G. After-Action reporting:

1. Whenever an Officer engages in a pursuit, the Officer shall file a written report on the appropriate form detailing the circumstances. This report shall be critiqued by the Town Marshal to determine if policy has been complied with and to detect and correct any training deficiencies;
2. The Greentown Police Department shall periodically analyze police pursuit activity and identify any additions, deletions, or modifications warranted in departmental pursuit procedures;

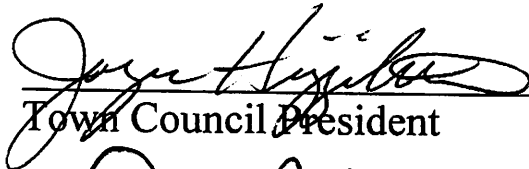
H. Training:

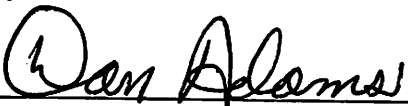
Greentown Police Officers who drive police vehicles shall be given initial and periodic training in the agency's pursuit policy and in safe driving tactics. If a Greentown Police Officer has not received proper training in police pursuit techniques, the Officer shall not participate in the pursuit;



Greentown Town Marshal

Date


This Policy shall be effective from and after approval by the
Town Council of the Town of Greentown, Indiana.

Approved this 6TH day of APRIL, 2010.


Town Council President

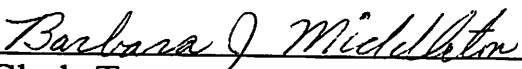

Council Member


Council Member


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Council Member

ATTEST:


Clerk-Treasurer