

DOUGLAS COUNTY SHERIFF’S OFFICE		Policy and Procedure
Specific Policies		P&P-B-110
Pursuit Guidelines and Procedures		
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I. POLICY

Vehicle pursuits present hazards and risks which could be life threatening and will be conducted only in accordance with the provisions set forth in the Colorado Revised Statutes and this policy. Although it is the duty and responsibility of commissioned members to apprehend violators, they must balance this need against the safety of the community and the involved members. Commissioned members that are involved in any pursuit should have a plan that enables them to end the pursuit by disengaging, the utilization of controlled tire deflation devices (stop sticks), and the TVI maneuver. Other vehicle tactics such as ramming, roadblocks and boxing-in require supervisor approval unless insufficient time exists to gain approval (deadly physical force). <41.2.3d>

There may be situations in which the escape of the suspect may create a greater risk to the safety of the public than the risks inherent in the pursuit. In these situations, extraordinary means may be used to bring the pursuit to a conclusion as rapidly as possible.

Commissioned members are authorized to pursue any person attempting to escape in a vehicle, when at the time the pursuit begins the commissioned member knows or has reason to believe: <41.2.2a>, <41.2.3a>

- A. FELONY CRIME AGAINST A PERSON: The subject or subjects have committed a felony crime against a person (including aggravated robbery); or
- B. SUBSTANTIAL THREAT OF DEATH OR SBI: The subject or subjects pose a substantial threat of death or serious bodily injury to another person including law enforcement, or is a dangerous offender who, if allowed to escape, would pose a serious danger to the public; or
- C. DANGEROUS DRIVING BEHAVIOR: The subject or subjects are engaging in driving behavior that creates a substantial risk of death or serious bodily injury to the public and law enforcement which necessitates the need to immediately apprehend the driver. This includes but is not limited to those drivers suspected to be DUI/DUID; or
- D. STOLEN VEHICLE: The officer has probable cause to believe a subject or subjects are in possession of or are driving a stolen vehicle. Pursuits under these circumstances when there are no tactical means to end the pursuit should be terminated absent sections A,B,C,D of this policy.

Quick Reference Table for Authorized Pursuits

- Felony Crime Against a Person
- Substantial Threat of Death or SBI or Dangerous Offender
- Driving Behavior Creates Substantial Risk of Death or SBI
- Stolen Vehicle and Tactical Means to End the Pursuit

Commissioned members, whenever possible, should consider alternative methods of apprehending suspects when it is likely that a pursuit will occur to include the use of stop sticks or other tactical means prior to the initiation of a stop, to preempt the possibility of a pursuit. The decision to initiate and continue a pursuit should be based upon many different factors to include, Colorado State Law, this policy, and factors such as the seriousness of the suspected crime, probability of later apprehension, traffic and roadway conditions, time of day, and type of area where the pursuit occurs. Factors such as information that could lead to a later apprehension, as well as factors affecting the extent of the possible danger to the public should be highly regarded by officers and supervisors in the decision to continue a pursuit.

II. DEFINITIONS

Boxing-In <41.2.3b>

Boxing-in is defined as surrounding a suspect vehicle with police vehicles, prior to a pursuit, or during a pursuit, in an attempt to prevent a vehicle from moving, or to slow the suspect vehicle until stopped.

Commissioned Member

Commissioned member shall mean any commissioned peace officer in the State of Colorado, regardless of specific title, e.g., Sheriff, deputy, etc., as defined in 16-2.5.101 C.R.S.

Communications Section

Communications Section shall mean that component of the primary jurisdiction responsible for broadcasting messages to law enforcement vehicles on police frequencies, for receiving such messages from police vehicles and monitoring messages between police vehicles. The communications section is commonly called 'dispatch'.<41.2.2e>

Controlled Tire Deflation Device (Stop Sticks)<41.2.3b>

A controlled tire deflation device is defined as a portable device designed to cause tires to have a controlled deflation. The utilization is not considered deadly physical force unless used on vehicles with less than four wheels. It is also considered deadly physical force if the suspect is given no avenue to bring the vehicle to a stop.

Emergency Operation

Emergency operation shall mean the act of driving a marked or unmarked police vehicle with emergency lights and siren in operation.

Originating Jurisdiction

Originating Jurisdiction shall mean the jurisdiction within which a pursuit originates.
<41.2.2h>

TVI Maneuver

Tactical Vehicle Intervention is defined as a technique utilized under specific circumstances, and it is not considered ramming. TVI is the intentional redirection of the suspect vehicle's direction of travel through the controlled use of force by the primary pursuit vehicle, without causing serious bodily injury to the deputies or suspects.

Primary Jurisdiction

Primary Jurisdiction shall mean the jurisdiction of the commissioned member driving the primary vehicle. <41.2.2h>

Primary Vehicle

Primary Vehicle shall mean a police vehicle driven by the commissioned member initiating a pursuit, or another police vehicle, which takes the lead vehicle position.
<41.2.2b>

Pursuit

Pursuit shall mean an active attempt by a commissioned member (operating an Office vehicle) to apprehend an operator of a motor vehicle who, having been given a visual and audible signal by the officer directing such operator to bring the vehicle to a stop, fails to obey such direction, and either increases the vehicle's speed, extinguishes the vehicle's lights, or makes some other overt action designed to avoid apprehension.

Pursuit Re-Initiation

A pursuit shall be considered a re-initiation when an officer actively attempts to apprehend the operator of a motor vehicle based solely on the fact that either that officer or another officer pursued the same vehicle / operator, the pursuit was terminated, and the vehicle / operator is still engaged in the same criminal episode.

Ramming<41.2.3ab>

Ramming is defined as deliberate steering of a police vehicle into a suspect vehicle to stop or force it off the roadway (not the TVI maneuver) or to purposely damage the suspect vehicle so that it is inoperable. Ramming may be considered deadly physical force depending on the totality of circumstances and intent of use. If done prior to the initiation of a pursuit, a use of force report shall be completed as per policy.

Receiving Jurisdiction

Receiving Jurisdiction shall mean a jurisdiction, which is entered in the course of a pursuit. <41.2.2h>

Roadblock<41.2.3ab>

A roadblock is defined as placing a barricade or other obstacle across the roadway to stop the suspect vehicle. Considered deadly physical force if the suspect is not given a way to avoid the roadblock.

Secondary Vehicle

Secondary Vehicle shall mean a police vehicle, which becomes involved in a pursuit immediately following the primary vehicle, and acting as the primary vehicle's backup. <41.2.2c>

Supervisor

Supervisor in this section shall mean a commissioned peace officer of the rank of sergeant or above who takes command of the pursuit, but is not involved in the pursuit. <41.2.2f>

III. PURSUIT GUIDELINES – DEPARTMENTAL

Only commissioned members are authorized to engage in vehicle pursuits. Commissioned members that have arrestees or inmates on-board will not be allowed to participate. <41.2.2d>

If a pursuit is initiated, the commissioned member initiating it, will use visual and audible warning devices (lights and siren) and will notify the communications section of relevant facts about the pursuit, such as the reason for the pursuit, location, direction of travel, description of suspect vehicle, number of occupants, speed, and other factors that may be relevant. <41.2.2b>

A marked patrol car with lights and siren is the most suitable vehicle to conduct a pursuit; however, if an unmarked patrol car or special purpose vehicle is used, it should only be utilized until relieved by a marked car. <41.2.2d>

Commissioned members are expected to exercise a standard of care consistent with 42-4-108(4) C.R.S. **“The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of such driver’s reckless disregard for the safety of others.”** Commissioned members that are involved in a pursuit who do not utilize both lights and siren may not be covered under Sovereign Immunity (24-10-106 C.R.S.), which releases the commissioned member liability claims for injury when acting as an emergency vehicle. <41.2.2d>

Generally, only two patrol vehicles should be directly involved in a pursuit, the primary and secondary. Being directly involved, as defined in this policy, means following behind the pursued vehicle in close proximity with both lights and siren activated. Additional vehicles should be considered for implementation of the TVI maneuver (three vehicles optimum, which includes primary, secondary and safety) and considerations should be made for the number of suspects that are in the vehicle being pursued. A supervisor may authorize additional units as may be necessary to control the course and/or point of termination of the pursuit. <41.2.2d>

The decision to initiate a pursuit shall be the responsibility of the driver of the primary vehicle. He may also terminate the pursuit at any time.<41.2.2b> The driver of the secondary vehicle shall be responsible for maintaining radio communication and transmitting locations, direction of travel, traffic conditions and other relevant

information pertaining to the pursuit. If the secondary vehicle loses communication ability or is unable to continue, the secondary vehicle will drop out of the pursuit and the primary vehicle will assume the role of communications until another secondary vehicle is able to join the pursuit. <41.2.2b><41.2.2c>

The decision to pursue is not irreversible and commissioned members must continually evaluate whether the seriousness of the offense and the safety of the public justifies continuing the pursuit. A pursuit may be terminated at any time if the deputy or supervisor feels that it is too dangerous to continue. Officers involved in any pursuit should have a plan to end the pursuit by discontinuing, use of tire deflation devices (stop sticks), utilization of the TVI maneuver, or other tactics. Maneuvers such as ramming, roadblocks, and boxing in, require supervisory approval before implementation unless gaining such authorization is not practical due to the circumstances of the incident (immediate action is required by the deputy and deadly physical force is justified). <41.2.2a><41.2.3a>

IV. COMMUNICATIONS ROLE DURING THE PURSUIT <41.2.2c>

Upon notification by an officer that a pursuit has been initiated, Communications will ascertain from the officer in pursuit their location, direction of travel, suspect vehicle description, number of occupants, reason for pursuit, vehicle speeds, road conditions and any other relevant information. Communications will immediately start a cover unit to the officer involved and notify the patrol shift supervisor of the pursuit, verifying that s/he will be monitoring the incident. It is the responsibility of Communications to continuously request from the involved officer(s) updated locations, directions of travel, speeds and road conditions throughout the pursuit as well as notifying affected bordering agencies of the pursuit and any relevant information.

V. SUPERVISORY ROLE DURING THE PURSUIT AND FORCIBLE STOPPING IMPLEMENTATION <41.2.2f> <41.2.3 d>

Upon Communications advising the shift supervisor of a pursuit or upon the supervisor's knowledge of a pursuit, the shift supervisor will acknowledge their transmission and will begin monitoring the pursuit. The supervisor in charge during a pursuit has the authority and responsibility to monitor the progress of the pursuit, evaluate the circumstances, and make a decision to allow the pursuit to continue until its conclusion or to order it terminated. The supervisor must also consider alternative methods to end the pursuit. The involved supervisor will immediately proceed to the location where the pursuit ends and will assume command.

VI. CONDITION OF VEHICLE, DRIVER, ROADWAY, WEATHER

When involved in a pursuit, the condition of the pursuit vehicle, the driver, the roadway and weather conditions must be considered and continually evaluated.

- A. If officers involved in a pursuit discover any malfunction that would limit their vehicle's ability to maintain maximum efficiency, that officer will immediately drop out of the pursuit as soon as they can do so safely.

- B. If the physical or mental condition of any commissioned member involved in a pursuit impairs his ability to function at maximum level, they must immediately drop out of the pursuit as soon as it is safe to do so.
- C. The pursuit shall be terminated when adverse weather or roadway conditions prohibit maneuvering with reasonable safety.

VII. TACTICAL VEHICLE INTERVENTION

Forcible Stopping: The use of stop sticks, TVI Maneuver or other approved intervention techniques.

A. Stop Sticks

1. Description:

A stop stick is a device that is used to deflate the tires of a pursuit target vehicle. Each stop stick is a 3' long black triangular tube that houses hollow quills designed to puncture and deflate tires. Three stop sticks are inserted into a black nylon sleeve that keeps them in an end-to-end configuration. Included with each set of three is a red reel with an 80' length of cord. There is a spring-loaded clip attached to the end of the cord that clips through two grommets at one end of the nylon sleeve.

The quills are spaced about 3" apart in the housing. There are 12 rows evenly spaced in the 3' length. This makes it virtually impossible for a vehicle to drive over a stop stick without having at least one quill penetrate a tire. Deflation takes from 20 to 30 seconds.

2. Procedures:

- Utilization Parameters.

The stop stick is most effective when used on a hard surface roadway. This device is only to be used on vehicles with four or more wheels. Using it to stop a motorcycle would constitute an application of deadly force. <41.2.3a> Commissioned members must be trained in the proper usage of the stop sticks before utilizing them. <41.2.3 c>

- Deployment Authorization.

The use of the stop stick is authorized to end a vehicle pursuit or prevent a vehicle pursuit. <41.2.3a> Authorization for use of stop sticks will come from the supervisor who is in tactical command of the pursuit unless insufficient time exists to gain approval. <41.2.3 d>

- Deployment Procedure. . <41.2.3 b>

- Place the sleeved stop sticks on the side of the road ahead of the anticipated path of the target vehicle. One end of the cord is attached to the end of the sleeve, with a deputy holding the other end on the opposite side of the road. Take up the slack.
- When the target vehicle approaches, pull the stop sticks across the road into its path. At the time the vehicle crosses over the device make sure that the cord is lying on the ground, to prevent its being caught on the undercarriage.
- Immediately after the target vehicle crosses the device, pull it out of the roadway to prevent pursuing patrol cars from running over it.

- The device only weighs 5 pounds, so its rapid removal is easily accomplished. Do not wrap the cord around any part of your hand or body or otherwise attach the stop stick to your body. Doing so may result in serious injury or death should the device or cord become entangled with a vehicle.
- Position yourself in a safe place, such as behind a car or bridge abutment, so that if the suspect's vehicle swerves, you will not be hit.
- If circumstances dictate, the 3' individual stop sticks can be removed from the sleeve and used independently.
- Post-Deployment Procedures.
Do not discard the stop stick after it has been run over. The manufacturer will replace the damaged sections. Give the used device to the Patrol watch commander. <41.2.3 d>
- Tactical Considerations.
Stop sticks can be used with very little preparation time. However, how and where it is used will play a large part in a successful deployment. As much as possible, deploy it in a manner that will minimize the ability of the suspect to avoid running over the device. Some possibilities to increase the chances of success may include:
 - Use on a bridge or other area where guardrails prevent avoidance by driving around.
 - Use several devices to cover a wider area.
 - Employ a roadblock using patrol cars and place the device across the escape avenue.
 - Use over the crest of a hill or around a curve to provide for a minimum amount of time for the device to be within the driver's field of vision, thus reducing his ability to react and drive around the device.

B. TVI Maneuver

1. Description: Tactical Vehicle Intervention is defined as a technique utilized under specific circumstances, and it is not considered ramming. TVI is the intentional redirection of the suspect vehicle's direction of travel through the controlled use of force by the primary pursuit vehicle, without causing serious bodily injury to the deputies or suspects.
2. Procedures:
 - Utilization Parameters. .<41.2.3a>
 - TVI is a tool that may be utilized to prevent or terminate a suspect's vehicle movement before it may pose a danger to both the officer and/or the safety of the community
 - The decision to use the TVI must take into account suspect's hazardous driving and other means to stop the pursuit first. (officer/vehicle presence or tire deflating devices). TVI restrictions, speed, the safety of bystanders, the risk of physical injury to the occupant(s) of the vehicle fleeing and to the police officer must also be considered. Enough room and lack of restrictions must be present prior to implementing TVI.

- Therefore, the TVI may only be used while traveling at a speed not exceeding 40 miles per hour. If a deputy uses the TVI at a speed greater than 40 miles per hour, it will be considered the same as using deadly force.
- Commissioned members must be certified in the TVI maneuver before its use is authorized by this Office. <41.2.3c>
- Deployment Authorization.
 - The use of the TVI maneuver is authorized to end a vehicle pursuit.<41.2.3a> Authorization for use of the TVI maneuver will come from the supervisor who is in tactical command of the pursuit. .<41.2.3 d>
- Deployment Procedure. <41.2.3 b>
 - The technique is deployed by the lead patrol vehicle with an operator trained in “TVI” to contact the pursued vehicle in the rear quarter panel. Then gently push through the pursued vehicle. The pursued vehicle will spin around 180 degrees or more in a predicted area. A "High Risk" stop will then be performed.

C. Use of Firearms. <41.2.3ab>

1. Firearms must be used with extreme caution and in accordance with *P&P-B-100 Physical Force/Deadly Physical Force*.

D. Other Stopping Techniques. <41.2.3ad>

1. Maneuvers such as ramming (not TVI maneuver), roadblocks, and boxing in, require supervisory approval before implementation unless gaining such authorization is not practical due to the circumstances of the incident (immediate action is required by the deputy and deadly physical force is justified).
2. Techniques associated with ramming, roadblocks and boxing-in will be reviewed during driver’s training in-service. <41.2.3c>

VIII. TERMINATION OF PURSUITS <41.2.2g>

Terminating an active pursuit requires an objective decision, which must be based on continual observation and evaluation of multiple factors, including weighing the seriousness of the offense against the dangers presented by its continuation. The primary commissioned member, the involved supervisor(s), the shift captain, lieutenant, and monitoring command staff are all authorized to terminate any pursuit. Pursuits shall be terminated for the following reasons:

- A. If the risk of property damage, injury, or death to any person outweighs the seriousness of the committed or suspected offense.
- B. If the deputy is able to ascertain the identity of the offender which increases the probability of later apprehension (does not include pursuits where public safety is at risk if the offender is not apprehended).
- C. If the primary vehicle no longer has visual contact with the suspect vehicle.

- D. If the primary vehicle operator, supervisor, shift captain, lieutenant or monitoring command staff determine that apprehension does not warrant the risks of the pursuit.

When a decision has been made to terminate the pursuit, the commissioned members involved shall display a deliberate act that demonstrates that the pursuit has been terminated, such as turning off lights and siren and following all traffic laws.

IX. PURSUIT RE-INITIATION

Prior to the re-initiation of a pursuit as defined in § II above, the approval of a supervisor who is familiar with the circumstances of the initial pursuit / termination must be obtained. (If the second / subsequent pursuit is a justifiable 'stand alone' pursuit based on the present circumstances and without regard to the previous pursuit, it will not be considered a re-initiation.)

X. INTERJURISDICTIONAL CONSIDERATIONS <41.2.2h>

- A. Whenever a pursuit enters a receiving jurisdiction, the communications section of the originating jurisdiction, as soon as possible, shall, notify the receiving jurisdiction of the existence and reason of the pursuit and shall keep the receiving jurisdiction appraised of the status of the pursuit.
- B. All units should be advised immediately when a pursuit is discontinued or reaches termination.
- C. Commissioned members shall not become involved in pursuits originated by another agency unless that agency specifically requests assistance from the Sheriff's Office through the Communication's Section and the Patrol supervisor. Commissioned member's assisting with the pursuit when leaving the county's jurisdiction will notify the involved supervisor. The member may continue with the pursuit if authorized by the involved supervisor. The involved supervisor may also assign members to assist with traffic control, to render assistance at the termination or discontinuation point, or to monitor the progress of the pursuit.

XI. REPORTING AND POST-PURSUIT REVIEW <41.2.2i> <41.2.3e>

In addition to the other reports required, the following pursuit-specific reports and procedures shall be followed:

- A. The involved shift supervisor shall be responsible for initiating and distributing a Special Report in accordance with PAT-A-203 *Special Reports*.
- B. The member initiating the pursuit and all members directly involved in the pursuit will complete detailed reports and submit the reports to a supervisor for approval prior to the end of their shift. Reports will contain all relevant information to include strategies to prevent or end the pursuit when possible.
- C. Upon receiving all related reports and documents from the members' involved, the supervisor on duty at the time of the pursuit will complete a *Vehicle Pursuit* report. This report is a detailed analysis of the pursuit, to include the type of offense,

location, route, duration, weather conditions, traffic conditions, approximate speeds, any unusual occurrences or circumstances, any use of forced stop methods, any vehicle crashes (suspect, deputies, civilian), any injuries, names of members who were involved in the pursuit and the outcome of the pursuit, arrests made, notifications made, other agencies involved, etc. The Vehicle Pursuit report will be completed in Blue Team and forwarded to the division captain for preliminary review as soon as possible but no later than the end of the involved member(s) work week. The division captain will forward the Blue Team entry to the pursuit review committee. Any exceptions to this section of the policy must be made by the Division Captain.

- D. The pursuit review committee (3 Patrol members of supervisory rank) will review all documents, video and audio of a pursuit, and make a recommendation of their findings, as to the justification for initiating and continuing the pursuit, and compliance with policy and procedure. They will then make a report with their findings and forward it to the Division Captain and Chief Deputy. If any person involved in the pursuit sustains serious bodily injury as defined by C.R.S. the pursuit will bypass the pursuit review committee and be investigated by Internal Affairs.

Members of the pursuit committee will be appointed by the Patrol Division Captain. If a reviewing member was directly involved the Patrol Captain will select an alternate review member.

- E. The Vehicle Pursuit report will then be submitted to the Undersheriff and Sheriff for review. <41.2.2i> The Sheriff will then forward the packet to Professional Standards who will assign an internal tracking number to the pursuit. If any member of the chain of command determines policy and procedure was violated the Chief Deputy of Professional Standards will initiate an internal investigation or PCR based upon the circumstances of the violation.

XII. ANNUAL PURSUIT REVIEW AND ANALYSIS <41.2.2jk>

Professional Standards will conduct a documented annual review of pursuit policies and reporting procedures, as well as a documented annual analysis of all pursuit reports. This review and analysis will determine patterns or trends that may indicate any training needs or policy modifications.

By Order of the Sheriff