VEHICLE PURSUITS

Policy: This policy establishes the guidelines for vehicle pursuits.

A. High-speed pursuits by law enforcement officers sometimes become a necessary function of the Platte County Sheriff’s Department. The decision to pursue a suspect vehicle must be made only after careful consideration of the nature of the offense, area of pursuit, time of pursuit, road conditions, and the danger to innocent person.

AUTHORITY: Missouri Statute, Chapter 304.022, which authorizes emergency vehicles: Park or stand irrespective of the provisions of Sections 304.014 to 304.026; Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operations; exceed the prima facie speed limit so long as the governing direction of movement or turning in specified directions.

AUTHORITY: Missouri Statute, Chapter 544.157
1. Any peace officer certified under Chapter 590 RSMo, of any political subdivision of this state, any authorized agent of the Department of Conservation, and any authorized agent of the Missouri State Water Patrol in fresh pursuit of a person who is reasonably believed by him to have committed a felony in this state or who has committed, or attempted to commit, in the presence of such officer or agent, any criminal offense or violation or violation of a municipal or county ordinance, or for whom such officer holds a warrant of arrest for a criminal offense, shall have the authority to arrest and hold in custody such a person anywhere in this state. Fresh pursuit may only be initiated from within the pursuing peace officer, conservation agent, or water patrol officer’s jurisdiction, and shall be terminated once the pursuing peace officer is outside of his jurisdiction and has lost contact with the person being pursued. If the offense is a traffic violation, the uniform traffic ticket shall be used as if the violator has been apprehended in the municipality or county in which the offense occurred.

2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be made as in other cases of arrest under a warrant; if the violator is serviced with a uniform traffic ticket, he shall be directed to appear before a court having jurisdiction to try the offense; if the arrest is made without a warrant, the prisoner shall be taken forthwith before a judge of a court with original criminal jurisdiction in the count wherein such arrest was made or before a municipal judge who may release the person as provided in Section 544.455, conditioned upon his appearance before the court having jurisdiction to try the offense. The person so arrested...
need not be taken before a judge as herein set out if given a summons by the arresting officer.
3. The term “fresh pursuit” as used in this section, shall include hot or fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or is reasonable suspected of having committed a felony in this state, or has committed or attempted to commit in this state, a criminal offense or violation of municipal or county ordinance in the presence of the arresting officer referred to in Subsection 1. Of this section or for whom such officer holds a warrant of arrest for a criminal offense. It shall also include the pursuit of a person suspected of having committed a supposed felony in this state, though no felony has actually been committed, if there is reasonable grounds for so believing. “Fresh Pursuit” as used herein shall imply to instant pursuit.

4. A public agency electing to institute vehicular pursuits shall adopt a policy for a safe conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum standards:
   a) There shall be supervisory control of the pursuit.
   b) There shall be procedures for designating the primary vehicle and for determining the total number of vehicles to be permitted to participate at one time in this pursuit.
   c) There shall be procedures for coordinating operation with other jurisdictions; and
   d) There shall be guidelines for determining when the interest of public safety and effectiveness of law enforcement justify a vehicular pursuit and when a vehicular pursuit should be terminated.

B. Evaluation of pursuit circumstances:

1. A pursuit is justified only when the necessity of the apprehension outweighs the level of danger created by the pursuit.

2. Members must weigh the circumstances leading to the pursuit against the safety of citizens and other officers. The following circumstances and conditions must be considered before initiating a pursuit and must be constantly re-evaluated during a pursuit to determine if the pursuit should be continued:
   a) The likelihood of identifying the suspect at a later date.
   b) The officer’s familiarity with the pursuit area.
   c) The type of highway and area the pursuit is in or is about to enter, i.e., rural, business, industrial, residential, school zone, etc.
   d) The speed, direction(s), and density of vehicular and pedestrian traffic in the area.
   e) The presence of passengers in the fleeing vehicle.
   f) The presence of passengers or prisoners in the pursuit vehicle.
   g) The known mechanical condition of the pursuit vehicle and its emergency equipment.
h) The likelihood of apprehending the fleeing suspect through continued pursuit.
i) Other circumstances or conditions which directly affect the hazards of the pursuit.

3. Members will not engage in unduly hazardous driving maneuvers or duplicate such actions when performed by the driver of a fleeing vehicle.

C. Pursuit Responsibilities:

1. Pursuit of an offender in a motor vehicle becomes necessary in many cases in order to effect the arrest to traffic violations and more serious offenses; however, pursuit driving must always be governed by a common sense of the concern for possible accidents during pursuit. Self-preservation and consideration for the safety of innocent persons is an absolute necessity in any pursuit situation.

2. Only vehicles equipped with emergency lights and sirens will engage in the actual pursuit of fleeing vehicles. Deputies in non-emergency equipped vehicles, who have probable cause to believe that a felony offense has taken place and that the suspect(s) is escaping in a vehicle, may maintain observation of the fleeing vehicle to determine the description and direction of travel until a properly equipped vehicle can engage in a pursuit.

3. Off duty officers with non-law enforcement personnel as passengers will not become engaged in pursuit situations.

4. The initial pursuing officer (primary vehicle) and one backup car (secondary vehicle) and a Supervisor will normally be the only vehicles necessary to pursue a fleeing vehicle. The primary vehicle may request additional vehicles to assist, if necessary, through the Communications Center. The secondary vehicle must not follow too closely and should not attempt to pass the primary vehicles unless the primary vehicle is forced to drop out due to mechanical problems and requested to do so by the primary vehicle, or requested to do so by a Supervisor.

5. Sirens and emergency lights will be used continuously throughout the pursuit.

D. Communication Responsibility:

1. Primary pursuit vehicles must keep the dispatcher informed of the progress of the pursuit when necessary, particularly regarding changes in direction of travel, and cross streets.
2. Dispatchers will advise pursuit vehicles of know hazards and keep other units advised of pursuit progress.

3. Dispatchers will advise the immediate Patrol Supervisor of the pursuit and the vehicles involved as soon as it is possible, so they may have control of the pursuit.

4. The dispatcher will contact other jurisdictions in which the pursuit has entered or may be entering and coordinate the information to that jurisdiction and the pursuit vehicles.

E. Supervisor’s Responsibilities:

1. A Patrol Supervisor will monitor the pursuit or engage in the pursuit.

2. A Patrol Supervisor will, at his discretion, respond to the termination point of the pursuit. The Supervisor will have the pursuit vehicles informed of his decision to respond or not.

3. If an accident has occurred to the end of the pursuit and a Supervisor is responding all parties should remain at the scene, unless relieved by the Supervisor, and the scene shall remain intact. Persons needing medical attention may leave the scene prior to the Supervisor’s arrival.

4. The Patrol Supervisor shall determine whether actions of the officers involved were in accordance with department procedure.

F. Restrictions on Pursuits:

1. No shots will be fired at a moving automobile or from a moving automobile unless the occupant(s) of the automobile or the suspect(s) represents a direct threat of life and/or safety of the officer or other innocent persons, and then only as a last resort.

2. Attempted deflating of tires is not permissible except when using department approved equipment. Stop sticks are not to be used on two or three wheel vehicles.

3. Attempted stops of vehicles by placing a vehicle directly in front of the suspect’s vehicle is not allowed.

4. “Bumping” the suspect’s vehicle will not be attempted.

5. Only a Supervisor may override these restrictions.

G. Use of Road Blocks:
1. Roadblocks may be utilized during a pursuit upon permission of a Supervisor when the fleeing suspect has shown a complete disregard for the safety of the lives of others.

2. The roadblock must be in a highly visible area to ensure the pursued vehicle ample time to stop after seeing the roadblock.
3. It must be set in a way that there is an avenue of escape.
4. Every effort must be made to warn other traffic and divert traffic to another street or have ample room to move these vehicles to safety.
5. Occupied vehicles and private vehicles will not be used as barricades.
6. Ensure that the Communications Center is aware of the location of the roadblock.
7. Have backup units positioned beyond the roadblock to continue the chase should the suspect avoid the roadblock.

H. Termination of the Pursuit:

1. The exact location of the "stop" will be provided to the dispatcher as soon as possible.
2. After arrests have been made, other units who are not needed will return to normal patrol.
3. A pursuit may be terminated at any time the primary vehicle or secondary vehicle feels the pursuit should end.
4. A Supervisor may terminate the pursuit at any time.