



# Independence Police

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<b>GENERAL ORDER</b>	<b>No. 1994-026</b>	<b>Page 1 of 18</b>
<b>SUBJECT:</b>  Vehicle Pursuits	<b>EFFECTIVE DATE:</b> 1994	
	<b>REVIEW/REVISION DATE:</b> March 2, 2021	
	<b>REFERENCE:</b> 1994-009 Response to Force, 1995-046 Stopping and Approaching Traffic Violators, 2005-002 Vehicle Operations-Emergency Response, State Cert. Standards 19.5, 21.13	

## PURPOSE

A suspect's decision to flee apprehension in a motor vehicle knowingly exposes the public and others to serious risk. This General Order establishes guidelines in balancing the safety of the public, officers, and suspects against the law enforcement duty to apprehend violators of the law. Roadblocks, overtaking violators and the pursuit of vehicles require officers to exhibit a high degree of sound judgment. Officers will continually evaluate the safety of the public, officers, and suspect(s) against the need for apprehension of a suspect.

This policy is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed or interpreted as the creation of a higher standard of care in an evidentiary or liability sense in any civil or criminal matter. Violations of this policy, if proven, can only form the basis of disciplinary or educational action within this agency and, if appropriate, in an administrative proceeding by the City of Independence.

## POLICY

Officers in the course of their duties are called upon to engage in emergency vehicle operations in pursuit of suspects attempting to evade apprehension. Vehicle pursuits are fluid and rapidly evolving events. It is the policy of the Independence Police Department to engage in emergency vehicle operations as safely as possible. No officer or supervisor shall be criticized for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. Review and evaluation of officer(s) actions relative to pursuits will be according to the circumstances reasonably available to the officer at the time of the pursuit. The following is established to provide officers with guidelines for alternatives to pursuits, engaging in pursuits and termination of pursuits with due regard for the safety of all persons.

## DEFINITIONS

- Assisting Unit – The police unit assisting the primary pursuing police unit.
- Boxing In – Utilizing police vehicles and/or other stationary barriers to restrict suspect vehicle movement.
- Vehicle Pinning – The utilization of police vehicle(s) to restrict the movement of a stationary occupied suspect vehicle by physical contact.
- High Risk Car Stop– Procedure for stopping and apprehending a vehicle operator/occupant who is a known or suspected felon as outlined in General Order 1995-046.
- Heading Off– The act of pulling ahead of, alongside or towards a violator’s moving vehicle to force it to the side of the road or to come to a stop without making actual contact with the vehicle.
- Non-Pursuit Rated Vehicle – Police fleet vehicle not rated for pursuit by the manufacturer. Vehicle may have siren and limited emergency lighting (i.e. investigations vehicle, administration, etc.) but it is not utilized in a primary field enforcement capacity. May be used to stop violators.
- Overtake – An active attempt to catch up to a motorist who is not yet aware that he/she is being apprehended.
- *It is not a pursuit when an officer activates his/her emergency equipment in order to overtake/catch up to a vehicle to conduct a traffic stop.*
- *If an officer attempts to perform a traffic stop and the vehicle flees, it is not considered a pursuit if the officer immediately deactivates his/her emergency equipment and changes course of direction and notifies the Emergency Communications Center of their action.*
- Piranha (PTD) – Device placed under the tire(s) of a stationary vehicle to prevent the vehicle from fleeing.
- Primary Unit – The police unit initiating a vehicle pursuit or assuming the primary role during a pursuit in progress.
- Pursuit Rated Vehicle – Police fleet vehicle rated as such by the manufacturer. Vehicle must have a siren with front, rear, and side visible emergency lighting. Decals are not required.
- Pursuit Termination Devices (PTD) – Devices that contain numerous hollow steel spikes and when driven over, deflate a vehicle’s tires at a rapid but controlled rate.
- Roadblocks – Any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to affect the apprehension of an actual or suspected violator in a motor vehicle.
- Safety Belts – Vehicle manufacturer safety (seat) belts will be worn at all times while operating a police vehicle or while riding as a passenger in a police vehicle.
- Serious Violent Felony – An offense involving homicide, rape, robbery, aggravated assault or other significant violent crime against person.

- StarChase – System allowing an officer to remotely affix a GPS tracking device (tag) to a stationary or pursued vehicle.
- StarChase Monitor – ECC unit personnel responsible to monitor a deployed “tag” and provide suspect location information to field units.
- StopStick Devices (PTD) – A system with spikes that cannot be lowered. The entire system must be removed from the roadway before any traffic can pass.
- Supervisor – For the purposes of this order, a supervisor is a member holding the rank of sergeant or above or a member who is temporarily assigned as an acting sergeant to a shift/unit.
- Terminate – To abandon or abort the pursuit. Officer(s) will deactivate emergency equipment and immediately cease following the suspect and immediately return to their district/city. No attempt to follow or relocate the suspect vehicle will be made.
- *Field Supervisors may approve the continued following the path of a suspect after the successful deployment of a StarChase GPS Tag*
- Termination Point – The location where the pursuit comes to a conclusion.
- Trailing – The unauthorized following of a pursuit at any distance, to include paralleling, intercepting, tracking or attempting to get ahead of a pursuit.
- Vehicular Pursuit – An active attempt by one or more police officers of the Independence Police Department to apprehend a suspect operating a motor vehicle while the suspect is knowingly trying to avoid apprehension by using high speed driving or other evasive tactics such as driving off a roadway, making sudden or unexpected movements or maintaining legal speed but willfully failing to yield to the officer’s signals to stop.

### **ALTERNATIVES TO PURSUIT**

- Whenever practical officers should attempt to avoid pursuits before they occur. Officers who identify an occupied stolen auto or an occupied vehicle wanted for a felony offense should consider alternatives to attempting a car stop to initiate arrest. Alternatives may include:
  - Requesting a KCPD helicopter to observe the vehicle until it is stopped and the suspect(s) can be taken into custody without pursuit. Once the helicopter assumes primary unit status, the field supervisor should direct pursuit units regarding continuing operations (e.g., continuing pursuit, ceasing emergency operations, etc.)
  - Deploying Pursuit Termination Devices (PTD) prior to initiating a vehicle stop
  - Safely boxing in the suspect vehicle while stopped at an intersection, parking lot or other location prior to pursuit
  - Utilizing a police vehicle(s) to pin a stationary suspect vehicle by contact. Only **Units** trained and authorized by the department will utilize pinning and it will only be implemented under supervisory approval with an operational plan.

- Utilizing the StarChase system to deploy a GPS tag on a stationary occupied vehicle
- Unoccupied Vehicles (Confirmed Stolen or Wanted for Other Crime)
- Officers locating an unoccupied stolen vehicle, or unoccupied vehicle wanted in connection with another crime will confirm the status through the Emergency Communications Center. Mobile Data Terminals (MDTs) are a tool to enhance field operations; but confirmation prior to recovery or potential arrest/apprehension will be made with ECC.
- Officers locating a wanted unoccupied vehicle will notify a supervisor. If the decision is made to conduct surveillance on the vehicle in an attempt to capture the occupant, the supervisor will respond and coordinate the incident.
- If the determination is made to wait for the suspect(s) to return; all reasonable efforts will be made to place a PTD at the vehicle's tires following the manufactures recommended procedures.
- Officers on surveillance of an unoccupied stolen vehicle, or an unoccupied vehicle wanted for another crime, will make all reasonable efforts to apprehend suspect(s) entering the vehicle prior to the vehicle becoming mobile. This may include attempts to block the vehicle prior to it becoming mobile, use of PTDs, and/or requesting assistance of unmarked detective or other investigative vehicles to aid surveillance and capture.

## VEHICLE PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle. Any pursuit should be discontinued whenever the totality of objective circumstances known to the officer or supervisor indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s) escape.

- Where appropriate, officers intending to make traffic stops should endeavor to be in close proximity to the violator's vehicle before activating all emergency equipment to lessen the violator's temptation to flee.
- The decision to overtake rests with the individual officer. The officer must carefully consider all factors involved, including the safety of the general public, officers and occupants of the vehicle, the seriousness of the offense and the possible consequences.
- The decision to initiate a vehicular pursuit rests with the individual officer when guidelines included in this directive are met. When a pursuit is initiated all emergency equipment will be activated and it shall be reported to the dispatcher as soon as possible. This includes incidents that have escalated from routine overtaking situations.
- Officers may choose to follow a suspect vehicle at a reasonable distance without pursuing the suspect until such time as sufficient back-up arrives, PTDs can be utilized, or StarChase can be deployed.
- Only police vehicles rated for pursuit by the manufacturer, and equipped with front, rear and side visible lighting and siren may initiate or assist in a pursuit.

- Other police vehicles with limited emergency equipment may be used to stop traffic violators or suspects of a criminal offense but will not engage in vehicle pursuits. A field supervisor may authorize pursuit in instances of violent felonies but such vehicles will drop out immediately when a pursuit unit arrives unless directed otherwise by the supervisor.
- Police motorcycles that initiate pursuit will request assistance immediately and will drop out when a pursuit rated vehicle arrives. Any continuation of a motorcycle as the assisting unit must be approved by the field supervisor.

### **PRIMARY PURSUING UNIT**

- Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle. The decision to initiate and continue a pursuit of a fleeing vehicle will be made in consideration of safety to citizens, officers, and suspect(s) as specified in this directive. The following additional factors, while not exclusive, will individually and collectively be considered in the officer's decision to initiate or continue a pursuit.
  - The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against risk to citizens, police and suspect(s)
  - The identity of the suspect(s) has been verified and there is minimal risk in allowing the suspect(s) to be apprehended at a later time
  - Safety to the public with regard to the area of pursuit including type of roadway, time of day, amount of vehicle or pedestrian traffic and speed of the pursuit relative to posted speed limits. Unless circumstances warrant, officers should not actively pursue in commercial parking lots open for business.
  - Weather and road conditions that increase the danger of the pursuit beyond the risk in apprehending the suspect(s) at a later time
  - Performance capabilities of police vehicles, or driving capabilities of the officer operating the vehicle in relation to speed, road or weather conditions, and the observation of the suspect exceeding his/her driving abilities thereby increasing the danger to others
  - Other persons in the pursued vehicle (e.g., passengers, juveniles, offenders, hostages)
  - Availability of other resources (e.g., StarChase, KCPD helicopter, PTDs)
- The initiating or primary officer shall be in field command and bears responsibility for the decisions made in the pursuit until relieved by a supervisor.
- The initiating officer should provide the dispatcher with the following information:
  - The officers radio number
  - Location, speed and direction of travel

- Suspect vehicle description including the license number if known
- The specific reason for the pursuit including known laws violated
- The number of occupants in the fleeing vehicle and the presence of juveniles if known
- Traffic Conditions and any weather or other conditions relative to the risk of continuing the pursuit
- Location and direction of travel in frequent intervals to assist in deployment of PTDs or StarChase
- Failure to provide this information can be cause for the field supervisor to order termination of the pursuit.
- All units involved in a pursuit will space themselves at distance that will ensure braking and reaction time in response to officer or suspect(s) actions.
- Any disregard of traffic signs or signals will be done with extreme caution and must be accompanied with the use of all emergency equipment to provide motorists and pedestrians reasonable reactionary time/distance to react before proceeding.
- Officers shall not follow suspect(s) the wrong way on controlled access highways, interstates, or any divided roadway. Emergency operations may be continued for serious violent offenses only, with supervisor approval, in the correct lanes of travel, to maintain visual of the suspect and provide warning to other motorists.
- The pursuit, if only for misdemeanor charges or minor traffic offenses, shall be terminated if the suspect(s) enters the wrong way or enters onto coming traffic on any highways, interstates, or any divided roadway or at any point in the opinion of the involved officers or supervisors the risk to public safety, officers, or occupants of suspect vehicles outweighs the seriousness of the possible charges.

### **ASSISTING UNIT(S)**

- Assistance with a pursuit will be coordinated by the supervisor
- The active pursuit will normally involve no more than two units to include the primary unit and one assisting unit. Additional units must be authorized by the field supervisor.
- If available, a canine unit may respond and take over the role of primary or secondary unit as warranted or join as a third pursuing unit with supervisor authorization.
- If available, a StarChase unit may also respond and assume the role of the one assisting unit until such time they can take over the primary role and attempt to deploy StarChase. As the StarChase vehicle moves up in the pursuit other assisting units should drop out unless the field supervisor authorizes more than the normal two units.

- The same factors relative to a primary unit with regard to safety of citizens, officers and suspect(s) apply to the assisting unit or any additional unit authorized to assist by a supervisor.
- Any factor or situation that is observed or develops during a pursuit that the assisting officer believes presents substantial risk in continuing the pursuit, or reasonably appears to outweigh the risks resulting from the suspect(s) escape, should immediately notify the primary officer and the field supervisor of his/her observation. This will include discrepancy in speeds between primary and assisting units.
- Upon joining the pursuit, the assisting unit should immediately notify the dispatcher of its identity. If the primary unit is a one-officer unit, the assisting unit may assume radio communications responsibility if in proper position to do so. This will allow the primary unit to devote full attention to driving.
- The assisting unit will maintain a safe distance behind the primary unit. The proximity to the primary unit should be close enough to render backup assistance when required.
- All units authorized to assist should avoid intersecting the path of an oncoming high speed vehicle.
- If the primary unit becomes disabled, the assisting unit may become the primary unit if the pursuit continues. The field supervisor will designate the next unit to join the pursuit.
- All field units will remain aware of the direction and progress of a pursuit by monitoring the police radio but shall not respond, trail, caravan or parallel the pursuit unless authorized by a supervisor.
- Officers are authorized to use emergency equipment at intersections along the pursuit path to clear vehicular and pedestrian traffic as a protection to the public.
- Officers are authorized to deploy Pursuit Termination Devices if certified and are able to do so safely.
- Officers not involved in the pursuit shall remain off-the-air unless circumstances dictate otherwise for safety

### **SUPERVISOR RESPONSIBILITY**

- Commanders and supervisors have the responsibility to assure that all subordinate personnel under their command receive appropriate training in policy and procedures relating to pursuits and that pursuits are conducted in compliance with due regard to the safety of the public, officers and suspect(s).
- Supervisors are responsible for managing all vehicular pursuits to include determining whether the pursuit should continue or be terminated. Any doubt concerning the initiation or continuation of a pursuit should be resolved in favor of either not initiating or terminating the pursuit.
- Upon being notified of a pursuit the supervisor should verify the following:
  - No more than the required or necessary units are involved

- The proper radio frequency is being utilized
- Affected adjacent agencies are notified and any needed assistance is requested
- The supervisor should direct and maintain control of the pursuit until terminated. It is not necessary that the supervisor be physically present to assert control or coordinate the pursuit.
- The supervisor may terminate a pursuit for any reason, including the absence of adequate information from the primary or assisting units.
- The supervisor may order or approve alternate or offensive tactics such as road blocks in compliance with this General Order and Response to Force 1994-009.
- The supervisor shall proceed to the termination point of the pursuit if needed to provide guidance necessary when the pursuit ends with an apprehension.
- The supervisor shall ensure all appropriate reports/reviews are completed in regard to the pursuit and that all paperwork is approved and submitted through proper channels via mechanisms currently approved and in place.
- The supervisor will see that all involved audio/video recordings of the incident are properly tagged for retention.
- The supervisor will critique the pursuit with all involved personnel as soon as possible. Review and evaluation of officer(s) actions relative to pursuits will be according to the circumstances reasonably available to the officer at the time of the pursuit. The telecommunicator(s) involved in the pursuit should be included if possible or given a critique privately.
- The Special Operations Division Commander will cause an annual analysis of these critiques to be completed.

#### **EMERGENCY COMMUNICATIONS CENTER RESPONSIBILITY**

- A pursuit initiated by the Independence Police Department will be conducted on a primary channel unless instructed otherwise by a supervisor. IPD pursuits will be patched to a RegCom channel to allow surrounding agencies utilizing the MARRS system to switch and monitor the pursuit for possible travel to their jurisdictions; and to allow for mutual aid requests in an efficient manner. The Communications Unit will tone active pursuits involving surrounding agencies to allow Independence Field Units to monitor on RegCom for possible travel of pursuits into Independence or respond to requests for mutual aid with supervisor approval.
- Emergency Communications Unit Personnel will receive and record all incoming information on the pursuit and the pursued vehicle.
- The supervisor and watch Commander will immediately be notified when a pursuit is initiated or when there is likelihood that an area pursuit will enter Independence.



- The Communications Unit will clear the radio frequency involving the pursuit of unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information. ECC radio traffic should be minimal to provide clear air for pursuing units.
- The Communications Unit will perform relevant record and motor vehicle checks.
- The Communications Unit will continue to monitor the pursuit until it has been terminated.
- In the event that a StarChase tag is deployed, ECC personnel will assume the role of StarChase monitor and will provide updates to the field units as to the location of the suspect vehicle.

### **HIGH RISK CAR STOP**

- The removal and apprehension of suspects and occupants from a pursued vehicle at the termination point will be conducted as outlined in General Order 1995-046 (Stopping and Approaching Traffic Violators/Stopping a Known or Suspected Felon) unless circumstances at the termination of a pursuit (i.e. medical emergency, active threat to life, foot chase, outside agency involvement etc.) require other exigent action.

### **TERMINATION OF VEHICLE PURSUIT**

- The decision to terminate a pursuit may be the most intelligent course of action in consideration of the circumstances. Pursuits should be discontinued whenever the totality of objective circumstances known to the officer or supervisor indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s) escape. No officer or supervisor shall be criticized for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit.
- All officers will be held strictly accountable for the consequences of indifference for the safety of innocent persons. Overtaking violators and the pursuit of vehicles require officers to exhibit a high degree of sound judgment. Officers must continually evaluate the safety of the public, officers, vehicle occupants and suspect(s) against the need for apprehension of a suspect.
- A vehicular pursuit shall be terminated under any of the following circumstances:
- If in the opinion of the pursuing officer(s), supervisor, or watch commander, there is a clear and unreasonable danger to the officer and/or other users of the roadway created by the pursuit that outweigh the necessity of immediate apprehension
- If the suspect(s) enters the wrong way or enters onto coming traffic on any highways, interstates, or any divided roadway or at any point in the opinion of the involved officers or supervisors the risk to public safety, officers, or occupants of suspect vehicles outweighs the seriousness of the possible charges.
- The suspect's identity has been established to the point that later apprehension can be accomplished and there is no longer a need for immediate apprehension

- The prevailing traffic, roadway, geography, weather, officer's unfamiliarity of the area, officer or violator driving skill, or vehicle limitations indicate the futility of the continued pursuit
- The pursued vehicle location is no longer known
- The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a lesser misdemeanor or non-violent felony
- The pursuing officer knows, or is reasonably certain, that the fleeing vehicle contains infants or young passengers placed at risk by the suspect(s) continued attempt to elude apprehension
- Termination of a pursuit by the officer, field supervisor, or watch commander will immediately result in the officer(s) cessation of emergency operations and no attempt to follow the suspect or continue in the same direction will occur. Officers will turn off as quickly as can be done safely.

### **COLLISIONS**

- In the event of a collision involving any third-party vehicle or pedestrian, the assisting unit will stop and render assistance to include requesting medical assistance. If there is not an assisting unit in the pursuit and there is not another unit in the immediate area able to render assistance, the primary unit will terminate the pursuit and render immediate assistance. The supervisor monitoring the pursuit can authorize units to continue the pursuit if the severity of the charges against the suspect(s) and the potential danger to the public resulting from escape outweighs the safety concerns of those involved in the collision. A unit will be dispatched immediately to the scene of the collision if the pursuit continues.
- During normal business hours, the Office of the Chief of Police will be notified immediately in the event a collision occurs as a result of a pursuit. The Staff Duty Officer will be notified immediately during non-business hours.

### **OFFENSIVE TACTICS**

- In the course of a pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked vehicles, ditches or any other obstacle is prohibited unless lethal force is authorized. Supervisor approval will be obtained prior to conducting such action if the situation/time permits.
- Boxing in, heading off or driving beside the pursued vehicle while in motion is prohibited unless specifically authorized by the supervisor or watch commander.
- The use of roadblocks must be authorized by the shift commander or supervisor.

### **ROADBLOCKS**

- When it has been determined that a felony pursuit has been initiated or a misdemeanor pursuit has escalated into a felony pursuit, the shift commander or field supervisor may authorize one or more roadblocks at different locations to be set in the potential path of the suspect(s). Use of roadblocks is dangerous and should only be used in extreme cases and after considering the safety of the public and officers. Use of roadblocks may constitute

lethal force. Department policy regarding the use of lethal force shall be strictly followed. Refer to General Order 1994-009, Response to Force.

- The decision to totally block the roadway will be done only with the approval of a supervisor. It will be based upon the hazards presented by the pursuit versus the hazards presented by totally blocking the roadway. An avenue should be left for other motorists to prevent congestion but close to the fleeing vehicle as it approaches.
- Supervisors selecting a site for a roadblock will give consideration to what provides maximum safety to the public and to officers while facilitating the apprehension of the suspect, e.g., the end of a long bridge, the presence of guard rails, or other physical or natural barriers, etc.
- Officers will not place themselves in a location that unnecessarily contributes to or heightens a threat to their personal safety, such as taking up a position on the roadway directly in the path of the fleeing vehicle, when a more prudent location is available. Officers placing themselves at risk may not be justified in using lethal force based solely on that threat to their safety.
- Police vehicles, vehicles from other agencies, barricades, traffic cones, flares, and other similar devices may be used to create a roadblock. The use of unmarked police vehicles should be avoided if possible. Privately owned vehicles will not be used.
- Roll down the windows in the blocking vehicle and close doors
- Shut off the engine
- All emergency lights must remain on
- Exit the vehicle and stay clear
- All officers will take up positions on the same side of the roadway and not on opposing sides
- Radio transmissions should be held to a minimum other than to advise the pursuing units of the location of the roadblock and any specific plan of action
- Pursuing officers will provide officers at the roadblock with information regarding the fleeing vehicle, its occupants, its location at frequent intervals, and its speed along with any/all pertinent facts
- Upon approach to the roadblock, the pursuing units should slow down and be prepared to stop well short of the roadblock.

### **PURSUIT TERMINATION DEVICES**

- PTDs will be deployed in a manner recommended by the manufacturer and by officers who have received the designated training in the use of the device as established by department policy and the training unit of the department.

- The attempted or successful use of PTDs does not obligate the pursuing officer or field supervisor to continue a pursuit that is determined to become too dangerous although the PTDs may have resulted in damage to the suspect(s) vehicle.
- Pursuit Termination Devices are designed to be used against vehicles having at least four tires. Under no circumstances will PTDs be used against unenclosed vehicles manufactured without seatbelts such as motorcycles, three-wheeled vehicles or four-wheeled ATV unless the use of lethal force is legally justified. Use against such vehicles substantially increases the risk of injury or death to the vehicle's operator or passengers.
- The deploying officer should advise over the radio where PTDs are being deployed so pursuing officers can back off and allow the PTD to be removed once the suspect has passed allowing police vehicles to proceed.
- Every reasonable effort will be made to avoid using PTDs on road surfaces where there is:
  - Standing water
  - Ice or snow
  - Exceptionally rough pavement
  - Other unique characteristics or circumstances that would indicate a foreseeable increase in risk of a serious accident
- PTDs should be deployed in areas with unobstructed views of the roadway from both directions so as to aid deployment and lessen the possibility of an accident.
- Once PTDs are deployed, the officer should seek a secure location away from the path of the fleeing vehicle. Examples would be a large tree, guard rail, or other object substantial enough to stop an approaching vehicle. Use of a vehicle is considered concealment only and will not provide adequate cover from a moving vehicle.
- When deploying PTDs, do not hold onto any part of the device as serious injury may result.
- Officers must use extreme caution when deploying PTDs on interstate highways and roadways with elevated speeds and high traffic volume.
- PTDs may be deployed to assist outside agency officers involved in pursuits into Independence.
- The deploying officer is responsible for rendering assistance to any uninvolved citizen who may sustain vehicle or property damage as a result of the PTDs.
- The deploying officer will be required to generate a supplement to the pursuit report that will include all related facts of the deployment and list all third party damage resulting from the use of PTDs.
- The deploying officer will complete a StopTech Pursuit Reporting Form via the website so replacements PTDs can be obtained.

- Stop Sticks damaged by deployment will be placed in the designated area for destruction.

### **STARCHASE PURSUIT MANAGEMENT SYSTEM**

- The StarChase system allows an officer to remotely affix a GPS tracking device to a pursued or stationary vehicle using an air pressure system to discharge the tracker from the front of the StarChase equipped patrol car to the vehicle in front of it. Once the tracker is affixed, its location can be tracked by an employee (StarChase Monitor) using a computer with internet connection.
- For the purpose of clarity of communications, radio traffic should identify the device as “StarChase.”
- StarChase equipment installed in any police vehicle will only be operated by officers who have been trained on its use.
- When it is determined that a StarChase GPS tag will be affixed to a vehicle that is currently not being pursued (i.e., occupied stolen auto, occupants wanted, etc.) every effort will be made to affix the device prior to an officer activating any emergency equipment.
- Except as specified below, officers shall use their own judgment regarding affixing a StarChase tag upon a pursued vehicle and do not need prior approval from a supervisor.
- All safety decisions related to the discharge of a StarChase tag rest with the operating officer. While supervisors may direct or approve the deployment of a StarChase equipped patrol car in a pursuit and/or the discharge of a tag; safety decisions related to passing other involved vehicles and the actual discharge of the device rest solely upon the operating officer whose decisions must take into account the guidelines contained in this General Order regarding pursuits. In accordance with policy, the safety of officers, uninvolved persons and persons inside the pursued vehicle shall be considered. The following decisions are specifically included:
  - Whether the officer can safely maneuver close enough to the suspect vehicle to come within target range
  - Whether the officer can safely pass (with permission) any other vehicle involved in the pursuit
  - Whether any circumstance would indicate the device would not work (e.g. weather conditions, suspect vehicle weaving, etc.)
- StarChase equipped patrol cars, with approval from a supervisor, are authorized to respond with emergency equipment to join a pursuit for potential use of the device.
- Unless directed otherwise, the StarChase equipped vehicle will join the pursuit at the rear of authorized pursuing vehicles until cleared to pass
- Once a StarChase equipped vehicle joins a pursuit, it becomes an authorized unit as it relates to the number of authorized pursuing vehicles

- StarChase equipped vehicles may pass other pursuing vehicles only when deemed safe and only with specific permission from the unit to be passed. Permission is to be sought and acknowledged, one vehicle at a time. Officers driving the StarChase equipped vehicle will identify which side of the overtaken vehicle they will pass
- StarChase tags will be deployed in accordance with training.
- Once the StarChase tag has been successfully deployed, the pursuing vehicles should normally drop back significantly from the suspect vehicle and deactivate all emergency equipment
- Although the active pursuit may be terminated, field supervisors may authorize the continued following of a suspect vehicle after the successful deployment of a StarChase GPS tag
- Officers will maintain constant communication with the StarChase Monitor for speed/direction/location updates of the suspect vehicle
- The field supervisor will coordinate with the StarChase Monitor to direct resources and officers to appropriate locations to apprehend the suspect(s)
- No officer who is driving a moving patrol car will access StarChase Monitor data as this creates an unnecessary hazard
- Tactical Considerations
  - The StarChase tag will not normally be deployed in the following situations unless the suspect poses a substantial risk to the public:
    - During heavy rain
    - While driving on exceptionally rough terrain
    - On a motorcycle
    - When pedestrians are between or very near the suspect vehicle and the StarChase equipped vehicle
- In addition to the normal pursuit reporting procedures required by policy, officers who use the StarChase system will report all tag deployments to their supervisor who will complete an electronic reporting form. The electronic address of this form will be provided to officers during training conducted for the StarChase system.
- The StarChase system will be referred to by name within any police report.

### **INTER-JURISDICTIONAL PURSUITS**

**\*With recent Kansas Supreme Court decisions and local legal opinions in mind Independence Missouri officers and supervisors should take into consideration they have an increased risk of liability when they enter Kansas on police pursuits. Because it is unlikely their Missouri immunities travel with them across the state line, they face exposure, if it is**

**determined they acted with reckless disregard. With this in mind, the following policies will be strictly enforced:**

- Pursuits crossing the state line into Kansas, or any other state, will be discontinued whenever the totality of objective circumstances known to the officer or supervisor indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s) escape. Officers and field supervisors shall consider the gravity of the Violent Felony involved, and the suspect's danger to public safety, in determining whether or not to continue.
- If the suspect(s) being pursued represents a substantial risk to public safety, outweighing the immediate risk of continuing the pursuit, the primary and assisting unit may continue the pursuit into Kansas for violent felony charges only with supervisor approval. Pursuits for traffic or misdemeanor charges will not proceed into Kansas.
- The Emergency Communications Center will notify outside agencies if officers of the Independence Police Department are in pursuit in their jurisdiction. The telecommunicator will specify that the call is a request for assistance. The telecommunicator should seek any information from the agency which would be beneficial to the pursuing officer. The primary pursuit channel will be patched to a RegCom channel to enhance officer safety and requested assistance.
- At the discretion of the field supervisor or shift commander, the pursuit may be continued with the following modifications:
  - The primary unit and his assisting unit may continue if the vehicle and occupants are known to have been involved in or committed a violent felony crime against persons or
  - If they can articulate probable cause to believe that the vehicle and occupant(s) have been involved in, or committed, a violent felony crime
  - Pursuits crossing the state line into Kansas that do not meet either of the above criteria must be terminated prior to crossing into Kansas
- When the primary unit from this department determines that the vehicle is involved in a violent felony crime against persons or has probable cause of being involved in a violent felony crime against persons, is about to cross into Kansas, the primary unit will immediately request approval of the on duty supervisor monitoring the pursuit. If approval is granted, the primary unit will advise the Emergency Communications Center so that officers in the affected jurisdiction can be alerted. The primary or assisting unit from this department will advise the ECC of the exact location, if known, or the approximate location where the suspect vehicle will penetrate the state line.
- The primary and assisting unit will operate in emergency mode until such time as a unit from the affected jurisdiction intercepts the pursuit. The primary IPD unit will be delegated to an assisting unit. The original IPD assisting unit will immediately terminate emergency operation and return to Independence unless directed otherwise by the field supervisor or watch commander.
- Even though more units from the affected jurisdiction enter the pursuit, the primary unit from Independence will continue the pursuit to the terminating point, if possible, for the following reasons:

- Loss of visual contact with the suspect vehicle by the primary unit from this department may compromise chances for conviction for crimes in Independence
- Any voluntary termination by the primary unit from Independence in a jurisdiction in Kansas would unnecessarily endanger the officer and equipment from the jurisdiction that is attempting to assist this department
- If a felony suspect is apprehended in the state of Kansas, the Kansas unit taking custody of the suspect(s) shall transport to the appropriate booking facility and the primary unit from Independence shall proceed to that booking facility and have the suspect(s) booked on his/her complaint. IPD will then initiate extradition procedures.
- When the pursuit proceeds into another Missouri jurisdiction, be it for a felony, suspected felony, misdemeanor, or suspected misdemeanor, the gravity of the offense or violation must again be weighed to determine if the pursuit should be continued. Any pursuit should be discontinued whenever the totality of objective circumstances known to the officer or supervisor indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s) escape.
- The primary unit, considering the above factors, may continue the pursuit into another Missouri jurisdiction unless terminated by the field supervisor or watch commander. When the suspect vehicle enters into another Missouri jurisdiction, the same procedures regarding pursuit vehicles and notification of affected jurisdictions as outlined above will be followed.
- In the event the suspect(s) are apprehended in another Missouri jurisdiction, it will be at the discretion of the affected jurisdiction if they wish to take custody of the suspect(s). If they do take custody, the primary officer will notify their booking facility to hold the suspect(s) for our department. This applies to felony and misdemeanor offenses. After the suspect(s) are released to our department, they will be transported to our detention facility and booked on the primary unit's appropriate charges. If the affected jurisdiction releases the suspect(s) to our department at the scene of the apprehension, they will be transported to our detention facility and booked on appropriate charges. This applies to both felonies and misdemeanors.

#### **PURSUIT INTO THIS JURISDICTION BY ANOTHER AGENCY**

- Notification by another jurisdiction of a pursuit in progress shall not be construed as a request to join the pursuit. The caller from the outside jurisdiction, or the officer/supervisor involved and monitored on RegCom, shall specifically be asked if they are making a request for assistance or merely making notification.
- Officers will not become involved in another jurisdiction's pursuit unless specifically authorized by the field supervisor or watch commander after receiving request from the outside agency. If it is clearly demonstrated that that an officer from an outside jurisdiction is unable to request assistance or the emergency nature of the situation dictates the need for assistance, officers of this department will intervene. In these instances, all departmental Pursuit and Response to Force General Orders are in effect.
- The field supervisor or watch commander receiving a notification of a pursuit by an outside jurisdiction shall carefully assess the circumstances to determine if the pursuit is likely to



enter Independence. Prior to making any radio broadcast, the Emergency Communications Center will obtain from the notifying department the same information our primary unit is expected to provide when entering another jurisdiction.

- The Independence Missouri Police Department will make every attempt to deploy PTDs on suspect vehicles when outside jurisdictions are involved in vehicle pursuits that enter our city. The safety and welfare of the citizens and visitors of Independence outweigh the inherent risk that the suspects are placing them in through pursuit. The supervisor involved in the pursuit will advise dispatch to inform (or the supervisor may inform on RegCom) the outside agency that PTDs will be deployed unless the other agency specifically requests them not to be used.
- Requests by other jurisdictions for pursuit assistance will be broadcast and the first IPD unit assigned will be designated as the assisting unit. Any additional assistance such as the use of roadblocks, or OPTICOM by this department will be specifically authorized by the field supervisor. Procedures established in this General Order will be in effect.
- If the pursuit leaves Independence, officers from this department will immediately terminate involvement unless authorized to continue by the field supervisor or watch commander.
- If the suspect(s) are apprehended in our jurisdiction, it will be at the discretion of the shift commander or field supervisor as to whether the suspect(s) are released to the initiating jurisdiction or booked at our detention facility.

If the suspect(s) are released to the initiating jurisdiction, all units from this department shall return to service as soon as their assistance is no longer needed.