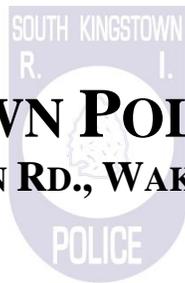


SOUTH KINGSTOWN POLICE DEPARTMENT

1790 KINGSTOWN RD., WAKEFIELD, RI 02879



POLICY NUMBER	ORDER TYPE	ORIGINAL ISSUE DATE	EFFECTIVE DATE
420.01	STANDING ORDER	1984	7/22/19
CHAPTER : SUBSECTION		TITLE	
LAW ENFORCEMENT OPERATIONS : TRAFFIC		VEHICULAR PURSUIT	
REVIEW DATES		REVISION DATES	
6/10/02, 10/04/06, 5/08/14, 8/13/17, 6/3/19		6/10/02, 5/08/14, 8/13/17, 7/22/19	
DISTRIBUTION	REFERENCE		PAGES
SWORN PERSONNEL AND DISPATCHERS	RIPAC 7.3, 7.4		6

I. PURPOSE

To establish guidelines for use during vehicular pursuits.

II. POLICY

In recognition of the dangers the pursuit of fleeing suspects presents to the public, officers, and suspects involved in the pursuit, this policy establishes guidelines to assist officers in the safe performance of their duties while enforcing the laws of the State.

III. DEFINITIONS

Attendant Circumstances – Those factors which might affect the decision to continue or discontinue a pursuit, which must be communicated to the Officer in Charge (OIC)/Supervising officer:

1. The reason for the pursuit
2. Location and direction of travel
3. Speed
4. Traffic conditions

High-speed Pursuit – A pursuit in excess of 15 MPH over the posted speed limit.

Lethal Force - Any use of force that is likely to cause death or serious bodily injury. Lethal force is also referred to as deadly physical force.

Authorized Emergency Vehicle – All police vehicles including marked or unmarked, provided each have a siren and some emergency lighting.

Pursuit – The active attempt by an officer in an authorized emergency vehicle to

apprehend the occupant(s) of a running motor vehicle who clearly exhibits a refusal to stop said vehicle at the officer's direction and attempts to avoid apprehension through speed or evasive tactics.

Roadblock – A physical blockage of a roadway with material, equipment or vehicles to stop the operator of a vehicle who is attempting to elude an officer.

Termination of the Pursuit – The officer(s) operating the authorized emergency vehicle shall turn off the vehicle's emergency lights and siren, and immediately reduce his/her speed to no more than the posted or prima facie speed limit.

Vehicular Intervention – The deliberate striking or contact with a fleeing vehicle by an officer with an authorized emergency vehicle.

IV. PROCEDURES

A. Initiation of Pursuit

A pursuit shall be undertaken by an officer only after consideration is given to the following factors:

1. The type of crime or violation committed. A high-speed pursuit or continuation of a pursuit that becomes a high-speed pursuit shall be limited to those situations which involve:
 - a. The attempted apprehension of persons wanted for the commission of felonious and/or misdemeanor acts that threaten, have threatened, or will threaten the health, life or safety of a person or persons; or
 - b. The pursuit of a motor vehicle operator who has committed moving motor vehicle violations which have endangered the lives and safety of others, and was operating in a reckless manner before the pursuit was initiated, and is continuing to operate in a manner that recklessly endangers the lives and safety of others including, but not limited to, driving under the influence of liquor or drugs.
2. The danger created by the following conditions:
 - a. Amount of vehicular and pedestrian traffic;
 - b. Location;
 - c. Weather conditions;
 - d. Condition of road surface upon which pursuit is being conducted;
 - e. Time of day;
 - f. The officer's knowledge of the road and surrounding area;
 - g. Performance capabilities of the pursuit vehicle and the vehicle being pursued;
 - h. Any other conditions known to the officer that may be potentially hazardous.
3. A reasonable assessment has been made regarding the potential advantage to law enforcement of apprehending the fleeing operator versus the potential danger to the officer, other users of the highway, innocent bystanders, and the occupant(s) of the fleeing vehicle.

B. Pursuit Tactics

1. Unless expressly authorized by an OIC/Supervising officer, based on tactical

considerations, no pursuit will be conducted by more than two (2) authorized emergency vehicles: an assigned primary and a back-up vehicle. Officers are not otherwise permitted to join the pursuit team. Officers in the immediate area of the pursuit may position themselves to assist or support in limiting and/or terminating the pursuit. When the pursuit involves a back-up unit, that unit shall maintain a safe distance behind the primary unit but close enough to provide aid and assume radio communications.

2. Whenever feasible, only marked police units shall participate in a pursuit. Unmarked cars, police motorcycles, and police special purpose vehicles that initiate a pursuit shall give way, if possible, to the first marked vehicle that joins the pursuit. This marked vehicle will then become the primary vehicle.
3. The pursuing officers must have emergency lights and siren activated at all times during a pursuit and adhere to the provisions of *R.I.G.L. 31-12-6 through 31-12-9*. Officers engaged in a pursuit shall, at all times, drive in a manner exercising reasonable care for the safety of themselves and others within the pursuit area.
4. No officer will conduct a pursuit while transporting a civilian in a police vehicle.
5. Officers may not intentionally use vehicular intervention unless the use of lethal force would be authorized as established in SKPD Standing Order 410.01 – Lethal & Less Lethal Force, or as enumerated Section IV.F.1 of this policy.

C. *Personnel Responsibilities*

1. *Primary Pursuit Officer/Unit* - The primary officer shall, as soon as practical, notify the dispatcher and/or OIC/Supervisor that a pursuit has commenced and shall also advise the dispatcher and/or OIC/Supervisor of:
 - a. The attendant circumstances supporting the pursuit;
 - b. The license plate number (if known) and description of the fleeing vehicle;
 - c. The number of occupants, with descriptions, in the fleeing vehicle.

It is also the primary officer's responsibility to keep the dispatcher and/or OIC/Supervisor updated about the ongoing status of the pursuit including any significant change in the attendant circumstances or other factors that may affect the decision to continue the pursuit, until a back-up officer enters the pursuit.

The primary officer may, at his/her discretion, based upon the attendant circumstances, terminate a pursuit at any time.

2. *Back-up Officer* - The back-up officer shall maintain a safe distance behind the primary unit sufficient to provide aid to the primary unit and shall assume the responsibility of keeping the dispatcher and/or OIC/Supervisor informed of the attendant circumstances.
3. *Dispatchers* - Upon notification that a pursuit is in progress, the dispatcher shall:
 - a. Immediately advise the OIC/Supervisor of the attendant circumstances regarding the pursuit;
 - b. Control all radio communications and clear the frequency in use from all non-emergency radio traffic, except that pertaining to the pursuit;
 - c. Notify other units of the pursuit;
 - d. Notify other departments or jurisdictions via telephone or radio when

- appropriate;
 - e. Obtain criminal records and vehicle checks of the suspects;
 - f. Coordinate and dispatch back-up assistance under the direction of the OIC/Supervisor.
4. *OIC/Supervisor* – Upon notification that a vehicular pursuit is in progress, the OIC/Supervisor shall, as soon as possible, assume responsibility for monitoring and controlling the pursuit.

In controlling the pursuit, the OIC/Supervisor shall be responsible for coordination of the pursuit as follows:

- a. Directing vehicles into or out of the pursuit;
- b. Re-designation of responsibilities of the primary, back-up or additional support vehicles;
- c. Approval or disapproval, and coordination of pursuit tactics;
- d. Approval or disapproval to leave the jurisdiction to continue the pursuit.

The OIC/Supervisor shall continually evaluate the attendant circumstances of a pursuit and, if judgment dictates that the potential and real dangers of the pursuit begin to outweigh the advantage of arresting the fleeing suspect(s), the OIC/Supervisor shall have the authority to override a pursuing officer's decision to continue a pursuit and shall order the termination of the pursuit.

D. *Termination of Pursuit*

1. The decision to pursue a fleeing vehicle is not irreversible. The decision to terminate a pursuit may be the most rational based on the rapidly evolving, unpredictable, and tense circumstances. The pursuit may be terminated by the primary officer, the OIC/Supervisor, or another ranking officer of the pursuing agency.
2. The pursuit shall be immediately terminated in any of the following circumstances:
 - a. Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect;
 - b. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile;
 - c. The danger posed by continued pursuit to the public, the officer(s), or the suspect(s), is greater than the value of apprehending the suspect(s).
3. The pursuing officer shall constantly evaluate the advisability of continuing the pursuit.

E. *Accidents*

1. During a pursuit when either a police vehicle or the pursued vehicle is involved in an accident with an *unattended* vehicle, fixed object or highway fixture, the involved/witnessing officer will, if possible, communicate the incident to Dispatch and/or the OIC and may continue the pursuit if, in his/her judgment, it is safe to do so, subject to the discretion of the OIC/Supervisor.
2. During a pursuit when either a police vehicle or the pursued vehicle is involved in

a motor vehicle accident with an *attended* vehicle or any person, the involved/witnessing officer will, if possible, communicate the incident to Dispatch and will stop to render aid unless another police vehicle can be immediately dispatched or is available to render aid. The involved/witnessing officer may continue the pursuit if, in his or her judgment, it is safe to do so, subject to the discretion of the OIC/Supervisor.

3. All other provisions of the traffic accident policy shall remain in effect.

F. *Use of Lethal Force*

Any use of lethal force must meet the criteria, and comply with the protocols established in SKPD Standing Order 410.01 Lethal & Less Lethal Force.

G. *Roadblocks/Tire Deflation Devices*

This department does not approve of the use of roadblocks or tire deflation device/stop sticks.

H. *Inter-jurisdictional Pursuit*

1. The primary or back-up officer shall notify Dispatch when it is likely that a pursuit will continue into a neighboring jurisdiction or across the state line.
2. Pursuit into a bordering State shall conform to that State's law.
3. If the pursuit enters another jurisdiction in Rhode Island, the pursuit policy of the entered jurisdiction shall apply and the entered jurisdiction shall have the authority, consistent with its policies, to terminate the pursuit.
4. When a pursuit initiated by another agency comes into South Kingstown, the procedures outlined in this policy shall apply. When said pursuit leaves South Kingstown, and that outside agency's pursuing officer is alone, an OIC/Supervisor may allow South Kingstown units to follow as back-up until such time as another agency becomes available to provide back-up.
5. When a pursuit enters an interstate highway system and State Police personnel become involved in the pursuit, and become the primary pursuit vehicle, then the State Police shall have the authority, consistent with its policies, to terminate the pursuit.

I. *Post-Pursuit Obligations*

1. All officers involved in a pursuit shall complete a written report detailing the officer's involvement in the pursuit. The primary pursuing officer shall include the reason for initiation of the pursuit and, if applicable, the basis for terminating the same in the written report. The OIC/Supervisor shall document his/her factual basis for continuing or terminating the pursuit, as well as the factual basis for any decision made in the course of the pursuit.
2. Any pursuit resulting in death or serious bodily injury to any person either involved in the pursuit or otherwise will be investigated in accordance with the *Rhode Island Attorney General's Protocol Regarding Use of Deadly Force Incident and Custodial Deaths*.

3. The department will conduct an administrative review of each pursuit and on an annual basis will conduct a documented administrative analysis of all pursuits in which agency personnel were involved. The purpose of this analysis is to determine any training needs and or policy revisions.

By Order of:



Joseph P. Geaber
Chief of Police