

	Policy and Procedures		Chapter (41-8)
	Subject: <div style="text-align: center;">Pursuit Policy</div>		
	Issuing Authority: Robert Bongiorno <div style="text-align: center;">Chief of Police</div>		Effective Date: <div style="text-align: center;">March 30, 2015</div>
	Signature: <div style="text-align: center;">On File</div>		

Policy

It is the policy of this department to ensure that:

- All members of the Bedford Police Department will operate with due care and exercise due regard for the safety of all persons;
- Sound judgment is used to determine the presence and the extent of major extenuating circumstances or conditions that may preclude these guidelines¹.
- High-speed pursuit is not recommended or favored.

Simply stated, pursuit is clearly inappropriate when the pursuit itself endangers life more than the escape of the person(s) pursued.

Purpose

To establish guidelines for the safe pursuit of suspects attempting to evade apprehension.

Pursuit

An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension. For purposes of these procedures, a motorist failing to stop but not driving at excessive speed does not constitute a pursuit driving situation.

Decision to Pursue

The decision to pursue is not irrevocable, and it is the intelligent Officer who knows when to discontinue the pursuit. As a general rule, it is often better to abandon the pursuit when the risk of danger to themselves or the public is high or weather and road conditions are poor.

¹ 41.2.2 (a) + FN on page 2

**Pursuing
Officer
Procedure²**

When a pursuit is initiated by an officer they shall use the following procedure:

- Use emergency visual and audible devices;
 - Call the pursuit into dispatch via radio;
 - Give dispatch the following information:
 - Reason for pursuit;
 - Location and direction of travel;
 - Description of the vehicle being pursued and occupants.
 - Maintain communication with dispatch with status, location, traffic volume, speed and direction updates as possible;
 - Inform dispatch and dispatch will broadcast over Bedford Radio and the appropriate area radio if the pursuit leaves Bedford's jurisdiction;
 - Continually re-evaluate the situation for conditions and hazards that affect the safety of them and the public with regard to the continuation of the pursuit. Conditions to review should include³:
 - Time of day;
 - Volume of traffic;
 - Weather and road conditions;
 - Speed;
 - Offense committed;
 - Type of vehicle involved;
 - Identity of the operator;
 - Extenuating and any other condition that may affect the safety of the officer and any other individual.
 - Visually maintain contact with the pursued vehicle;
 - Once the pursued suspect vehicle stops, the officer should follow the *appropriate policy for felony motor vehicle stops*.
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**Use of Deadly
Force**

The *Use of Force Policy (Chapter 1-1)* governs the use of deadly force.

² 41.2.2 (b)

³ 41.2.2 (a) + FN on page 1

Officer in Charge Procedure⁴

The Officer in Charge should use the following procedure:

- Assume command of the pursuit from their location;
 - Issue orders and maintain control through the use of the radio system;
 - Authorize more than two (2) vehicles if circumstances arise, based upon the severity of the crime, number of suspects, etc.;
 - Order the pursuit to stop if the dangers of pursuit outweigh the need for apprehension.
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Dispatch Procedures⁵

The emergency communications officers (dispatch) shall use the following procedure once they are informed of a pursuit by a Bedford Police Officer:

- Immediately inform the Officer-in-Charge.
 - Receive and record all incoming information regarding the pursued vehicle.
 - Broadcast over the Bedford Radio and the appropriate area radio;
 - Advise all other units to maintain radio silence;
 - If the pursuit is proceeding into another jurisdiction, notify the affected agencies and request their assistance;
 - If the pursuit is proceeding onto a roadway (e.g. Route 3 or 128) with State Police jurisdiction, notify the State Police and request their assistance, air support may be requested based on circumstances;
 - Once the pursuit has ended, notify all affected agencies of its end, if there were any arrests and thank them for their assistance.
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Two Vehicle Pursuits⁶

If there are two vehicles in pursuit of a suspect, the following procedures shall be followed as well:

- Only one vehicle shall be involved in a pursuit unless the Officer-in-Charge orders otherwise.
 - The second vehicle will make the radio transmissions of the activity unless they request the primary vehicle to do so (only one vehicle should be using the radio);
 - The lead vehicle will also make the decision to terminate the pursuit, unless they are ordered to stop;
 - The back up vehicle will maintain a safe distance behind the lead vehicle, but remain close enough to provide aid if necessary.
 - “Caravanning” of police vehicles by paralleling the pursuit or attempting to join is not allowed.
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⁴ 41.2.2 (f)

⁵ 41.2.2 (e)

⁶ 41.2.2 (c)

Termination of the Pursuit⁷	<p>The pursuit shall stop in any of the following circumstances:</p> <ul style="list-style-type: none"> • The suspect is apprehended; • The hazards to the officer and the public are unnecessarily high; • Ordered to stop the pursuit; • The environmental conditions indicate the futility of the pursuit; • The offense is for motor vehicle violations only and the operator becomes known to the pursuing officer; • It is determined by the pursuing officer that the pursuit cannot result in apprehension.
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Tire Deflation Devices	<p>Tire deflation devices may be used according to the <i>Tire Deflation Device Policy (Chapter 41-9)</i>.</p>
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Special Notes	<ul style="list-style-type: none"> • No officer should use their vehicle as a roadblock that could result in injury or death to themselves or the operator and passengers of the pursued vehicle. • Intentional contact between a police vehicle and the pursued vehicle is strictly forbidden⁸. • No officer shall pursue a vehicle the wrong way on a one-way street or the wrong way on a divided highway. • No officer shall become involved in a pursuit with a non-sworn individual as a passenger. • No unmarked, non-conspicuous vehicle or motorcycle shall be involved as a primary lead vehicle in a pursuit unless exigent circumstances exist. • Once a marked unit has intercepted and undertaken the pursuit, the unmarked unit shall immediately abandon the pursuit⁹. • Pursuits of motorcycles, dirt bikes or snowmobiles should not be attempted unless there are extreme exigent circumstances. • Personal private vehicles shall not engage in a pursuit. • Follow all emergency-driving rules according to M.G.L. C.89 S.7B.

⁷ 41.2.2 (g)

⁸ 41.2.3 (g) + Tire Deflation Device Policy

⁹ 41.2.2 (d) + line above it

Pursuits from other jurisdictions¹⁰

The following procedure is for pursuits entering Bedford from another jurisdiction:

- If another jurisdiction contacts the department requesting aid for a pursuit, **dispatch** shall immediately notify the officer in charge;
- The **Officer in Charge** will decide if Bedford will become involved in the pursuit;
- **No patrol vehicle** will be involved in the pursuit without the direct approval of the **Officer in Charge**;
- During this type of pursuit, the Bedford **patrol officer** will be the back up officer and allow the originating jurisdiction the lead position.
- The **patrol officer** will end the pursuit if the pursued vehicle leaves Bedford's jurisdiction and the lead unit has other officers present as back up units or if ordered to do so.

Out-of-State Pursuits¹¹

Out-of-State pursuits will only be allowed as follows:

- The pursuit is for a felony.
- The Officer in Charge authorizes such pursuit.

Out-of-State Pursuit Procedures¹²

The Pursuing officer shall also do the following if a pursuit for a felony only goes into another State:

- Allow the law enforcement agency having jurisdiction to become the lead unit during the pursuit;
- Become the back up vehicle for the agency with jurisdiction;
- Allow the agency with jurisdiction to make any arrest as a Fugitive from Justice with the legal requirements as dictated by law.

Reporting¹³

Both the officer in the lead pursuit vehicle and the Officer-in-Charge shall complete reports no later than the end of the tour of duty giving a full account of the pursuit and the reasons for their participation as follows:

Officer	Report
Officer in Pursuit	<ul style="list-style-type: none"> • Incident Report through the Pamet system; • IACP Pursuit Project Form
Officer in Charge	Written report to the Chief of Police for notification of the facts surrounding the incident by an Incident Report through the Pamet system.

¹⁰ 41.2.2 (h)

¹¹ 41.2.2 (h)

¹² 41.2.2 (h)

¹³ 41.2.2 (i) + Administrative Review on next page

Administrative Review	The Police Chief and the Patrol Lieutenant shall review the reports and the tapes of the radio transmissions and the video recordings from the cruisers involved (if activated) for the purpose of critiquing the incident and shall notify the officer(s) involved of their findings, as long as they were not personally involved in the pursuit.
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Annual Review¹⁴	<p>There shall be an annual review of all pursuits for the prior year by the Chief of Police, the Patrol Lieutenant and any other essential personnel as may be necessary. At the completion of the annual review there should be a documented analysis that may reveal patterns or trends that indicate training needs and / or policy modifications.</p> <p>The Accreditation Manager shall request an annual review meeting of the year's pursuits. The Committee will include; the Chief of Police, the Patrol Lieutenant, the Detective Lieutenant and the Accreditation Manager. A final summary report will be issued by the Accreditation Manager to the Chief of Police.</p>

Pursuit Policy Information

History	<p>March 30, 2015 – Replaces Pursuit Policy (Chapter 41-8) issued on June 11, 2013.</p> <p>June 11, 2013 – Replaces Pursuit Policy (Chapter 41-8) issued on May 22, 2013.</p> <p>May 22, 2013 – Replaces Pursuit Policy (Chapter 41-8) issued on October 1, 2005.</p> <p>October 1, 2005 – Replaces Pursuit Policy (PAT-005)</p>
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Review Date	This policy is scheduled for review every year and updated if needed.

¹⁴ 41.2.3