

	KANSAS CITY, MISSOURI POLICE DEPARTMENT PROCEDURAL INSTRUCTION	DATE OF ISSUE 5-09-12	EFFECTIVE DATE 5-08-12	NO. 12-4
SUBJECT Pursuits and Emergency Police Vehicle Operations			AMENDS	
REFERENCE RsMO 304.022, 544.157, 544.216 and 568.060 PBM Field Services Bureau Report Replacement - Patrol Bureau Report, PI: Call Prioritization, Police Vehicular Reporting Legal Bulletin 95-7		RESCINDS PI 06-11 DM 06-11		

I. INTRODUCTION

The purpose of this procedural instruction is to set parameters for the safe emergency operation of police vehicles, the pursuit of motor vehicles and the use of a tire deflation device.

*II. GUIDELINES

- A. All members will abide by the city traffic ordinances and state motor vehicle laws and regulations, unless operating Code One.
- B. All members will use seat belts when operating or riding as a passenger in a police vehicle. Members will ensure that all other passengers use seatbelts or other appropriate restraint devices in accordance with city and state motor vehicle laws.
- C. Members will not initiate a vehicle pursuit for a serious traffic violation, DUI or stolen auto unless the suspect vehicle has been involved in a dangerous felony, or where the suspect vehicle presents a clear and immediate danger to the safety of others.
- D. Pursuits are prohibited against the traffic flow of a four-lane divided highway unless prior approval is obtained from a supervisor and the operator of the vehicle being pursued is fleeing to avoid a felony arrest. Paralleling on such highways is permitted.
- E. The use of stationary and rolling roadblocks is prohibited.
- F. The use of push-bumpers in a pursuit is prohibited absent rare, exceptional circumstances.

*III. TERMINOLOGY

- A. **Controlling Commander/Supervisor** - Kansas City, Missouri Police Department commander or supervisor who assumes verbal control of the pursuit.

- B. **Dangerous Felony** – According to state statute, this term applies to the following offenses: first degree arson, first degree assault, attempted forcible rape if physical injury results, attempted forcible sodomy if physical injury results, forcible rape, forcible sodomy, kidnapping, murder, first degree assault of a law enforcement officer, first degree domestic assault, first degree robbery, first degree statutory rape when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, first degree statutory sodomy when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, and abuse of a child pursuant to subdivision (2) of subsection 3 of Section 568.060 RsMO.
- C. **Emergency** - When it is believed that the immediate presence of the police is required to protect the physical safety or well being of a person.
- D. **Emergency Operation/Code One** – An emergency police vehicle traveling with activated red light(s) and siren. Members will operate Code One on assist-the-officer calls, emergency calls-for-service, while in a vehicle pursuit or in any other situation when in the member's discretion an emergency exists and such operation is reasonable and necessary.
- E. **Emergency Police Vehicle** – A police vehicle equipped with a siren and one or more red light(s).
- F. **Momentary Activation** – The brief activation of red lights and/or siren to gain the driver's attention. Members must use both red light(s) and siren if it is necessary to exceed the posted speed limit or violate any other traffic law in order to catch up to a vehicle. Red light(s) and siren activated in an attempt to stop a traffic violator or conduct a car or pedestrian check does not constitute a pursuit.
- *G. **Paralleling** – The operation of police vehicles parallel to the pursuit route operating in a code one capacity.
- *H. **Pursuit** - An event which occurs when an member operating a police vehicle attempts to stop a vehicle by activating both the red light(s) and siren, and the driver of the pursued vehicle refuses to stop, tries to avoid capture by using high speed driving or other evasive tactics.
- I. **Pursuit Police Vehicle**
 - 1. **Primary Pursuit Vehicle** - A police vehicle that initiates or assumes control of the pursuit and is the vehicle closest to the pursued vehicle.
 - 2. **Secondary Pursuit Vehicle** - A police vehicle that directly follows the primary vehicle at a safe distance. The member of this vehicle will be immediately available to assume the position of the primary vehicle and to assist the primary vehicle when the pursued vehicle stops.

- 3. **Other Pursuit Vehicle** – Any other police vehicle that becomes involved in a chase, whether attempting to overtake or parallel other vehicles, i.e., police or suspect vehicle(s).
- *J. **Pursuit Rated** – Any vehicle or motorcycle manufactured for the sole purpose of law enforcement or governmental use receiving certification by the Michigan State Police and the Los Angeles County Sheriff’s Office as a pursuit rated vehicle. Prior to the pursuit this vehicle shall be equipped with emergency lights and sirens, or horn device, that adhere to federal, state and local safety regulations for pursuit law enforcement vehicles.
- K. **Roadblock** - Any restriction or obstruction utilized or intended for the purpose of preventing free passage of a motor vehicle, in order to effect the apprehension of a pursued vehicle.
- L. **Tire Deflation Device** - A manually deployed device containing hollow steel spikes which when struck causes a rapid, controlled deflation of a vehicle tire. The use of a tire deflation device is not considered a roadblock.
- M. **Uncontrolled Intersection** - An intersection where neither direction has any type of traffic control.

IV. TABLE OF ANNEXES

This directive has been organized into annexes for easy reference.

- ANNEX A Police Vehicle Emergency Operation (Other Than Pursuits)
- ANNEX B Police Vehicle Pursuit Procedure
- ANNEX C Police Vehicle Pursuits Involving Other Jurisdictions
- ANNEX D Tire Deflation Device

Darryl Forté
Chief of Police

Adopted by the Board of Police Commissioners this _____ day of _____ 2012.

Patrick A. McInerney
Board President

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**POLICE VEHICLE EMERGENCY OPERATION
(Other Than Pursuits)**

- A. During emergency operation, members will drive with due regard for the safety of all persons. Consideration must be given to the following:
 - 1. Urgency of the situation.
 - 2. Weather and roadway conditions.
 - 3. Visibility.
 - 4. Volume and speed of other vehicle traffic.
 - 5. Ability to control the vehicle at the speed driven.
- *B. Members will respond Code One as outlined in the current written directive entitled, "Call Prioritization."
- C. When responding to an incident, members are given the discretion to operate Code One in situations when not dispatched as such.
 - ***NOTE:** Vehicles not police pursuit rated (e.g. Truck/Van, Minivan, Crossover) may only respond Code One when, in the discretion of the member, it is necessary to preserve life, prevent serious personal injury, or protect property in immediate danger of destruction.
- D. Vehicles operating Code One may proceed through a red signal, stop sign, or through an uncontrolled intersection only after slowing down, as may be necessary for safe operation.
- *E. The siren will be used in addition to red lights if compliance cannot be immediately gained or when it becomes necessary to exceed the posted speed limit or violate any other traffic law in order to catch up to a vehicle.
- *F. Members may utilize alternate siren functions through intersections, or as needed.
- G. Police vehicles will yield to ambulances and fire equipment operating as emergency vehicles.
- H. Members should not pass to the right of a vehicle in traffic during Code One Operation unless absolutely necessary, and should anticipate the possibility of a citizen's vehicle moving to the right in front of the police vehicle.

- I. If advised by a commander/supervisor to discontinue Code One Operation, a member will comply immediately.
- J. Police vehicles will be parked so that other emergency vehicles will have access to the scene.

POLICE VEHICLE PURSUIT PROCEDURE

A. Due to possible risks that may be associated with pursuit driving, all members must recognize and accept that a decision not to pursue may sometimes be the safest and most professional course of action.

B. Factors of Pursuit

The following factors and any other relevant factors will be considered before and during any pursuit to determine if the pursuit should be initiated, continued, or terminated:

1. Seriousness of the known violation or suspected crime.
2. Weather and roadway conditions.
3. Volume and speed of other vehicular traffic.
4. Presence of pedestrians, schools or parks.
5. Speed of pursuit.
6. Type of area.
7. Familiarity of the area by the pursuing member.
8. Safety of the public in the area of the vehicle pursuit.
9. Safety of the members in the area of the vehicle pursuit.
10. Quality of communications between the pursuing members, the dispatcher and the supervisor.
11. Whether the suspect being pursued is readily identifiable or subject to capture at another time.

C. Initiating or Continuing Pursuit

1. Members will not initiate a vehicle pursuit unless they determine that there is reasonable belief that the suspect presents a clear and immediate danger to the safety of others.
 - a. Factors involved in this decision may include the commission of a dangerous felony.
 - b. This determination should be continually evaluated during the pursuit.

- c. If the member decides to initiate a pursuit, Code One Operation will be utilized throughout the entire duration of the pursuit.
2. Members will not initiate or continue a pursuit when in the member's opinion, the danger to the public or member created by the pursuit, exceeds the danger presented by the offender remaining at large.
3. The discretionary decision to initiate, continue, or become involved in a pursuit will be based upon factors known to the member at the time the member initiates the pursuit.
4. A person whose identity is known, who has not been involved in a dangerous felony, and who can be apprehended at a future time generally should not be the subject of a pursuit.
5. A member should generally not become involved in a pursuit when a prisoner or any other non-department member is a passenger in the police vehicle. This does not apply to department authorized ride-along participants.
6. Only a vehicle equipped with both operating red light(s) and siren will engage in a pursuit.
- *7. Unless there is an immediate threat to the safety or well being of a person, the following police vehicles should not become involved in pursuits:
 - a. Unmarked cars,
 - b. Motorcycles,
 - c. Four-wheel drive vehicles,
 - d. Any other vehicle that is not pursuit rated.
- *8. A pursuit should be limited to only the primary and secondary vehicles. Instances involving a pursued vehicle occupied by multiple assailants or pursuits involving armed suspects may necessitate the use of more than two pursuing police vehicles in order to adequately provide for officer safety at the conclusion of the pursuit. Other members may become involved in a pursuit at the direction of the controlling commander/supervisor.
- *9. When a pursuit enters another jurisdiction, the controlling commander/supervisor will assess the situation and decide whether to continue or order the pursuit terminated.
10. Members shall keep the public and their personal safety foremost in their minds.

D. Other Pursuit Issues

1. When the primary vehicle or secondary vehicle experiences equipment failure involving lights or sirens, radio, brakes, steering, or other essential mechanical equipment, that vehicle will discontinue its involvement in the pursuit.
2. Once the police helicopter has the pursued vehicle in sight, the helicopter will begin calling the pursuit. The primary and secondary vehicles will continue Code One Operation, but should defer to the helicopter as the main pursuit vehicle.
- *3. Arrests made by officers in another jurisdiction following a pursuit will be made in accordance with current policy and state statute. Members may refer to the current written directive entitled, "Detaining and Questioning Persons; Arrest; Search and Seizure" for further instruction.

E. Terminating Pursuit

- *1. Terminating a pursuit consists of stopping the police vehicle or turning away from the direction of the pursuit.
2. A pursuit will be terminated when:
 - a. In the discretion of the pursuing member, the danger to the public or member(s) created by the pursuit exceeds the danger presented by the offender remaining at large.
 - b. Immediate medical assistance is needed by anyone injured as a result of the pursuit and there is not a secondary vehicle to provide assistance.
 - c. A commander/supervisor orders the pursuit terminated.
 - *d. Either the primary or secondary vehicle elects to terminate and another vehicle is not available to take over.
 - e. Once outside their jurisdiction, the pursuing members lose visual contact with the vehicle being pursued.
 - f. The primary and secondary vehicles lose contact with the pursued vehicle.
 - g. The pursuit fails to meet the criteria outlined in Section C of this Annex.
3. A member will not be criticized or disciplined for terminating a pursuit when, in that member's opinion, the lives or property of others would have been at undue risk if the pursuit had continued.

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F. Initiating/Primary Vehicle Member's Responsibilities

1. Activate both the red light(s) and siren immediately while attempting to stop any vehicle that refuses to stop and at any time while remaining behind or following the vehicle until the pursuit is terminated.
2. Notify the Communications Unit/dispatcher of pursuit and give the following information in the initial transmission:
 - a. Radio number.
 - b. Location, direction, and speed.
 - c. Vehicle description.
 - d. Occupant information.
 - e. Reason for the pursuit.
 - f. Any additional pertinent information, e.g., party armed, weather and street conditions and the volume and speed of other vehicular traffic.
3. Ensure that the in-car camera and audio are both activated upon initiation of pursuit.
4. Attempt to transmit a location, speed, traffic density, and driving demeanor of driver being pursued every two blocks or whenever the pursued vehicle changes direction.
5. Continually evaluate the need to apprehend the suspect(s) against the risk to the public.

G. Secondary Vehicle Member's Responsibilities

1. Activate both the red light(s) and siren.
2. Maintain a safe distance behind the primary vehicle.
3. Assist the primary vehicle during the pursuit and at the point of termination.
4. Do not overtake the primary vehicle unless requested to do so by the primary vehicle or controlling commander/supervisor.
5. Be prepared to assume the role of the primary vehicle if the primary vehicle relinquishes its position or cannot continue.
6. Take over radio transmissions if requested by the primary vehicle, dispatcher, or commander/supervisor.

7. Give immediate medical assistance to anyone injured as a result of the pursuit.
- H. Other Vehicle Member's Responsibilities - Operate Code One when given permission by a commander/supervisor to become involved in, or get ahead of the pursuit for purposes of traffic control, or to deploy a tire deflation device.
- I. Communications/Dispatcher Responsibilities
- *1. Immediately upon being notified of a pursuit, the dispatcher shall:
 - a. Hold the air.
 - b. Notify all members of the pursuit, obtain the location, direction, and description of the pursued vehicle, occupant description(s), reason for pursuit, and any additional information.
 - c. Relay additional pursuit location and direction only as necessary.
 2. Notify and assign a controlling commander/supervisor.
 3. Designate a secondary vehicle in a pursuit. If the primary or secondary vehicle is unable to continue, then designate another police vehicle to become the secondary vehicle.
 4. Notify all other divisions and/or jurisdictions that are affected by a pursuit as soon as possible.
 5. Notify one of the following:
 - a. The commander/assistant division commander of the patrol division where the pursuit was initiated; or
 - b. The Duty Officer; or
 - c. The Patrol Bureau Night Commander
 6. Attempt to contact the helicopter section to assist in the pursuit.
 7. Notify the primary and secondary vehicles when the helicopter crew has assumed control of the pursuit.
 8. Notify all patrol divisions involved in the pursuit of the tire deflation device(s) deployment locations.
- J. Helicopter Section's Responsibilities
1. Disengage from any non-life-threatening call to assist in the pursuit.

2. Assume responsibility for the pursuit once the pursued vehicle is under observation.
3. Advise communications/dispatcher once responsibility of the pursuit has been assumed.
4. Broadcast the direction and location of the pursued vehicle.
5. Terminate following the pursued vehicle if the helicopter's presence substantially escalates the pursuit, or the danger to the public or pursuing member exceeds the danger presented by the offender remaining at large.

K. Controlling Commander/Supervisor's Responsibilities

1. Obtain information about the pursuit, i.e., location, speed, traffic density, and reason for pursuit.
2. Monitor the progress of the pursuit, evaluate the circumstances known at the time, and make the decision to continue or to order the pursuit terminated.
3. Order the pursuit terminated when the facts or circumstances do not justify continuing the pursuit.
4. Move in the direction of the pursuit.
5. Respond to the termination point of the pursuit if arrest(s), injuries, death, property damage has occurred, tire deflation device successfully deployed, or the suspect vehicle has been recovered.
- *6. Another supervisor may respond or be dispatched to the termination point of the pursuit and provide the necessary supervision until the controlling commander/supervisor arrives at the scene.
- *7. Complete a Patrol Bureau Report (PBR) prior to the end of the respective shift. Refer to Patrol Bureau Memorandum entitled, "Field Services Bureau Report Replacement – Patrol Bureau Report," for further information.
 - a. The controlling commander/supervisor will ensure that either the desk sergeant or another supervisor completes the PBR, should the supervisor end their tour of duty prior to completion of the PBR,
 - b. All vehicle pursuits, regardless of the duration, will be entered into the PBR on-line system.
 - c. It may be necessary to review the videotape to determine the PBR information.

- d. Only during normal Patrol Bureau Office hours, will the supervisor notify the Patrol Bureau Office by telephone in conjunction with utilizing the PBR system.

POLICE VEHICLE PURSUITS INVOLVING OTHER JURISDICTIONS

- *A. Members will not become involved in a pursuit by an outside agency unless authorized by a commander/supervisor.
- B. Before authorizing a member to engage in the pursuit, the commander/supervisor will ascertain the reason for the outside agency's pursuit.
- C. The commander/supervisor who authorizes a member to engage in a pursuit initiated by an outside agency will assume the responsibilities of the controlling commander/supervisor.
- D. If a member engages in a pursuit initiated by an outside agency and the pursuit leaves the city limits of Kansas City, Missouri, the member will terminate his/her involvement in the pursuit unless the controlling commander/supervisor approves continuing.
- E. A member who engages in a pursuit initiated by an outside agency will follow all department written directives regarding pursuits.

TIRE DEFLATION DEVICE**A. General Information**

1. Tire deflation devices, when struck, cause a rapid, controlled deflation of a vehicle's tire(s). These devices are installed in patrol division vehicles.
2. The tire deflation device is made of a water resistant, laminated, paperboard housing which contains three rows of twelve quills. Each quill has a Teflon coated steel spike attached to the tip. When a moving tire rolls over the tire deflation device, the Teflon coated spikes pierce the tire and the hollow quills are inserted, causing a controlled deflation without causing catastrophic failure.
3. Tire deflation devices will be carried in the nylon sleeve and secured in the carrying tray attached to the vehicle's trunk lid when not being utilized.
4. The cord reel will be attached to the nylon sleeve and properly secured to the underside of the vehicle trunk by the velcro holder.
- *5. Tire deflation devices are designed to be utilized on a hard surface (concrete or asphalt).

B. General Procedures

1. Tire deflation devices will only be utilized on four-wheeled vehicles, and will not be used on the following vehicles:
 - a. Motorcycles;
 - b. Any vehicle transporting a hazardous material;
 - c. Any passenger bus or van transporting passengers;
 - d. Any vehicle that would pose an unusual hazard to innocent persons.
2. Tire deflation devices should not be deployed in locations in which the geographical configuration would increase the risk of injury to the suspect or others. This includes roadways bounded by steep descending or ascending embankments, curves, bridges, or other locations where the safety of other traffic cannot be reasonably assured.
3. Members will deploy the device in such a manner so as not to impose an unnecessary risk to other traffic.

4. The police vehicle will be placed at the deployment location in a position that does not interfere with the path of the suspect. The police vehicle will not be used to create a roadblock situation.
5. The member will remain outside of their vehicle when deploying the tire deflation device, and utilize any available cover or stand at a location providing the best safety to the member.
6. The member should have adequate line of sight in all directions in order to observe and react to the pursuit and other traffic at the deployment location.

C. Deployment of Tire Deflation Devices

1. Only members with properly documented training may use or deploy tire deflation devices.
2. Once a location has been determined for deploying the tire deflation device, the deploying member will properly position his/her vehicle, activate all visible emergency equipment, and:
 - a. Notify communications/dispatcher of the deployment location, including the lane(s). The dispatcher will activate an alert tone signal and broadcast the location to all patrol divisions involved in the pursuit, then ensure that the controlling supervisor copied the information.
 - b. Remove the nylon sleeve, which contains the tire deflation device, from the carrying tray and ensure the cord reel is still attached.
 - c. Deploy the nylon sleeve (with tire deflation device) into the roadway.
 - d. Stretch the nylon cord to either side of the roadway, ensuring there is enough slack to allow the cord to lay flat on the ground.
 - e. Never attach the nylon cord to any part of the body or hold it in your hand.
 - f. Pull the device out of the roadway to allow pursuing vehicles to proceed once the suspect vehicle has driven over, or avoided the tire deflation device, and notify the dispatcher that it has been removed.
 - g. Remove the device if the suspect vehicle turns off prior to encountering the device and notify the dispatcher that it has been removed. Return the device to the vehicle.
 - h. Tire Deflation Devices will not be deployed during a pursuit if they are not contained within the sleeve with the cord reel attached.

- *3. If an outside law enforcement agency is involved in a vehicle pursuit within our city limits, tire deflation devices may be utilized at the discretion of a field commander/supervisor. However, all procedures set forth in Annex C, of this written directive, must be adhered to. Outside agencies do not need to specifically ask for our assistance to deploy a tire deflation device.

D. Care and Maintenance

- 1. Attempt to keep the tire deflation device dry. It is a water-resistant device, but is not waterproof. If deployed in wet weather, but not used, dry off the device before returning it to the proper storage position.
- 2. Extra caution should be used when stacking items in the trunk of a vehicle where the tire deflation device-carrying tray is installed. Ensure items are not stacked too high and do not obstruct the tire deflation device when the trunk is being closed.

E. Reporting Requirements

- *1. Information regarding damages incurred due to an impact made with a tire deflation device will be included in any report taken as a result of the pursuit. If this report is not applicable, an Interdepartment Communication, Form 191 P.D., will be completed.
 - a. The reporting member will include the location where the tire deflation device was utilized, any damage caused to vehicles or property, and all circumstances that contributed to the damage.
 - b. If a police department vehicle sustains tire damage as a result of a tire deflation device, a copy of all reports will be forwarded to the Fleet Operations Unit. All other damage to a police vehicle will be reported in accordance with the current written directive entitled, "Police Vehicular Reporting."
- 2. If a citizen's vehicle sustains tire damage as a result of a tire deflation device, the reporting member will notify the Fleet Operations Manager or designee from the scene. During non-business hours members will contact the Communications Unit Supervisor to request notification of the Fleet Operations Manager or designee.
- 3. Persons declining assistance at the scene from Fleet Operations Unit personnel should be advised to contact the Office of the General Counsel prior to making any repairs to their equipment or property. Members should not inform anyone that payment will or will not be made. Any questions concerning damage to equipment or property, other than that belonging to the police department, should be referred to the Office of the General Counsel.

4. Copies of all reports will be forwarded to the Office of the General Counsel, in a timely manner.
 5. Complete the Stop Stick Pursuit Reporting Form.
 - a. Members will complete a Stop Stick Pursuit Reporting Form anytime a tire deflation device is damaged and rendered unusable due to deployment during an actual vehicle pursuit.
 - b. Members will ensure that the nine-digit serial number of all damaged Stop Sticks is noted on line 16 of the Stop Stick Pursuit Reporting Form. The serial number is located on the bar code strip attached to the Stop Stick.
 - c. The Stop Stick Pursuit Reporting Form will be forwarded to the Supply Section.
 - d. The Stop Stick Pursuit Reporting Form is utilized for inventory control and replacement purposes and should not be included as additional pages of any report(s) completed as a result of a pursuit.
- F. Replacement Procedures
1. The deploying member will respond to the appropriate location with the damaged device(s), and a completed copy of the Stop Stick Pursuit Reporting Form, which has been approved and legibly signed at the bottom by a commander/supervisor.
 2. During normal business hours, members will respond to the Supply Section.
 3. During non-business hours, members will respond to Fleet Operations.