

WOLFEBORO POLICE DEPARTMENT

SOP 4.10

Date Issued: 12/27/2019

Review: 03/05/2021

[Note: This written directive is for the internal governance of the Wolfeboro Police Department and, as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.]

By Order of:
Dean J. Rondeau, Chief of Police

VEHICLE PURSUIT

Policy

- To perform vehicular operations as safely as possible;
- Keep the safety of the public as it's highest priority;
- To still effectively perform our Law enforcement function.

Purpose The purpose of this order is to cover:

- | | |
|----------------------------------|---------------------------------|
| -Operation of emergency vehicles | - Reporting procedure |
| -Vehicular pursuits | - Inter-jurisdictional pursuits |
| - Review policy | - Roadblock |

Definition

- ***Vehicular Pursuits*** - An active attempt by one or more officers 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 the roadway, making sudden or unexpected movements and creating a situation that endangers public safety.
- **Overtake:** An active attempt to overtake a motorist who is not yet aware that they are being pursued.
- **Emergency Response:** A situation in which the physical safety and well being of an individual requesting or needing police assistance is directly jeopardized; a "life and death" situation.
- **Response Without Delay:** A situation where personal injury is likely to occur if assistance is withheld or response is unnecessarily delayed. Included are those instances when a potentially dangerous assignment requires additional officers at the scene.
- **Serious Felony:** For the purpose of this directive, a "serious felony" is one that involves an actual or threatened attack that the officer has reasonable cause to believe could result

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in, or has resulted in, serious bodily injury. (Ex: aggravated assaulted, armed robbery, homicide)

- **Roadblocks:** Any method, restriction, or obstruction used or intended to prevent free passage of motor vehicles on a roadway to effect the apprehension of an actual or suspected violator in a motor vehicle.
- **Primary Pursuing Unit:** The police officer that initiated the pursuit or any unit that has assumed control of the pursuit.
- **Assisting Unit:** Any unit assigned to assist the primary unit.
- **Emergency Vehicle:** Any Department vehicle equipped with a siren and at least one flashing blue light.

Emergency Vehicle Response

- **Extreme caution must be exercised -**
- All signaling devices are to be activated.
- Vehicles are to be operated as emergency vehicles;
Only in Wolfeboro,
Assisting in mutual aid.
- Intersections with signaling device or sign;
Stop for sign or red light;
Slow for green light to legal speed.
- Uncontrolled intersection – slow to maximum legal speed

Warning Devices

- Minimum use - consistent with the safe performance of police functions.
- At scenes to provide warning signals.
- As a visual sign to attract the attention of motorists being stopped.
- On an emergency assignment to protect life.
- All devices shall be deactivated when the need ceases.

Vehicular Pursuit

Pursuits should only be initiated when an officer has observed a violator committing a felony *before pursuit is engaged or attempted* or has probable cause to believe the violator has committed a felony and clearly exhibits the intention of avoiding apprehension.

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Pursuits shall be discontinued if it becomes evident that the officer and public safety are seriously jeopardized. Officers and Supervisors need to take into account:

- Road conditions.
- Weather.
- Traffic conditions- both vehicular & pedestrian.
- Any other conditions they warrant serious.

Marked units are the primary units to participate in a pursuit.

Unmarked vehicles must let marked vehicles take over a pursuit if they initiate it.

Pursuits must be terminated if a supervisor or ranking officers orders it.

If a pursuit is initiated.

Position	Responsibilities
Primary Officer	Officers' identification number Notify dispatch of license # & vehicle description Number of known occupants of the suspect vehicle Offense for which the vehicle is being pursued. Exact location, direction of travel and speed. Radio communication shall remain constant Activate all emergency devices Maintain a safe distance to avoid hazards Evaluate & terminate if unsafe Obtain criminal & vehicle checks on suspects Notify a supervisor immediately (callback)
Secondary unit	Shall not enter the pursuit Follow and render assistance when it ends
Supervisor or Senior Officer (if not primary participant)	Shall monitor pursuit Terminate pursuit if safety is an issue
Dispatch	Dispatch shall immediately notify other police units of pursuit by broadcasting a Signal 1000 Receive and record all incoming information on the pursuit and the suspect vehicle. Immediately notify the Police Supervisor when a pursuit is initiated. If no Sgt. Is on duty, the dispatcher shall notify the Captain as soon as practicable. Continue to monitor and record the pursuit until it is terminated.

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NO ROADBLOCKS ARE ALLOWED. (This includes rolling, stationary barriers and ramming)

The Chief of Police, Executive Officer/Captain, Staff Sergeant, Sergeants have exclusive authority to authorize the use of force to terminate pursuit.

Authorization to use force to terminate pursuits shall be made only under the most extreme situations.

Before authorizing forceful techniques to stop a pursuit, it must be established that there are no other means of effecting an arrest or prevent the evasion of apprehension of the operator and other occupants of the pursued vehicle. The supervisor must have probable cause to believe that the offender has committed a crime authorizing the use of deadly force against all of the vehicle occupants by law enforcement as defined in the Use of Force policy in this manual.

Use of forceful techniques shall be used *only when the use of deadly force is justified against all of the occupants* of the pursued vehicle.

Low speed pursuits (vehicles that fail to stop but continue at the speed limit) (NOTE: women drivers have been advised to go to a safe area prior to pulling over for police officers).

- Notify dispatch.
- Continue following vehicle at legal speed.
- Outside of Wolfeboro allow State Police or jurisdiction to take over as lead vehicle.
- Follow vehicle to where it stops.

Intra-Jurisdictional

When pursuits are..	Officers shall...
Initiated outside of Wolfeboro by another agency	Obtain all information from dispatch Not enter the pursuit, act as back up only Respond to area vehicle is stopped, if in Wolfeboro, Outside of Wolfeboro, only if cleared by a Supervisor or ranking officer on duty.
Initiated in Wolfeboro to another jurisdiction	Must follow the guidelines of this order Act as a secondary when possible. State Police should be allowed to take over or the jurisdiction they are in

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REVIEW

All vehicle pursuits shall be reviewed. (Shift Briefing)

Position	Shall..
Primary Officer	Vehicular Pursuit Report Dept. Narrative Report Accident or Damage Report, if needed
Secondary Officer	Dept. Narrative Report
Dispatcher	Dept. Narrative Report
Supervisor – involved in pursuit	Dept. Narrative Report Vehicular Pursuit Report if officer cannot fill out due to injury
SSgt	Conduct investigation to see if it conforms with departmental orders Identify any safety issues Report to Chief and/or Executive Officer/Captain within 72 hours
Executive Officer/Captain	Review all vehicle pursuits of previous Year – and: <ul style="list-style-type: none"> • identify pattern or problems • Recommend any changes in training or policies • To Chief by February 1.
Chief	Review all vehicular pursuit investigations Review yearly analysis Take whatever action is necessary to maintain standards of safety and effectiveness

Reports

Vehicular Pursuit report	By any individual involved in a pursuit as a primary vehicle and explanation of events in chronological order by end of tour
Vehicular Pursuit Report Review	By supervisor and forwarded to chief for final review
Analysis – yearly	Review of problems & suggestions by Captain & forward to Chief