

Kansas City, Kansas Police Department
Subject: Pursuit Policy
Excerpt

I. VEHICLE PURSUIT PROCEDURE

A. Deciding Whether To Pursue

1. A police officer has the authority to attempt the stop of any person suspected of having committed any criminal offense or traffic violation. It is clear, that while it is the officer who initiates the stop, it is the violator who initiates the pursuit. The officer's decision to pursue should always be undertaken with an awareness of the degree of risk that law enforcement officers expose themselves and others. Officers must weigh the need for immediate apprehension against the risk and dangers created by the pursuit.

B. Initiation of Pursuit

1. Vehicular pursuits should only be initiated when an officer has probable cause to believe the violator has committed a felony, misdemeanor, or traffic violation and the law violator clearly exhibits the intention of avoiding apprehension by refusing to stop when properly directed to do so. Officers involved in a pursuit must continually question whether the seriousness of the violation reasonably warrants continuation of the pursuit. Pursuits should be terminated or avoided if they pose substantial risk to life or property.
2. If the suspect attempts to elude the officer or avoid arrest, the emergency equipment must be activated, not only to warn the pursued, but also to protect the officer and others.

C. In the event that the circumstances meet the authorized requirements as stipulated within this order to pursue the vehicle, a pursuit should not be automatically undertaken. An officer must still consider the following factors:

1. Likelihood of successful apprehension.
2. Whether the identity of the violator is known to a degree where later apprehension is possible.
3. Degree of risk created by pursuit
 - a. Volume, type, speed and direction of vehicular traffic.
 - b. Nature of the area: residential, commercial, school zone, open highway, etc.
 - c. Population density and volume of pedestrian traffic.
 - d. Environmental factors such as weather and darkness.
 - e. Road conditions: construction, poor repair, extreme curves, ice, etc.
 - f. Time of day
4. Suspect characteristics:
 - a. Performance capability of suspect vehicle.
 - b. Observed driving abilities of suspect.
5. Police officer consideration:
 - a. Physical conditioning.
 - b. Driving skills, ability to communicate on radio and safely operate the police vehicle.
 - c. Familiarity with roads.
 - d. Performance capability of police vehicle.

D. Role of the Pursuing Officer

1. The decision to initiate and/or continue a pursuit requires weighing the need to immediately apprehend the violator against the degree of risk to which the officer and others will be exposed because of the pursuit.
2. Upon the commencement of a pursuit, the pursuing officer must immediately activate the emergency lights, siren and headlights.
3. Once the pursuit has been initiated, the primary unit must notify the dispatcher providing as much of the following information as is known.
 - a. Reason for pursuit and the requisite probable cause necessary to make the vehicle stop which initiated the pursuit.
 - (1) Attempting to elude or resisting arrest cannot be the foundation upon which initiation of the pursuit can be based.

- b. Location of the pursuit and direction of travel.
- c. Identification of the violator's vehicle: year, make, model, color, vehicle license plate number and other identifying characteristics.
- d. Safety information (e.g. shots fired, suspect vehicle attempting to ram, etc.).
- e. Approximate speed of the pursued vehicle.
- f. Other information that may be helpful in resolving the incident.

NOTE: Failure to provide this information to the dispatcher may result in an immediate decision by the supervisor monitoring the pursuit to order its termination.

4. Request supervisor notification and approval to continue pursuit.

E. Role of the Dispatcher

1. Once the dispatcher is notified of the pursuit, the main sub-fleet for that area will be cleared and a field supervisor will be immediately advised of the pursuit. (The supervisor or commander notified will be a higher rank than the pursuing officer.) If the rank of the officer initiating the pursuit is a sergeant or above, a superior commander need not be immediately notified.
2. Communications personnel shall carry out the following activities and responsibilities during the pursuit:
 - a. Assign a field supervisor (by radio) to monitor the pursuit. Inability to locate a supervisor within a reasonable period of time will result in automatic termination of the pursuit by the pursuing officer.
 - b. Coordinate and dispatch backup assistance under the direction of the field supervisor.
 - c. Receive and record all incoming information on the pursuit and the pursued vehicle.
 - d. Maintain control over the affected radio sub-fleet so that affected units can communicate with each other.
 - e. Relay pertinent information to other units, sub-fleets, and or Departments.

F. Field Supervisor Responsibilities

1. Upon notification that a vehicular pursuit incident is in progress, the field supervisor shall assume responsibility for the monitoring by radio frequency and control of the pursuit as it progresses.
2. Supervisors and/or Commanders shall relinquish pursuit status as soon as primary/secondary units are in place. The supervisor/commander will then continue to monitor/approve the pursuit based on information provided by the units involved in the pursuit.
3. The notified supervisor will evaluate the information from the primary unit and:
 - a. Determine if the pursuit is a result of a felony or misdemeanor.
 - b. Determine the location and direction of travel.
 - c. Request the road, weather and traffic conditions.
 - d. Inquire if the violator is known and the likelihood of later apprehension.
 - (1) The supervisor will order the pursuit terminated if the suspect's identity is established to the point where later apprehension may be accomplished and where there is no immediate threat to public safety posed by the suspect's temporary escape.
4. Based on the information obtained, the supervisor will determine if the pursuit will be allowed to continue or be terminated and advise the unit(s).
 - a. The supervisor shall order a pursuit terminated at any time if he or she concludes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the violator. The decision to allow the continuation of the pursuit must be articulated in the supervisor's report.
5. Provide follow-up direction as needed, to include:
 - a. If the pursuit is terminated, instructions regarding further investigation.
 - b. If the pursuit is continued, confirm and designate which units will continue with the pursuit.
6. Monitor and direct other police resources, ensuring compliance with all applicable Department policies and procedures.

7. Specifically acknowledge and, if appropriate, allow the pursuit to go beyond the City limits.
8. Respond to the scene of apprehension and supervise activities as necessary.
9. The monitoring supervisor who is controlling pursuit tactics shall be responsible for the pursuit until it is terminated regardless of the geographic path of the pursuit. Other affected divisions or jurisdictions may be requested to assist but the primary supervisor shall remain in charge unless the pursuit is terminated by higher authority.
10. The supervisor shall ensure, for the duration of the pursuit, that this policy and all other applicable Department policies and procedure are followed by all involved officers.

G. Pursuit Limitations

1. The pursuit will be limited to the initial unit and a secondary unit (with approval). All other units will stay clear of the pursuit and shall not leave their assigned areas to become involved in the pursuit unless otherwise specifically directed by a supervisor.
 - a. If the primary unit is a two (2) officer vehicle, a secondary unit will not be authorized unless there are extenuating circumstances.
 - b. Additional units may be assigned to the pursuit at the discretion of the monitoring supervisor based on articulated need.
2. A police motorcycle may initiate a pursuit, if equipped with emergency lights and siren, but will relinquish pursuit status immediately upon the participation of a marked police vehicle and proceed safely to the termination point.
3. An unmarked police vehicle may initiate a pursuit if it is equipped with emergency lights and siren. The unmarked car shall relinquish pursuit status immediately upon the participation of a marked police vehicle.
4. Officers attempting to apprehend violators may operate emergency vehicles at a speed sufficient to overtake such violators, if both the emergency lights and siren are operating; and if the emergency operation of the patrol vehicle can be performed safely and in compliance with all other provisions in this General Order. KSA 8-1506 authorizes emergency vehicles to exceed the maximum speed limit so long as such driver does not endanger life or property and only when operating an audible signal meeting the requirement of KSA 8-1738 and a visual signal meeting the requirements of KSA 8-1720.
5. Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is a substantially increased likelihood of collision, the operator of any pursuit vehicle shall, prior to entering the intersection, reduce the vehicle's speed, and control the vehicle so as to avoid collision with another vehicle or a pedestrian and be prepared to stop if necessary. The officer shall observe that the way is clear before cautiously proceeding through the intersection.
6. Officers involved in a pursuit will not engage in any intentional vehicle contact action unless authorized by the monitoring supervisor and only then as a last resort to prevent imminent death or serious injury to the officer or another person where deadly force would otherwise be justified.