



# Colorado Springs Police Department General Order

## 965 Vehicle Pursuits

### Section 900 – Police Equipment and Vehicles

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#### **.01 Purpose**

To define when officers may engage in pursuits, the conditions governing pursuits, and the safety precautions necessary to reduce the inherent dangers of a pursuit.

#### **.02 Cross Reference**

[GO 120 Communications Protocols](#)

[GO 962 Vehicles: Emergency Operation](#)

[GO 705 Use of Force](#)

[GO 710 Reporting Use of Force](#)

[GO 1110 Critical Incident Review Committee](#)

[GO 310 Routine Patrol Functions](#)

[GO 810 Investigative Procedures](#)

#### **.03 Discussion**

Vehicle pursuits present hazards and risks that can be life-threatening. While it is the duty and responsibility of department personnel to apprehend violators, officers must realize that apprehension is seldom more important than the safety of the pursuing officers and the general public. Each pursuit will ultimately be judged upon the objective reasonableness of participants' actions.

#### **.04 Policy**

It is the policy of the Colorado Springs Police Department to protect the public from unnecessary risk by weighing the need to immediately apprehend a subject who unlawfully flees from law enforcement against the risk the pursuit poses to the public. Regardless of other circumstances, officers shall drive with due regard for the safety of all persons as dictated in 42-4-108, Colorado Revised Statutes, and [GO 962 Vehicles: Emergency Operation](#).

## **.05 Definitions**

*AUTHORIZED EMERGENCY VEHICLE:* A vehicle of this agency equipped with operable emergency equipment as designated by state law.

*EVASIVE DRIVING TACTICS:* Occurs when an operator of a motor vehicle, who has received a visual or audible signal, such as a red light or siren, from a police officer driving a police vehicle directing the driver to bring his/her vehicle to a stop, willfully increases his/her speed, extinguishes the vehicle's lights, or makes other overt actions designed to avoid apprehension.

*FORCED STOP METHOD:* Any method designed to stop a moving vehicle. Examples include:

*Tactical Vehicle Intervention (TVI):* The deliberate act of impacting a suspect vehicle with a law enforcement vehicle in an attempt to force the suspect's vehicle to stop. A tactical vehicle intervention is a use of force.

*Boxing-in Maneuver:* Surrounding a suspect vehicle with pursuit vehicles in an attempt to slow the suspect vehicle to a stop.

*Road Blocks:* Placing a barricade or other obstacle across the roadway to stop the suspect vehicle.

*INVOLVED FIELD SUPERVISOR:* Refers to the field supervisor (sergeant) assigned to manage a pursuit.

*PARALLELING:* Refers to following a pursuit by driving a police vehicle on a nearby street in the same general direction as pursuing vehicles.

*PURSUIT:* An active attempt by a police officer operating a police vehicle to stop a moving vehicle whose driver is:

- a) Attempting to avoid apprehension through evasive driving tactics,
- b) Taking actions while operating a motor vehicle that present an immediate threat of serious bodily injury or death to a person other than the driver, or
- c) Failing to stop after a reasonably short period of time when signaled to do so.

Following a vehicle whose driver is not stopping, after a reasonably short period of time, whether accomplished with or without red lights activated and siren sounding, and regardless of the terminology used to describe these acts, is also a pursuit.

*TRAILING*: Refers to following the path of a pursuit at any distance.

*VIOLENT FELONY*: For this policy, means a felony against a person in which a perpetrator uses physical force which may cause serious bodily injury or death. Also, means a felony involving the use or threatened use of a deadly weapon. Some examples include: murder, kidnapping, assault in the first or second degree, aggravated robbery, felony sexual assault, arson in the first degree, or hit and run crash involving death or serious bodily injury.

## **.10 When Pursuits are Allowed**

Officers are authorized to engage in vehicle pursuits only when the officer reasonably believes the need to immediately apprehend the driver outweighs the risk the pursuit poses to the public and the officers; **and** the officer determines it is necessary to effect the arrest or to prevent the escape of a person whom the officer reasonably believes has committed or is committing a **violent felony** against a person.

It is important to note that vehicular eluding, by itself, is not a violent felony for the purposes of this policy. If a driver commits a violent felony during the act of eluding an officer, this may be considered a violent felony for the purposes of this general order.

For the purposes of this policy, if an individual is wanted on an active warrant for a violent felony, the requirements for this section would be met. A distinction should be made if a suspect is wanted for failure to appear (FTA) in court or failure to comply (FTC) with court requirements for a violent felony. A pursuit is not authorized to apprehend the suspect for FTA or FTC warrants, unless the criteria described in the following paragraph are met.

An officer may face the rare circumstance in which the officer has a reasonable belief that a driver, who is not involved in a violent felony, presents an immediate danger to human life, or an immediate risk of causing a person, other than the driver, serious bodily injury if not immediately apprehended. A pursuit may be initiated in these situations because of the immediacy and severity of the threat posed by the driver; however, officers are cautioned that both the immediacy and the severity of the threat must be clearly articulated to justify the objective reasonableness of a pursuit initiated under these circumstances.

The initiation of a pursuit must only be based on what the officer reasonably believes at the time the officer initiates the pursuit. Information learned after the pursuit cannot be used to justify the decision to pursue.

## **.15 Factors to Consider in Initiating or Continuing a Pursuit and/or a Forced Stop Method**

Officers and supervisors must objectively and continuously weigh the seriousness of the offense and need to apprehend the subject against the potential danger when choosing to initiate or continue a pursuit, and when choosing to authorize or use a forced stop method to end a pursuit.

Factors that should be considered, both individually and collectively, when deciding to initiate or continue a pursuit, or to authorize or use a forced stop method, include the list below:

- The danger presented to the community and the officers
- The seriousness of the offense
- Whether identification of the offender makes apprehension at a later time likely
- The location of the pursuit and the nature of the area; residential, commercial, school zone, open highway, etc., as it relates to volume of pedestrian and vehicular traffic
- The type of terrain
- Traffic conditions including volume, type, speed and direction of vehicular traffic and direction of pursuit
- Weather conditions such as rain, fog, snow, wind, etc.
- Road conditions such as ice, construction, poor repair, weather and visibility, etc.
- The performance capabilities of the vehicle being pursued
- The ability of the pursuing officer(s) to keep the patrol vehicle under control, including the condition and capability of involved police vehicles
- The mental and physical condition of the pursuing officer(s)
- The speed of the pursuing officer(s) patrol vehicles and that of the suspect vehicle
- Whether the officer(s) have visual contact with the suspect vehicle
- The occupants of a vehicle (children, hostages, etc.)
- If radio communication is lost

This list is not inclusive of all factors that should be considered in every situation. Other factors relevant to assessing the risk of a pursuit or forced stop method should be considered, as needed.

## **.20 Termination of Pursuits**

Pursuits must be terminated whenever the officer and/or supervisor reasonably believe the risks associated with continuing the pursuit are greater than the public safety benefit of making an immediate apprehension.

The pursuit may be terminated by a pursuing unit at any time.

The involved supervisor or a sworn supervisor at the rank of lieutenant or higher may order the termination of a pursuit at any time.

When a pursuing officer and/or a supervisor directs the pursuit to be terminated, officers shall immediately terminate the pursuit. Officers shall take measures that clearly indicate to the driver of the pursued vehicle that the pursuit has been discontinued. Turning off lights and sirens, but continuing to follow the vehicle, is not adequate to indicate the pursuit has ended.

## **.25 Follow-Up when Driver Not Apprehended**

When a driver eludes officers, it is important that the information associated with the incident is documented properly and receives appropriate follow-up investigation.

All vehicular pursuits are required to be documented in an offense report titled vehicular eluding or within an offense report for a criminal act committed immediately before, during, or at the conclusion of the pursuit.

When there is suspect information, (e.g., valid license plate, known driver, make of vehicle is known, distinct vehicle description, or other information) the officer must also conduct appropriate followup and document their efforts thoroughly. The officer will make every reasonable effort to conduct a proper investigation of vehicular eluding incidents.

The case should be cleared using the appropriate clearance code based on the outcome of the investigation.

## **.30 Pursuit Vehicle Requirements**

Only sworn officers may engage in any pursuit. No pursuits will be allowed by an officer who has, as a vehicle occupant, any person who is not a sworn officer acting in an official law enforcement capacity.

To be used in a pursuit, a department vehicle must have at least an audible siren and one emergency red light that flashes, oscillates, or rotates to the front and rear and has been mounted as high as practicable for the equipment. Officers operating an unmarked or undercover vehicle that do not meet these minimum requirements are prohibited from engaging in a vehicle pursuit.

If a pursuit is initiated by a motorcycle unit, a semi-marked unit, or an unmarked unit that meets the minimum emergency equipment criteria, that unit shall relinquish the primary pursuit vehicle position once a fully marked police vehicle with overhead emergency lights is in position to assume primary pursuit responsibilities. The vehicle may remain as the secondary pursuit vehicle

until a fully marked police vehicle with overhead emergency lights is in position to assume secondary pursuit vehicle responsibilities.

## **.35 Inter-Jurisdictional Considerations**

Officers shall not become involved in pursuits originated by another agency unless that jurisdiction specifically requests assistance through communications, a supervisor reasonably determines the necessity to do so, and the pursuit would be authorized under this policy.

Nothing prohibits a supervisor from directing officers into an area to assist at the conclusion of a pursuit.

As specified in [GO 310, Routine Patrol Functions – Leaving the City](#), an active pursuit is authorized to leave the city limits in cases of fresh pursuit.

## **.40 Officer Responsibilities**

### **Vehicle Operation**

Police vehicles actively engaged in a vehicular pursuit shall have visual and audible emergency warning devices activated.

Regardless of other circumstances, officers shall drive with due regard for the safety of all persons as dictated in C.R.S. § 42-4-108 and [GO 962 Vehicles: Emergency Operation](#).

### **Radio Communication**

The initiating officer shall immediately notify dispatch they are engaged in a pursuit. Due to the dynamic nature of vehicle pursuits, it is imperative that other officers and supervisors exercise good radio discipline, with priority given to the units directly involved in the pursuit.

The initiating officer shall provide the following information, as soon as possible:

- Unit identification
- Location and direction of travel
- Vehicle description and if available, license plate information
- Number of occupants in the vehicle
- Reasons for the pursuit, including known laws violated

If not communicated by the officers, the following information should be asked by a supervisor or the Communications Center, if appropriate:

- Clarify the criminal violation

- Driving actions, and traffic violations occurring
- Description of driver and identity, if known
- Approximate speed of the violator
- Traffic conditions
- If known, whether there are other occupants in the vehicle
- If a hostage is involved

The secondary pursuit officer shall be responsible for maintaining radio communications and transmitting locations and direction of travel to communications. If the secondary pursuit officer cannot fulfill this responsibility, the primary officer actively engaged in the pursuit will assume this role.

Each officer actively involved in the pursuit shall immediately use the radio to announce their involvement and location.

## **.45 Supervisory Responsibilities**

Division supervisors are required to continually monitor radio traffic within their division. Upon hearing that a pursuit has been initiated, at the first opportunity an available supervisor shall announce via the radio that they are monitoring the pursuit. If no supervisor announces they are monitoring in a timely manner, the Communication Center shall designate a supervisor to monitor the pursuit.

The supervisor's responsibility includes taking an active role in decision-making and directing resources. The supervisor must continually monitor the pursuit and must actively manage the event. Maintaining a disciplined approach to these high risk events is essential to the safety of the public and officers. If a supervisor is involved in the pursuit, another supervisor should be assigned to monitor the pursuit.

Active management of the pursuit includes but is not limited to, the following:

- Determining whether to allow the pursuit to proceed.
- Authorizing or requesting additional units to become involved in the pursuit, and requesting backup units to be dispatched to assist.
  - The supervisor must be clear in communicating the need for additional units to be actively engaged in the pursuit.
  - The supervisor must also be clear in communicating the need for additional non-emergency units to be involved in an ancillary capacity.
    - A dispatch supervisor may also approve the dispatch of non-emergency units to aid in ancillary duties which may arise during the pursuit (traffic control, traffic accidents, etc.).
- Directing secondary units into the area as necessary.
- Authorizing the use of a forced stop method, if appropriate.

A supervisor shall go to the location where the pursuit ended and immediately assume command.

The responding supervisor should ensure the appropriate follow-up is conducted for making a timely arrest whenever possible. The supervisor shall ensure all reporting requirements are met as detailed in section .70 of this policy.

## **.50 Responsibilities of Communications Center**

Radio transmissions from in-progress pursuits take priority over all other radio traffic. Communications shall declare a Code One status on the primary talkgroup assigned to the patrol division in which the pursuit originates.

If the pursuit crosses divisional lines, officers involved in the pursuit should continue operating on the original radio talkgroup throughout the pursuit.

Communications shall broadcast the information as soon as it is possible on all primary talkgroups that a pursuit is in progress. The information broadcasted will include such details as direction of travel, reasons for the pursuit, radio channel being used, as well as the call sign of the supervisor who has oversight responsibilities.

Communications will ascertain whether assisting units from other divisions will be required to switch radio channels to the channel that initiated the pursuit.

Communications is responsible for immediately notifying a field supervisor from the appropriate patrol division to monitor the pursuit. If a field supervisor does not respond Communications shall immediately notify a field supervisor from another patrol division. If unable to assign a field supervisor by this means, Communications will notify the appropriate shift lieutenant, duty lieutenant, or staff duty officer that a pursuit is in progress for the purpose of monitoring the pursuit.

In addition, Communications shall make staff notifications to the appropriate division lieutenant, duty lieutenant, division commander, or staff duty officer that a pursuit is in progress.

Should the pursuit appear likely to enter a different division's area of responsibility, the appropriate supervisor in that division shall also be notified. Communications shall also notify neighboring jurisdictions if a pursuit could leave the city of Colorado Springs.

A dispatch supervisor may approve the dispatch of non-emergency units to aid in ancillary duties which may arise during the pursuit (traffic control, traffic accidents, etc.).

## **.55 Number of Units to Pursue**

No more than four department vehicles are allowed to actively engage in a pursuit. The four vehicles actively engaged in the pursuit will be designated as primary, secondary, third, and fourth.

- The primary pursuit vehicle is the vehicle that is directly behind the suspect vehicle.
- The secondary pursuit vehicle is the vehicle that is behind the primary pursuit vehicle.
- The third and fourth vehicles will be responsible for assisting in monitoring for public safety concerns, to assist with apprehension of the suspect/s, and to provide additional officers for officer safety.

This limitation on the number of units does not preclude the involved field supervisor, or other sworn member of the rank of lieutenant or higher, from authorizing additional vehicles to respond to the area or to take part directly in the pursuit. The decision to allow more than four vehicles to be actively engaged in the pursuit must be justified in the written reports required under section .70 of this policy.

## **.57 Trailing or Paralleling a Pursuit**

Unless directed by an authorized supervisor, officers are strictly prohibited from trailing or paralleling a pursuit. However, a supervisor may decide additional officers may be helpful in a pursuit situation for traffic control, to control the course of the pursuit, to aid in apprehension of the suspect(s) after the pursuit ends, and other public safety efforts. If a supervisor authorizes ancillary officers to assist in the pursuit, they shall operate their vehicles following conventional traffic regulations unless authorized by that supervisor to respond utilizing lights and siren (Code 3).

Officers not actively engaged in the pursuit but authorized to assist shall immediately use the radio to announce their involvement and location. These officers must approach in a controlled manner consistent with training. Officers should place themselves in an advantageous position enabling them to respond quickly to the area where a pursuit ends to assist with apprehension of the suspect(s) or to perform other ancillary tasks (containment, traffic control, etc.).

## **.60 Forced Stop Methods**

Circumstances may arise where it becomes necessary for officers to utilize forced stop methods to stop a vehicle. Only the involved field supervisor or any sworn member at the rank of lieutenant or above may authorize the use of a forced stop method.

In rare instances, where exigent circumstances dictate immediate action without prior approval, the officer may make that decision. Officers applying such tactics without supervisory approval shall be required to justify the exigency that led to their actions.

Officers and supervisors must objectively weigh the seriousness of the offense and the need to immediately apprehend the subject utilizing a forced stop method against the potential danger the forced stop method may pose.

Factors that should be considered, both individually and collectively, when deciding to authorize or use a forced stop method include the list in section .15 of this policy. This list is not inclusive of all factors that should be considered in every situation. Other factors relevant to assessing the risk of a forced stop method should be considered as needed.

Any forced stop method, depending on the conditions and circumstances under which it is used, may present danger to the public, occupants of the pursued vehicle, and officers.

Certain applications of forced stop methods may be construed as a use of force, including deadly force, and are subject to Colorado Revised Statutes and Colorado Springs Police Department policies governing use of force.

The use of the forced stop method must be objectively reasonable given the totality of circumstances facing the officer(s).

A tactical vehicle intervention is defined as a use of force by the department.

### **Descriptions of Authorized Forced Stop Methods:**

*TACTICAL VEHICLE INTERVENTION (TVI):* TVI is performed by either the primary pursuit police vehicle or other pursuing police vehicle dependent upon the tactical situation. When utilizing TVI, pursuing vehicles and supervisors must determine the best TVI method based on the totality of the circumstances. TVI includes a maneuver (deliberate, controlled ramming) where the police vehicle is used in such a way to cripple the suspect vehicle and prohibit further travel. This form of TVI should be directed to either side of the vehicle's steering points, drive train locations, or rear bumper area. The use of TVI may cause the air bag systems within the patrol vehicle(s) to deploy.

*ROADBLOCK:* When setting up a roadblock, sufficient distance must be allowed to permit the fleeing vehicle, and other vehicles, to stop safely. A roadblock is utilized to either prohibit or redirect travel of a suspect vehicle by the placement of fixed obstacles within and around the roadway that the suspect vehicle is traveling. Upon establishing a roadblock, officers should not remain at the same immediate location but observe from a safe distance nearby.

*BOXING-IN MANEUVER:* This maneuver is performed by positioning one department vehicle in front of the suspect vehicle and a minimum of one department vehicle behind the suspect vehicle. The department vehicle in front of the suspect vehicle will slow down, in an attempt to bring the suspect vehicle to a stop.

## **.65 Condition of Vehicle**

If the primary or secondary pursuit officer discovers any malfunction limiting their vehicle's ability to continue the pursuit, that officer shall communicate the perceived issue as soon as possible and allow another unit to take over the pursuit as soon as practical. If the vehicle has become unsafe to drive, the pursuing officer shall immediately terminate their involvement in the pursuit.

## **.70 Reporting Requirements**

All vehicular pursuits are required to be documented in an offense report titled vehicular eluding or within an offense report for a criminal act committed immediately before, during, or at the conclusion of the pursuit. Pursuits involving a traffic accident require the completion of a traffic accident report and an offense report.

The officer who initiated the pursuit shall document the pursuit in the appropriate offense report.

The submitted report must contain all pertinent information concerning the pursuit, including:

- Initiating information
- All criminal and traffic offenses committed by suspect
- Location
- Detailed route of pursuit
- Duration in seconds
- Weather conditions
- Traffic conditions
- Approximate speeds
- Conclusion of pursuit (terminated, stopped, TVI, accident, etc)
- Suspect/arrestee information
- Follow-up conducted
- Any unusual occurrence or circumstance

Any other officer who took an active part in the pursuit shall complete a supplemental report.

## **.75 Post-Pursuit Administrative Review of Each Pursuit**

Upon the conclusion of any pursuit, the monitoring supervisor shall initiate a vehicle pursuit report in BlueTeam.

If a tactical vehicle intervention is used or attempted, the officer must also report it as a use of force in Blue Team, as required in [GO 710 Reporting Use of Force](#).

The monitoring supervisor shall conduct an administrative review of the pursuit and its context.

The monitoring supervisor must also ensure the appropriate offense reports and supplements are completed by all involved officers and the appropriate charges are brought against the suspect(s).

The primary purpose of the administrative review is to determine whether policies and procedures were followed. If there are potential policy violations that have not already resulted in the initiation of the appropriate personnel investigation, the supervisor shall initiate the appropriate level of investigation without delay.

The supervisor's vehicle pursuit report in Blue Team and the post-pursuit review memorandum should be completed within 30 days of the incident. The post-pursuit review memorandum must include the information in the following order:

1. Summary of incident
2. Documented review of all relevant reports
  - a. Ensure reports contain all needed information
  - b. Ensure reports are detailed
3. Administrative review of pursuit
  - a. Determination of policy adherence
  - b. Review of relevant known conditions at the time of the pursuit
  - c. Identify any concerns (training, safety, decision-making, etc.)
4. Recommendation

The Blue Team Vehicle Pursuit report post-pursuit review memorandum, and associated documents must be forwarded via the Blue Team system to the involved employee's chain of command for further review and comments. The review should have all relevant reports, recordings and/or additional documents attached. The pursuit will be reviewed up through the deputy chief of the involved bureau.

## **.80 Annual Analysis of Pursuit Reports**

A written report analyzing the previous year's vehicle pursuits will be prepared by a designated commander with the assistance of the Planning and Compliance Section and presented to the Patrol Bureau deputy chief on an annual basis. The deputy chief will secure the chief's approval of the annual analysis.

The annual analysis of pursuit reports should include statistical details based on three years of data. The Internal Affairs Section will maintain the data from Blue Team and provide information on pursuits for the purpose of the annual analysis as well as in response to other

inquiries. The annual analysis of pursuit reports will also include a review of policy and reporting procedures, recommending changes if needed.

## **.85 Critical Incident Review**

All pursuits that result in serious bodily injury or death shall be referred to the Critical Incident Review Committee (CIRC) for review. All pursuits involving the use of any type of forced stop method or significant property damage will be considered by the deputy chief of the involved bureau for referral to the CIRC for review. See [GO 1110 Critical Incident Review Committee](#).

With the permission of the chief of police, any other pursuit may be referred to the CIRC at the request of the involved officer, involved field supervisor, involved command officer, or any staff officer.

## **.90 Pursuit Training**

1. Recruit officers will receive initial training regarding vehicle pursuits along with the requirements of this general order as part of the CSPD Police Academy.
2. All officers will receive training, at least annually, on CSPD's pursuit policy.
3. CSPD will provide periodic training designed to do the following:
  - a. Enhance officers' discretion and judgment in pursuits in accordance with this policy.
  - b. Simulate pursuit situations and conditions, to the extent practical, for the purpose of improving officers' decision-making abilities.
4. All pursuit training will be documented and maintained by the Training Academy.