



# DETROIT POLICE DEPARTMENT

MANUAL

<b>Series</b> 300 Support Services	<b>Effective Date</b> 6/2014	<b>Review Date</b> Annually	<b>Directive Number</b>  303.2
<b>Chapter</b> 303 - Facilities and Equipment			
<b>Reviewing Office</b> Risk Management Bureau			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces <input checked="" type="checkbox"/> Revised
<b>References</b>			
Chief of Police			

## VEHICULAR PURSUITS

### 303.2 - 1 PURPOSE

This directive outlines the responsibilities of sworn members in regards to vehicular pursuits. The Detroit Police Department places the highest value on the lives and safety of its officers and the public at large. The department also recognizes its responsibility to apprehend persons who endanger the public by fleeing to avoid prosecution. However, vehicle pursuits shall not be conducted in such a manner as to recklessly endanger the lives of officers and/or citizens.

### 303.2 - 2 POLICY

While operating department vehicles in emergency situations all members shall evaluate the seriousness of the offense and the risk of initiating the pursuit. Although police officers are exempted under state law from the observation of certain traffic regulations, in various circumstances, they are required by law and department policy to maintain control of their vehicle at all times, and must recognize that the safety of the public is a primary concern.

### 303.2 - 3 Definition

#### 303.2 - 3.1 Vehicle Pursuit

An active attempt by a uniformed officer operating a marked department vehicle, to apprehend the operator and/or occupants of a motor vehicle who having been given an audible and visual signal by the officer directing the operator to bring the vehicle to a stop, resists apprehension.

### 303.2 - 4 PROCEDURES

Resisting apprehension may include, but is not limited to, maintaining or increasing speed, disobeying traffic laws, or making some other overt action intended to avoid arrest. Routine traffic stops, or other instances in which officers activate their emergency lights and sirens and the vehicle operator complies by coming to a stop in a reasonably short distance, will not be considered a vehicle pursuit.

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from the consequences of a reckless disregard for the safety of others (Michigan Compiled Laws 257.603 and 257.632). This exemption requires the following:

1. That the emergency vehicle display a flashing, oscillating, or rotating red or blue light; and
2. That the emergency vehicle sounds a siren or air horn when engaged in an emergency activity or pursuit.

Therefore, officers shall not initiate a vehicle pursuit if the mandated emergency equipment is not functional. Further, officers engaged in a vehicular pursuit shall immediately discontinue the pursuit should either the siren or rotating emergency lights fail.

### **303.2 - 7 Control of the Pursuit**

Officers initiating a pursuit shall immediately contact the zone dispatcher and provide the following information:

1. Reason for pursuit;
2. Location, direction and speed of the pursuit;
3. Description of vehicle, including license number, if known; and
4. Description and number of occupants.

In general the initiating officer will become the primary unit and shall be responsible for broadcasting the progress of the pursuit, requesting additional police units if necessary, or deciding if the pursuit should be abandoned.

Members joining the pursuit shall immediately notify Communications, who will determine which unit will be designated as the secondary unit. All other units shall stay clear of the pursuit, but remain alert to its progress and location.

#### **303.2 - 7.1 Patrol Supervisor's Responsibility**

The monitoring patrol supervisor shall constantly assess the circumstances surrounding the pursuit. Factors for consideration in the termination or continuation of the pursuit as previously delineated shall be considered in addition to any other factor the monitoring patrol supervisor deems appropriate. The monitoring patrol supervisor shall immediately terminate the pursuit when the circumstances warrant such action.

The monitoring patrol supervisor may designate additional units above and beyond the primary and secondary unit to enter the pursuit based on the following:

1. The suspect is armed;
2. Multiple suspects are in the fleeing vehicle; or
3. Extenuating circumstances heighten safety concerns for the arresting officers.

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9. Attempting to overtake the fleeing vehicle;
10. Rolling or stationary roadblocks;
11. Wrong way on controlled access highways – pursuing vehicles may proceed on a parallel course;
12. Discharging a firearm – unless the use of deadly force is justified in accordance with the Detroit Police Department's Use of Force Directive; and
13. Officers are strictly prohibited from becoming involved in vehicular pursuits for any reason while off duty and traveling in privately owned vehicles.

### 303.2 - 8 Authority to Terminate a Pursuit

A pursuit may be terminated by any of the following members:

1. The units engaged in the pursuit;
2. The monitoring patrol supervisor;
3. Ranking member of the department; and
4. Communications supervisor only in the event a patrol supervisor has not acknowledged and assumed responsibility as the monitoring supervisor.

A monitored pursuit shall not be terminated in any manner that subverts the rank structure of the Detroit Police Department.

### 303.2 - 9 Discontinuing the Pursuit

Members involved in a pursuit must question whether the seriousness of the violation warrants continuation of the pursuit. A pursuit shall be discontinued when, in the judgment of the primary unit, there is a clear and present danger to the public, which outweighs the need for immediate apprehension of the violator.

Officers must keep in mind that a vehicle pursuit has the same potential for serious injury or death as the use of fatal force. The danger to the public inherent in any vehicle pursuit must be carefully considered. Officers must place the protection of human life over all other considerations.

Therefore, the decision to terminate a pursuit may be the wisest course of action. A member will not be criticized for terminating a pursuit when, in the member's opinion, the lives of others would have been at undue risk had the pursuit continued.

#### 303.2 - 9.1 Termination of the Pursuit

If a pursuit is terminated by the primary unit, patrol supervisor, or ranking member of this department the involved units shall discontinue the pursuit, acknowledge the termination of the pursuit via radio, turn off the roadway and advise dispatch of the termination point and stand by for the patrol supervisor. The patrol supervisor shall respond to the termination point, advise dispatch they are at the location and ensure the involved units have discontinued the pursuit.

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vehicular pursuit report is all that is required.

### 303.2 - 11 Pursuits Leaving the City

When a person has committed or is suspected of having committed any felony or misdemeanor within a city, or has escaped from any prison within the city of Detroit, the officers shall have the same right to pursue, arrest and detain such person within the city limits as the sheriff of the county (M.C.L.A. 117.34). This State law is less restrictive than department policy but should not be interpreted so as to relieve officers of their responsibilities to adhere to department policy.

Officers engaged in a lawful pursuit falling within the guidelines of this order may continue the pursuit outside the boundaries of the city. In no case, however, shall the pursuit continue across the international border into Canada.

If the pursuit culminates with an arrest, officers should notify the authority having jurisdiction over the territory where the pursuit has terminated. Officers should keep in mind that persons may not be charged in different jurisdictions with similar offense(s) arising from the same incident. Therefore, if the decision is made to allow prosecution by the jurisdiction where the chase terminates, Detroit officers may not arrest for the same or lesser offense regulating the same activity. For example, if reckless driving is charged by the outside jurisdiction, a Detroit officer may not seek additional traffic related charges within Detroit.

If Detroit officers will seek felony charges, officers shall return the arrested person(s) to Detroit for processing on the felony matter first. A hold will be placed on the person for the charge requested by the outside jurisdiction and the prisoner processed in accordance with existing procedure.

### 303.2 - 12 Responding to Pursuits by Outside Agencies into Detroit

When the zone dispatcher receives information that an outside agency is involved in a chase within the city limits, the information shall be broadcast immediately. Officers shall remain alert to the outside agency's location and progress but shall not become directly involved in the chase unless specifically requested by the outside agency and approved by a patrol supervisor. When a request for assistance is approved, the zone dispatcher will designate a unit(s) to participate in the pursuit.

In the event a unit becomes aware of a pursuit prior to the outside agency having time to make a request for assistance the unit shall immediately advise the zone dispatcher an outside agency is involved in a pursuit within the city limits of Detroit. The unit shall also advise the zone dispatcher of the location, direction, speed, and reason for the pursuit, if known. A patrol supervisor shall direct the unit to assist if it is safe to do so until such time the zone dispatcher can determine the reason the outside agency is

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viewing by a supervisor the in-car video shall be placed in the desk safe until it can be turned over to the Internal Affairs.