



Pursuit of Motor Vehicles

Issue Date:	12/5/2015	Effective Date:	10/19/2020
Review Date:	12/18/2020	Number of Pages:	12
Rescinds:	9.2.2 - 1/7/2019		
IACLEA Standards:	9.2.2		

Purpose

To state the Indiana University Police Department’s (IUPD) position on vehicular pursuits and to establish guidelines for officer and supervisor decision making regarding vehicular pursuits.

General Order

Indiana University Police Department Officers will only initiate a vehicle pursuit while operating an authorized emergency vehicle, and only if the officer reasonably believes an occupant has committed a serious violent felony. Officers will not pursue for misdemeanors or infraction violations. Fleeing a police officer is not considered a serious violent felony. Officers must balance the necessity for the pursuit and the apprehension of a suspect against the possibility of injury or death to those involved as well as innocent bystanders. Officers engaged in a vehicle pursuit will exercise due regard for the lives and property of all individuals.

Definitions

Assisting – The following will constitute assisting in a vehicle pursuit:

- Any officer who clears, secures, or blocks an intersection.
- Any supervisor who assumes or should have assumed supervisory responsibility for a pursuit.
- Any communication operator who handles or should have handled radio or telephone communication related to the pursuit.

Authorized Emergency Vehicles – are defined by Indiana Code (IC) 9-13-2-6.

Caravanning – Direct participation in, or following of, a pursuit by department vehicles other than the primary and authorized secondary units.

Involved – An officer or supervisor who is operating as the primary unit as described below in 9.2.2b or secondary unit as described below in 9.2.2c or as an additional unit actively pursuing a vehicle in another agency’s pursuit is considered to be involved in a vehicle pursuit.

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Serious Violent Felonies – Officers who have probable cause that an occupant of a vehicle is suspected of one of these offenses which is in progress or has just occurred, or there is an imminent threat of serious bodily injury, may use that probable cause as justification to initiate a vehicle pursuit.

- Murder or Attempted Murder (IC 35-42-1-1)
- Voluntary Manslaughter (IC 35-42-1-3)
- Reckless Homicide (IC 35-42-1-5)
- Aggravated Battery with Serious Bodily Injury (IC 35-42-2-1.5)
- Kidnapping (IC 35-42-3-2)
- Rape (IC 35-42-4-1)
- Robbery while Armed with a Deadly Weapon (IC 35-42-5-1)

Special Purpose Vehicle – Any department vehicle that is not regularly assigned to the Patrol Section for the purpose of conducting routine patrol.

Termination of Pursuit - To abandon or abort the pursuit. This includes immediately deactivating emergency equipment, immediately resuming non-emergency driving by adhering to all traffic laws and turning away from the offending vehicle as soon as practical.

Trail or Trailing – The unauthorized following of a pursuit at any distance, to include paralleling, intercepting, or shadowing a pursuit. Shadowing is defined as the unauthorized following of a pursuit at any distance while not involved in the pursuit.

Unmarked Vehicles – Any department vehicle, regardless of emergency equipment, that is not clearly marked as a police vehicle on the exterior of the vehicle.

Vehicle Pursuit – A deliberate attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude apprehension in a motor vehicle.

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9.2.2 a. Evaluation of Circumstances

Prior to initiating any pursuit, the officer must be aware of and evaluate possible factors that would prohibit the pursuit. Officers initiating and/or continuing vehicular pursuit will consider the following (9.2.2 a.):

- The seriousness of the offense.
- The risk of injury or death as a result of the pursuit.
- The consequences of not apprehending the suspect.
- The possibility of apprehension.
- Whether the suspect is known, or their destination known, making later apprehension possible.
- Volume of vehicular traffic.
- Pedestrian traffic conditions.
- Weather and road conditions.
- Availability of assistance.
- Barriers to hearing and/or vision.
- Barriers to officer communications and safety.
- Time of day.
- Vehicular speeds involved.
- Length of pursuit.
- Location of pursuit.
- Population density

The decision to initiate a pursuit must be based on the pursuing officer’s conclusion, with probable cause a serious violent felony as outlined by this policy occurred, and that the immediate danger to the officer and public created by the pursuit is less than the immediate potential danger to the public should the suspect remain at large. Officers should use the IUPD Critical Decision-Making model to assess if the pursuing the offender outweighs the danger the pursuit may cause to the public and other officers.

Unless there is immediate or potential danger of death or serious bodily injury should the suspect(s) remain at large a pursuit will not be undertaken if the subject(s) can be identified with enough certainty that they can be apprehended at a later time.

Officers attempting to stop a violator outside the approved list of serious violent felony offenses in this policy, regardless of probable cause, shall immediately terminate and abandon the traffic stop if the violator fails to stop. Failing to stop by a violator is no justification to continue while an officer consults supervision. If an officer does not have probable cause for any of the serious violent felonies outlined in this policy, there shall be no reason to engage in a pursuit of any length/duration.

No pursuit shall be conducted in a direction against the lawful flow of traffic on a one-way street or lane of a divided highway.



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An officer will not initiate or become involved in any vehicle pursuit while providing transportation for any person, other than law enforcement officers.

Responsibilities During Vehicle Pursuits

Upon engaging in a pursuit and during the pursuit, the pursuing police vehicle(s) will activate and maintain operation of emergency lights and siren. Any vehicle engaged in a pursuit whose emergency lights or siren fail will discontinue the pursuit.

Officers engaged in a pursuit will use occupant safety restraint devices as set forth by Indiana Code 9-19-10-2.

Officers involved in a pursuit who are equipped with a Body Worn Camera and/or are in a vehicle equipped with an In Car Video system will ensure the system(s) are activated and recording pursuant to *G9.1.7 Use of Audio/Video Recorders*.

A pursuit will consist of no more than two IUPD police vehicles, a primary and a secondary unit, unless additional units are authorized by a supervisor.

- All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.
- Caravanning and trailing are prohibited. However, officers should monitor the progress of the pursuit and be prepared to assist if directed by a supervisor.
- The number of vehicles engaged in a pursuit may be adjusted to fit the situation with supervisory approval.
- A supervisor who has joined in the pursuit and supervises the units shall be considered an additional unit.

Officers involved in or assisting in a pursuit have a responsibility to terminate the pursuit or their assistance in the pursuit at the direction of a supervisor.

9.2.2 b. Primary Unit

Upon engaging in a pursuit, the initiating officer, or primary unit, will notify communications center of (9.2.2 b.):

- the initial purpose of the stop and/or the reason for the pursuit.
- any information concerning the use of firearms, threat of force, or other unusual hazard.
- the location, direction and speed of the pursuit.
- a description of the pursued vehicle, including license plate number, if known.



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- the number, identity, and description of any known occupants.

Officers will communicate on radio talkgroups as established and agreed upon by local agencies.

The primary unit will continuously update communications on the pursuit conditions, location, weather conditions, and presence of other traffic until a secondary unit is in place.

The primary unit may become a secondary unit when the fleeing vehicle comes under air surveillance or when another unit has been assigned as the primary unit.

9.2.2 c. Secondary Unit

The second officer, or secondary unit, upon engaging in the pursuit, will proceed at a safe distance from the primary unit and will perform all communications to dispatch (9.2.2 c.).

An officer who intends to join the pursuit will notify the communication center of their location and intent to join the pursuit. Joining a pursuit as a secondary unit must be approved by a supervisor. If multiple additional units signal an intent to join the closest unit will become the secondary unit and other units will not join the pursuit unless instructed to do so by a supervisor.

The secondary unit will become the primary unit when primary responsibility has been relinquished by the primary unit, the primary unit is unable to continue in the pursuit, or by order of the supervisor.

9.2.2 d. Communication Operators

During a pursuit, communications operators will have the following responsibilities (9.2.2 d.):

- Broadcast the location, direction of travel, description of the pursued vehicle, occupant description(s), reason for pursuit, and any additional information upon initiation of a pursuit.
- Move non-involved units to secondary radio channel (talk-group) for continued police operations and/or bring additional officer(s) into dispatch to assist.
- Notify shift supervisor and all other units that a unit is engaged in a pursuit.
- Update pursuit locations as advised, notify surrounding jurisdictions, and provide them with all information available as soon as possible.
- Query vehicle registration and wanted files if available, including the registered owner of the vehicle.



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9.2.2 e. Supervisors

When made aware of and during a vehicular pursuit the supervisor will assume the authority for all pursuits through radio communications and have the following responsibilities (9.2.2 e.):

- Determine the reason for the pursuit and decide whether to allow the pursuit to continue or order the pursuit terminated.
- If the pursuit is allowed to continue:
 - Coordinate and direct activities as needed to ensure that proper procedures are followed, and actions are consistent with this procedure.
 - Make the decision to authorize additional units in the pursuit, including secondary units, requests to other agencies to assist such as K-9 and/or air support.
 - Monitor all incoming information.
 - Provide on-scene assistance and direction at the conclusion of the pursuit.
 - Respond to the location at which the suspect vehicle stops.
 - Make proper notifications in the chain-of-command.

9.2.2 f. Roadblocks and Forced Stopping

Officers will not use any type of roadblock, including but not limited to (9.2.2 f.):

- The Circle system.
- A fixed roadblock.
- A moving roadblock.

Forced stopping tactics are considered Response to Resistance. Pursuant to *G7.1.1 Response to Resistance* officers will only apply force that is constitutionally reasonable and necessary to control the situation.

The use of the PIT maneuver by IUPD officers is prohibited.

The use of tire deflation devices by IUPD officers is prohibited.

Officers are restricted by General Order *G7.1.1 Response to Resistance* from firing their weapons from or at moving vehicles. The use of deadly force in these situations is prohibited unless a suspect’s actions pose an imminent threat of death or serious bodily injury.



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The intentional contact between an authorized pursuit vehicle and the suspect vehicle, which may cause substantial damage and disablement to the fleeing vehicle and may cause serious injury and/or death to the suspect, is considered to be deadly force and will only be used as a last resort.

Officers must weigh the need to use deadly force in these situations against the potential harm to bystanders that may result from the use of deadly force. Officers will only use deadly force if circumstances warrant deadly force according to the General Order *G7.1.1 Response to Resistance*.

9.2.2 g. Termination of Pursuit

Terminating a pursuit means to abandon or abort the pursuit. This includes immediately deactivating emergency equipment, immediately resuming non-emergency driving by adhering to all traffic laws and turning away from the offending vehicle as soon as practical.

The primary pursuing unit and supervisor will continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and will terminate the pursuit whenever they reasonably believe the risks associated with the continued pursuit are greater than the immediate or potential danger to the public should the suspect remain at large. Other agencies involved in the pursuit will be advised of this decision. (9.2.2 g.)

The pursuit may be terminated by the primary unit at any time.

A supervisor may order the termination of a pursuit at any time.

A pursuit will be terminated if the suspect’s identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension later is feasible.

The pursuit will be terminated if radio communications between pursuit units and dispatch becomes limited or non-existent.

9.2.2 h. Inter and Intra-Jurisdictional Pursuits

If a pursuit leaves the general contiguous area of campus, local law enforcement and the subsequent jurisdiction will be notified by IUPD communications operators as the pursuit approaches that jurisdiction and assistance will be requested. (9.2.2 h.)

When a pursuit enters another jurisdiction, the actions of IUPD officers will be governed by IUPD General Orders and Indiana Statute.

Officers will terminate the pursuit if requested to do so by a supervisor of the outside agency, whose jurisdiction the pursuit has entered, or by an IUPD supervisor.



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Involvement in Pursuits of Other Agencies

Officers will not become involved in a pursuit in which the primary unit is from another agency unless:

- The pursuit was initiated due to probable cause that an occupant of the pursued vehicle is suspected of a serious violent felony as defined by this general order which is in progress or has just occurred, or there is an imminent threat of serious bodily injury and
- IUPD is specifically requested to do so, and the request is granted by a supervisor (9.2.2h.)

Officers will not become the primary vehicle in another agency’s pursuit.

While engaged in another agency’s pursuit, officers will still be governed by IUPD General Orders and Indiana Statute during the pursuit.

9.2.2 i. Unmarked and Special Purpose Vehicles

Unless there is an immediate threat of death or serious bodily injury to a person, unmarked vehicles, motorcycles, or special purpose vehicles should not become involved in pursuits. If such a circumstance exists and the unmarked vehicle engages in pursuit, the unmarked vehicle, motorcycle, or special purpose vehicle will discontinue the pursuit upon arrival of a marked police unit or at the direction of an IUPD supervisor. (9.2.2 i.)

9.2.2 j. Post Pursuit Reporting & Review

All vehicle pursuits will be fully documented in a case report and reviewed by supervisors for compliance with policy, regardless of the cause or outcome of the pursuit. (9.2.2 j.)

The officer who initiated the pursuit will be responsible for completing a case report, response to resistance form to include the vehicle pursuit section and submitting both documents to the on-duty supervisor. Any officer who was involved in or assisted in the pursuit will be responsible for completing a supplement attached to the initiating officer’s case report.

The on-duty supervisor will be responsible for immediately reviewing the case report, supplements, pursuit review documentation, Body Worn Camera and/or In Car Video System Recordings, computer aided dispatch records and relevant radio and telephone recordings.

- The on-duty supervisor may also immediately initiate corrective action for any violations of General Orders, University Policy or Indiana Statute by employees not involved in or assisting in the pursuit.

The supervisor will forward all previously mentioned documentation to Director of Public Safety Training and Education and the Division Chief.



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- If the pursuit resulted in death or serious bodily injury or if any of the officers involved are suspected of a violation of any IUPD General Order, University Policy or Indiana Statute, the Division Chief will reassign the officers involved to a duty assignment that is unlikely to result in another vehicle pursuit until a review of the vehicle pursuit has been completed.

The Director of Public Safety Training and Education will appoint the members of the Pursuit Review Board within one business day of the incident.

- The membership of the Pursuit Review Board will consist of:
 - One Pursuit Review Board chair who will be at or above the rank of Lieutenant.
 - One Patrol Sergeant.
 - One Training Coordinator.
 - Two patrol officers, one of whom will be from the division where the pursuit occurred, but who was not involved in and did not assist in the pursuit.
 - The Public Safety Communication Manager or designee.
- When possible, members of the Pursuit Review Board will be certified Emergency Vehicle Operations Instructors.
- The Director of Public Safety Education and Training may attend Pursuit Review Board meetings to answer questions or provide guidance to the Board but will not participate in the generation of the Board’s Pursuit Review Report.
- The Director of Information Technology and Systems may attend Pursuit Review Board meetings to provide technical assistance and explanation when reviewing recordings but will not participate in the generation of the Board’s Pursuit Review Report.
- The Pursuit Review Board will be charged with reviewing the actions of any employee involved in or assisting in the pursuit for compliance with this General Order and application and effectiveness of vehicle pursuit tactics taught to IUPD officers.
- The Pursuit Review Board will not make recommendations on any ensuing discipline for violations of General Order, University Policy, or Indiana Statute.

The Pursuit Review board will commence a review:

- Within three business days of being appointed for incidents that do not result in death, serious bodily injury, or violation of IUPD General Orders, University Policy, or Indiana Statute.



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- Within three business days of the conclusion of all other administrative or disciplinary proceedings for incidents that do involve death, serious bodily injury, or violation of policy.

The Pursuit Review Board review may include:

- A review of all documentation provided to the Pursuit Review Board.
- Interviews with all officers, supervisors involved in or assisting in the pursuit, and police communications operators who handled radio or telephone traffic associated with the pursuit.

The Pursuit Review Board will produce a Pursuit Review Report within 10 business days of commencing the review which includes:

- Identification of areas to sustain and areas to improve.
- A statement that indicates no changes to any General Order are recommended or recommendations for specific changes to any General Order.
- A statement that indicates no training points emerged from the pursuit review or recommendations for specific training points.
- A statement that indicates this General Order was not violated by any employee involved or assisting in the pursuit or a list of suspected violations, by officer, of this General Order.
- A statement that indicates if the Director of Public Safety Training and Education should investigate suspected violations of General Orders other than this General Order.

The Chair of the Pursuit Review Board will forward the Pursuit Review Report to the Director of Public Safety Training and Education and copy the Division Chief of the officer(s) involved or assisting in the pursuit and the Public Safety Communications Manager.

The Director of Public Safety Training and Education will determine if:

- An internal affairs investigation must be started in accordance with *G4.2 Internal Affairs Investigations* to address any violations of general orders.
- Training regarding the vehicle pursuit should be created or distributed.
- To notify the Written Directives Group that a change to any General Order has been recommended.



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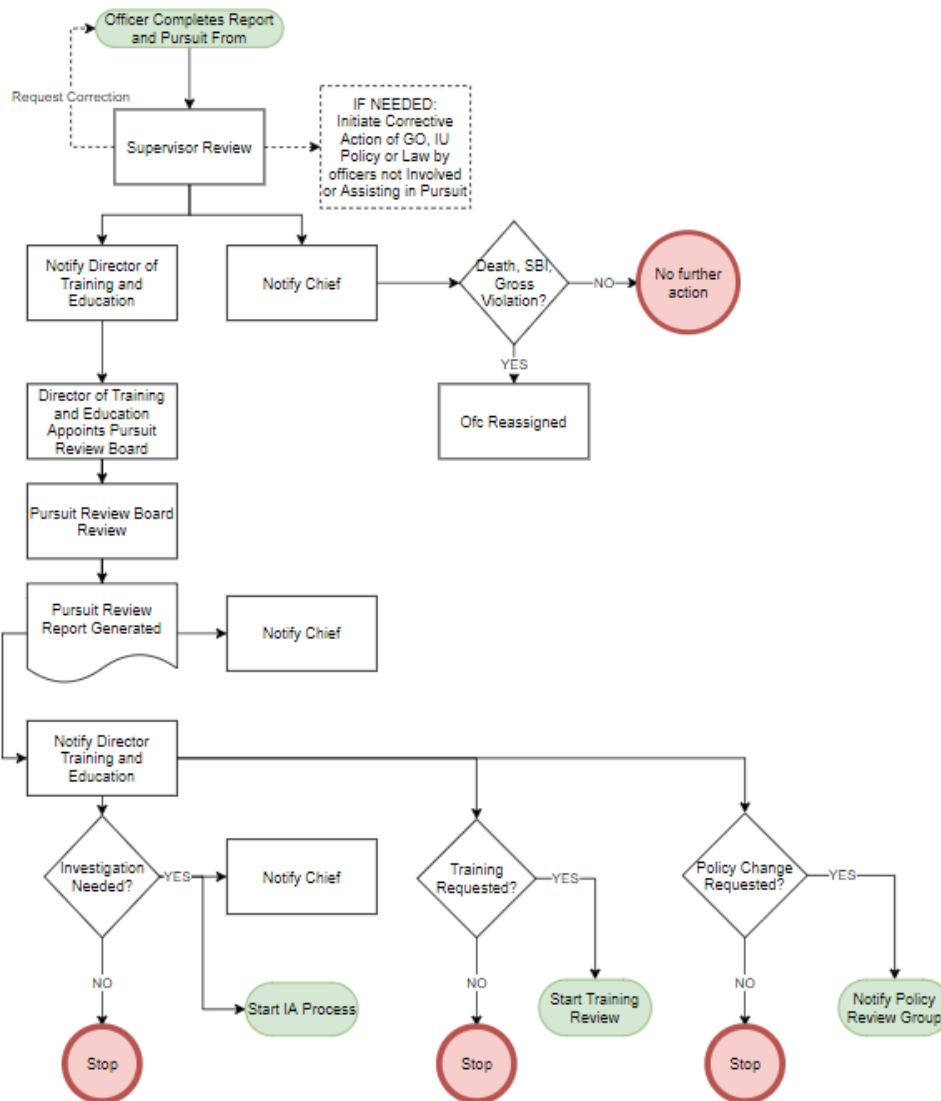
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9.2.2 k. Annual Review of Pursuits

The IUPD Director of Public Safety Education and Training or designee will annually analyze police pursuit activity, and identify any modifications warranted in the department pursuit procedures and training. (9.2.2 k.)

Related Information

Pursuit Review Flow Chart:





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Indiana Statute:

- IC9-13-2-6 Authorized Emergency Vehicle
- IC9-19-10-2 Use of Safety Belt by Motor Vehicle Occupants; Safety Belt Standards
- IC9-19-14-1 Siren, Exhaust, Whistle, or Bell
- IC9-19-14-3 Audibility Requirements for sirens, Whistles, or Bells
- IC9-19-14-5 Police Vehicles Used as Emergency Vehicles
- IC9-21-1-0.5 Lawful Intervention Technique
- IC9-21-1-8 Emergency Vehicles
- IC35-41-3-3 Use of Force Relating to Arrest or Escape

Benjamin Hunter (10/19/2020)
Superintendent of Public Safety