

# POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 203-P

REFERENCE STANDARDS: 41.2.2 41.2.3 41.3.1 61.3.4

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SUBJECT: Pursuit Driving Guidelines

POLICY: It is the responsibility of the Hanover Park Police Department to establish pursuit guidelines, designed to best protect human life and property, in the safe operation of police vehicles involved in pursuits.

PURPOSE: To establish guidelines for pursuit requiring emergency operation of departmental vehicles. To provide clear guidelines for departmental personnel in the establishment of police response to vehicle pursuit situations. These guidelines are intended to help reduce the number of collision injuries and fatalities associated with vehicle pursuits. This department recognizes that each pursuit situation is unique. The good judgment of the officers and supervisors involved in a pursuit and evaluating the information known at the time are the most important factors in ensuring the safety and well being of the public.

This procedure is intended for internal use only and does not apply in any criminal or civil proceeding. It should not be construed as the creation of a higher standard of safety, or care, in an evidentiary sense with respect to third party claims.

## I. DEFINITIONS

- A. DU-COMM: DuPage Public Safety Communications.
- B. ISPERN: Illinois State Police Emergency Radio Network.
- C. Marked Police Vehicle: Any police vehicle that is identifiable by color scheme, red and/or blue lights permanently mounted on or within the vehicle, equipped with a siren, and which has the Village logo and police lettering on the outside of the vehicle. (41.3.1)
- D. Semi-marked Police Vehicle: Any police vehicle that is not identifiably marked by a distinctive color scheme, but which has emergency lights mounted within the vehicle and is equipped with a siren. (41.3.1)

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### POLICE OPERATIONS MANUAL

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### VILLAGE OF HANOVER PARK

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Auth:

- E. Unmarked Police Vehicle: Any police vehicle that has no distinctive identifiable marking and may have portable emergency lights and siren. (41.3.1)
- F. Peace Officer: Any sworn peace officer as defined by Illinois Statute currently employed by a public safety agency.
- G. Primary Unit: The marked police vehicle that initiates a pursuit, or any marked unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the fleeing subject).
- H. Secondary Unit: Any marked police vehicle that becomes involved as a backup to the primary unit and follows it at a safe distance.
- I. Pursuit: An active attempt by a peace officer in an authorized emergency vehicle to apprehend an actual law violator, who is attempting to avoid apprehension through evasive tactics, and who has been given a visual or audible signal by a police officer directing the driver to bring the vehicle to a stop, willfully fails or refuses to obey such direction, increases speed, extinguishes the vehicle lights, or otherwise flees or attempts to elude the officer.
- J. Fleeing Vehicle: A motor vehicle operated by a person who is attempting to avoid apprehension by police officers.
- K. Supervisor/Officer in Charge: A peace officer who, by virtue of rank or assignment, is responsible for the direction or supervision of the activities of other peace officers.
- L. Telecommunications: DU-COMM or ISPERN.
- M. Telecommunicator: dispatcher, radio operator.
- N. Violator: Any person who a peace officer reasonably believes has committed an offense or poses an immediate threat to the safety of the public or other peace officers.

## II. PURSUIT DRIVING

- A. It is the policy of the Hanover Park Police Department that a motor vehicle pursuit is justified only when the necessity of immediate apprehension outweighs the level of inherent danger created by the pursuit. In each case, every reasonable effort at apprehension should be made short of endangering other people.
- B. Officers and their supervisors shall evaluate the nature of the pursuit, and in light of its dangers, make the decision, whenever necessary, to terminate the pursuit. An officer involved in a motor vehicle pursuit must be prepared to justify his/her actions. (41.2.2a)

### III. INITIATION OF PURSUIT

- A. Any peace officer in a marked police vehicle may initiate a pursuit when all the following criteria are met: (41.2.3a)
1. The violator is attempting to evade apprehension; and has committed a Forcible felony as defined under 720 ILCS 5/2-8., "Forcible felony" means treason, first degree murder, second degree murder, predatory criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual; and
  2. The violator, if allowed to escape, may present a danger to human life or cause serious injury; and
  3. The speeds involved, and/or the maneuver and practice engaged in, permit the peace officer control of his/her vehicle and do not created unwarranted danger to the public or to police department members; and
  4. The volume of pedestrian or vehicular traffic permits continuing the pursuit; and
  5. Weather and road conditions are not such that pursuit becomes hazardous.

### IV. TERMINATION OF PURSUIT (41.2.2g)

- A. Pursuing peace officers should terminate pursuits when:
1. The danger to the public or pursuing peace officer outweighs the necessity for immediate apprehension of the violator. Consideration should be given to the reasons for the initiation of the pursuit of the fleeing vehicle and whether such reasons have changed.
  2. The distance between the pursuing peace officer and the violator is so great that further pursuit is futile.
  3. The peace officer loses visual contact with the violator for an extended period of time.
  4. The violator is identified and the failure to apprehend poses no immediate threat of death or serious injury to another person.

5. There are malfunctions with police equipment (i.e. radios) or the vehicle (i.e., emergency lighting, siren) that makes continued operation of the vehicle in the pursuit hazardous.
- B. The pursuing police officer shall terminate pursuits when ordered to do so by a supervisor.

V. TELECOMMUNICATIONS RESPONSIBILITIES (41.2.2e)

- A. Give priority to primary unit.
- B. Notify other units of pursuit, including location, direction of travel, and vehicle description.
- C. Keep a clear channel.
- D. Notify patrol supervisor.
- E. If not already being used, advise the primary unit to use ISPERN.
- F. Receive and record all incoming information on pursuit.
- G. Keep supervisor apprised of progress of pursuit by relaying all pertinent information, (i.e. telephone contact with other agencies, local radio channels, and ISPERN).
- H. Request status when pursuing officer fails to make frequent contact.
- I. Notify neighboring jurisdictions of pursuit approaching their boundaries.
- J. Perform relevant records and motor vehicle checks.
- K. Coordinate and dispatch backup assistance and air support units under the direction of the supervisor.

VI. PURSUIT TACTICS (61.3.4) (41.2.2d)

- A. The use of forcible stop techniques to terminate a pursuit is prohibited except for use of tire deflating devices in compliance with paragraph L. below. (41.2.2g)
- B. Use of the police vehicle to ram a pursued vehicle is prohibited.
- C. An officer shall not discharge a firearm from a moving vehicle.

- D. Pursuing officers shall not pull along side a fleeing motorist.
- E. Peace officers involved in a pursuit shall not proceed in the direction opposite to the flow of traffic on a divided highway without the specific authorization of a supervisor.
- F. No pursuit will be conducted in a police vehicle in which an individual who is not a sworn law enforcement officer is either the driver or a passenger.
- G. Officers who are operating unmarked or semi-marked Police Department vehicles will not become involved in pursuits.
- H. The Police Department vans, Supervisor SUV, and Incident Command Vehicle will not be used for motor vehicle pursuits.
- I. No more than two police vehicles (a primary unit and a secondary unit) shall become actively involved in a pursuit unless otherwise specifically directed by a supervisor.
- J. All units in a pursuit, whether primary or secondary, should be spaced sufficiently to allow adequate distance to successfully execute evasive maneuvers in the event that other vehicles may slow, stop, turn or otherwise create a collision hazard.
- K. Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is an increased likelihood of collision, the driver of any pursuit vehicle shall, prior to entering the intersection, or upon the approach to any such location where there is an increased likelihood of a collision, reduce their speed. Peace officers shall not proceed through an intersection or otherwise increase speed unless the intersection is safe and clear. Pursuing peace officers are expected to maintain complete control of their vehicles at all times.
- L. Personnel may use a department issued "tire deflating device" after all conditions in section III.A. are met and permission is granted by an on-duty supervisor, and shall adhere to the following guidelines: (41.2.2g) (41.2.3a,b)
  - 1. Use of a tire-deflating device in pursuit situations:
    - a. Officer shall set up a channeling lane.
    - b. Place a marked vehicle where it will afford clear visibility to traffic in all directions and to all highway users.
    - c. Establish an escape route through the channeling lane. The escape route must be established in such a manner to be maneuvered through at a speed no greater than the speed limit.
    - d. Remove vehicles and people not associated with the channeling lane.
    - e. Privately owned vehicles shall not be commandeered to be used as a channeling lane.
    - f. Assemble and position the tire-deflating device with the nylon cord attached.

- g. The connected or disconnected tire-deflating device may be tossed into the path of a pursued vehicle when inappropriate to use the guidelines described above.
- 2. Use of the tire-deflating device on stationary vehicles.
  - a. A tire-deflating device can be used to prevent a vehicle from being moved by a violator attempting to flee a scene.
  - b. A tire-deflating device may be used to prevent movement of a vehicle that is, or possibly will be, evidence.
- 3. The tire-deflating device is not to be used as a hand weapon.
- 4. The tire-deflating device will not be used on vehicles with less than 4 wheels/tires; i.e., two or three wheeled motorcycles.
- 5. Any agency employee who is authorized to use a tire-deflating device must be trained in its use prior to implementation. The Deputy Chief of Operations or his designee shall be responsible for the overall training on the deployment and use of tire - deflating devices. The initial training shall occur during an officer's time in field training, and additionally all sworn personnel shall be retrained annually. (41.2.3c)
- 6. The on-duty supervisor must grant permission to use any tire-deflating device. The supervisor should ensure all conditions in section III.A. are met prior to granting permission, monitor its use, and ensure all required documentation is completed. (41.2.3d)
- 7. An agency employee who uses a tire-deflating device shall complete the appropriate sections of the Pursuit Driving Report (Appendix A) and appropriate case report(s). (41.2.3e)

## **VII. PURSUING OFFICER/PRIMARY UNIT RESPONSIBILITIES (41.2.2b)**

- A. The decision to initiate and/or continue a pursuit **REQUIRES** weighing the public safety need to immediately apprehend the violator against the degree of risk to which peace officers and others are exposed as a result of a pursuit. Peace officers are reminded that they are under no legal obligation to initiate a pursuit, and that in many circumstances, the safety of the public will dictate that no pursuit be initiated, and/or that it be discontinued. Consideration should be given to those reasons to initiate pursuit in Section III.
- B. Upon the initiation of a pursuit, the pursuing peace officer shall immediately activate the vehicle's emergency warning lights and audible device, i.e.; siren.
- C. Upon the initiation of a pursuit, the pursuing peace officer shall immediately, or as soon as is reasonably practical, notify DU-COMM of the following information, if available:
  - 1. Notify the telecommunicator of pursuit in progress.

2. Advise location and direction of travel.
  3. Give description of vehicle.
  4. Give reason for pursuit.
  5. Give estimated speed of fleeing vehicle.
  6. Give number of occupants.
  7. Give weather, road and traffic conditions.
  8. Identify other agencies involved in the pursuit.
  9. Advise when leaving jurisdiction.
- D. When engaged in a pursuit, officers shall use the ISPERN radio rather than the Hanover Park Police Department radio system, so that other towns can hear the radio traffic.
- E. Upon using the ISPERN frequency, the primary unit shall conform to ISPERN guidelines.
- F. The primary unit will provide telecommunications with frequent updates as to location, direction of travel and pertinent information unless the secondary unit has assumed those responsibilities.
- G. The primary unit is responsible for the conduct of the pursuit and determining whether to continue or to discontinue the pursuit, unless otherwise directed by a supervisor.
- H. The pursuing peace officer should keep windows rolled up and operate siren manually when possible, so that the telecommunicator can hear transmissions clearly.

#### VIII. SECONDARY UNIT RESPONSIBILITIES (41.2.2c)

- A. A secondary unit shall notify the telecommunicator and the supervisor that they have joined the pursuit. Until such time that a supervisor assumes responsibility, only one secondary unit shall become involved in an ongoing pursuit.
- B. Upon being assigned secondary unit responsibilities, the vehicle's emergency warning lights and audible device shall be activated.
- C. Whenever practical, the secondary unit shall assume the responsibility for ongoing pursuit telecommunications from the primary unit.

- D. If so requested by the primary unit, or if directed by a supervisor to do so, the secondary unit may assume primary unit responsibilities. Otherwise the secondary unit may not attempt to overtake or pull alongside the primary unit.
- E. Secondary unit personnel are responsible for serving as a backup to the primary unit. As such, they will respond to directions from the primary unit personnel, unless otherwise directed by a supervisor.

**IX. SUPERVISOR RESPONSIBILITIES (41.2.2f)**

- A. Upon notification that a pursuit is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
- B. The supervisor shall immediately determine whether the pursuit was initiated in accordance with the provisions of this policy and shall permit the pursuit to continue only if said policy has been fully complied with to the best of the supervisor's knowledge.
- C. Upon being notified of a pursuit, the supervisor shall verify the following:
  - 1. That no more than the required or necessary number of units is involved in the pursuit.
  - 2. That the proper radio frequency is being used.
  - 3. That other agencies are notified as necessary and appropriate.
- D. The supervisor shall continuously review the incoming information to determine whether the pursuit should be continued or terminated. The supervisor should gather information and determine whether the seriousness of the offense, the hazards involved, and other conditions, justifies continuation of the pursuit. If not, direct the pursuit to be terminated.
- E. The supervisor shall order a pursuit terminated at any time if he/she concludes that the danger to the pursuing officer or the public outweighs the need for the immediate apprehension of the violator.
- F. The supervisor may order a pursuit terminated if the violator's identity is established to the point where later apprehension is likely and there is no immediate threat to public safety.
- G. The supervisor should order a pursuit terminated whenever the weather, road or traffic conditions substantially increase the danger to the public posed by the pursuit beyond the need for immediate apprehension.



- H. The supervisor shall order a pursuit terminated whenever the distance between the pursuing and fleeing vehicle is so great that further pursuit is futile.
- I. In controlling the pursuit, the supervisor shall be responsible for the coordination of the pursuit as follows:
  - 1. Directing pursuit or support units into or out of the pursuit.
  - 2. The assignment of a secondary unit to the pursuit.
  - 3. The redesignation of primary, secondary or other supporting units as necessary.
  - 4. The approval, disapproval and coordination of pursuit tactics.
  - 5. The approval or disapproval to cross-jurisdictional boundaries in the continuation of the pursuit.
- J. The supervisor may approve and assign additional backup or support units to assist the primary and secondary units based upon their analysis of:
  - 1. The nature of the offense for which the pursuit was initiated.
  - 2. The number of violators and any known propensity for violence.
  - 3. The number of peace officers in the pursuit vehicles.
  - 4. Any damage or injuries to the assigned primary or secondary units or peace officers.
  - 5. The number of peace officers' necessary to safely make an arrest at the conclusion of the pursuit.
  - 6. Any other clear and articulable facts that would justify the increased hazards caused by adding more than the primary and secondary units to a pursuit.
- K. When the termination of a pursuit occurs, the supervisors shall require that all participating agencies be notified.
- L. The supervisor shall require, throughout the duration of the pursuit, that all department personnel follow this policy.
- M. The supervisor shall have all officers involved in a pursuit return to their normal duties when the pursuit is terminated, except the officers required to process the incident.

## X. OTHER UNIT RESPONSIBILITIES

- A. Police units other than the primary unit and the secondary unit shall not become involved in an ongoing pursuit, unless otherwise directed by or with the permission of a supervisor. Such police units are expected to monitor radio transmissions and to position themselves to be of assistance should the pursuit move into their assigned patrol area.
- B. Unless directed otherwise by a supervisor, Hanover Park units will limit their participation to the following, when appropriate:
  - 1. Station themselves at major cross streets to protect the public from the pursuit.
  - 2. Take any action that may minimize the danger of injury.
  - 3. Provide geographical or other pertinent information.
  - 4. Provide assistance once the fleeing vehicle is stopped.

## XI. INTERJURISDICTIONAL PURSUITS (41.2.2h)

- A. Pursuits entering another department's jurisdiction.
  - 1. The primary unit will advise telecommunications that the pursuit is leaving town.
  - 2. The supervisor will decide to continue or terminate the pursuit based upon the existing circumstances.
  - 3. The telecommunicator will notify the involved jurisdiction.
- B. Pursuits entering Hanover Park
  - 1. Peace officers will refrain from entering pursuits unless assistance from the pursuing agency is requested and a supervisor approves such assistance.
  - 2. If two units from the other agency are actively involved in the pursuit, Hanover Park officers will not engage in the pursuit unless directed to do so by a supervisor.
  - 3. Hanover Park officers who become involved in the pursuit from an outside agency will adhere to all applicable provisions of this policy.

## XII. REVIEW PROCESS (41.2.3e)

- A. After every pursuit, a Pursuit Driving Report form (appendix A) will be filled out by the pursuing officer with the assistance of the supervisor. A case number will be assigned on each pursuit regardless of whether within our jurisdiction or interjurisdictional in nature.
- B. A Pursuit Driving Report form will be submitted through the chain of command for evaluation and review to determine: (41.2.2i)
  - 1. Policy compliance.
  - 2. Operational needs.
  - 3. Future training needs.
- C. The Deputy Chief of Operations or his/her designee shall conduct an annual, documented analysis of Pursuit Driving Reports, and a documented annual review of pursuit policies and reporting procedures. (41.2.2j)(41.2.2k)

Officer \_\_\_\_\_  
ISPERN # \_\_\_\_\_

Date of Incident \_\_\_\_\_  
Case # \_\_\_\_\_

## 1. Officer Information

\_\_\_\_ Years of Service  
\_\_\_\_ Age  
\_\_\_\_ Sex  
\_\_\_\_ Race

## 2. Did you Initiate Pursuit?

☐ Yes  
☐ No

## 3. Time of Pursuit (Military)

Time Started \_\_\_\_\_  
Time Ended \_\_\_\_\_  
Duration (Minutes) \_\_\_\_\_

## 4. Day of the Week

☐ Sunday  
☐ Monday  
☐ Tuesday  
☐ Wednesday  
☐ Thursday  
☐ Friday  
☐ Saturday

## 5. Weather Conditions

☐ Clear  
☐ Rain  
☐ Snow  
☐ Sleet/hail  
☐ Fog/smog/haze  
☐ Other (Describe)  
\_\_\_\_\_  
\_\_\_\_\_

## 6. Locale \*

☐ Urban  
☐ Residential/suburban  
☐ Rural

## 7. Road Type \*

☐ Two-lane  
☐ Four- Lane  
☐ Expressway/Interstate  
☐ Toll road  
☐ Unpaved, any width

## 8. Your Pursuit Vehicle Was

☐ Marked w/overhead lights  
☐ Marked w/interior lights  
☐ Unmarked

## 9. Police Units Involved from Your Agency

\_\_\_\_ Enter Number

## 10. Distance of Pursuit

☐ 1 block – ½ mile  
☐ ½ - 1 mile  
☐ 1 – 2 miles  
☐ 2 – 3 miles  
☐ 3 – 4 miles  
☐ 4 – 5 miles  
☐ Other (enter miles \_\_\_\_\_)

## 11. Suspect Vehicle Type

☐ Car  
☐ Truck  
☐ Van  
☐ Motorcycle  
☐ Other (describe)  
\_\_\_\_\_  
\_\_\_\_\_

## 12. Speed of Your Police Unit\*

☐ 21 – 40 mph  
☐ 41 – 60 mph  
☐ 61 – 80 mph  
☐ 81 – 100 mph  
☐ Over 100 mph

## 13. Speed of Suspect Vehicle\*

☐ 21 – 40 mph  
☐ 41 – 60 mph  
☐ 61 – 80 mph  
☐ 81 – 100 mph  
☐ Over 100 mph

## 14. Initiating Event

☐ Minor traffic law violation  
☐ Suspected DUI  
☐ Reckless Driving  
☐ Outstanding misdemeanor warrant  
☐ Outstanding crime against property felony warrant  
☐ Outstanding crime against person felony warrant  
☐ Suspected criminal activity  
☐ Wanted by another agency  
☐ Felony crime  
☐ Misdemeanor crime  
☐ Other (explain)  
\_\_\_\_\_  
\_\_\_\_\_

## 15. Foot Escape (if attempted)

☐ Suspect escaped on foot  
☐ Suspect apprehended after attempted foot chase

## 16. Stop Technique (if used)

☐ Stationary roadblock  
☐ Rolling roadblock (boxing in)  
☐ Ramming  
☐ Chancelization  
☐ Tire deflation device  
☐ Other (describe)  
\_\_\_\_\_  
\_\_\_\_\_

## 17. Accident Information

☐ None  
☐ Property damage  
    ☐ Your vehicle  
    ☐ Suspect's vehicle  
    ☐ Citizen's vehicle  
☐ Personal Injury  
    ☐ You  
    ☐ Suspect  
    ☐ Citizen  
☐ Fatality  
    ☐ Suspect  
    ☐ Citizen

## 18. # of Passengers in Suspect Vehicle

\_\_\_\_ (enter number)

## 19. Reason for Which You Terminated Pursuit

☐ Suspect surrendered/stopped  
☐ Suspect escaped  
☐ Suspect vehicle broke down  
☐ Your vehicle broke down  
☐ You voluntarily terminated pursuit  
☐ Accident involving suspect vehicle and citizen  
☐ Accident involving suspect vehicle and police vehicle  
☐ Accident involving suspect vehicle only  
☐ Accident involving police vehicle only  
☐ Forcible stop technique (see below)  
☐ Terminated by supervisor  
☐ Other (explain)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. Suspect

\_\_\_\_\_ Age

\_\_\_\_\_ Race

\_\_\_\_\_ Sex

☐ Valid driver's license at  
time of incident

21. Suspect Charged With

☐ Traffic law violations only

☐ DUI

☐ Misdemeanor (non-traffic)

☐ Felony

22. Felony Charges Result from

Events

☐ Before pursuit

☐ During pursuit

☐ After pursuit

List specific charges \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Additional Comments:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Case # \_\_\_\_\_

Supervisor \_\_\_\_\_

Signature