

Town and Country Police Department

James Cavins, Chief of Police

VEHICLE PURSUIT REPORT Calendar Year 2022

In 2022, Town & Country Police Department (TCPD) was involved in 4 vehicular pursuits. Each pursuit is monitored by a supervisor with the objective to weigh the totality of circumstances with the risks of continuity and overall public safety. Subsequently, the pursuit is reviewed, evaluated, investigated (if necessary), and documented by a Command Officer holding the rank of Lieutenant or higher. Every incident involving a vehicular pursuit includes a case report, suspect(s) pedigree, type of offense, speeds of vehicles involved, weather and traffic conditions, time of day, day of week, roadway conditions, and number of officers involved.

Of the 4 pursuits which occurred in 2022, all 4 were determined to be within standards of TCPD policies and procedures.

Reason Pursuit Initiatedⁱ

Stolen Vehicle	2
Traffic/Suspicious Activity	1
Assault on Law Enforcement	1
Assault 1 st Degree (Shooting)	1
Stealing	1

Terminated For / By

Safety / Policy	3
Suspect Apprehension	1

Area Typeⁱⁱ

Interstate	2
City Street	1
Business	1
State Roadway	2

Resulting Crashes 0

Injuries 0

Speeds of Officer

60-80	1
100+	3

Speeds of Suspect

20-30	1
100+	3

Distance Traveled

1 or less miles	1
2-3 miles	2
9-16 miles	1

ⁱ There may be more than one reason for the pursuit (e.g. started as traffic and learned vehicle was reported stolen)

ⁱⁱ The area type of each pursuit may include more than one type of area

CITY OF TOWN AND COUNTRY
POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

Policy Topic: Vehicular Pursuits
Policy Number: 442
Effective Date: April 24, 2006
Revised Date: September 22, 2017, February 1, 2023
Key Words: Pursuit
Certification: Chapters 19.2, 19.5, 21.13

442.01 Policy

It is the policy of this department to protect lives to the extent possible when enforcing the law. Vehicular pursuits are an inherently dangerous but necessary part of law enforcement's obligation to promote law and order in our society. The law, and this policy, places a duty on all law enforcement officers to operate their vehicles with a due regard for the safety of others.

442.02 Definitions

Vehicular Pursuit – An active attempt by a police officer(s) in an authorized emergency vehicle to apprehend an actual or suspected law violator in a vehicle, while the driver or others are trying to avoid apprehension through evasive tactics or by ignoring an officer's lawful signal to stop.

Authorized Emergency Vehicle – A vehicle operated by a police officer that is equipped with an audible siren and a lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

Involvement - For the sake of this policy, a police vehicle is deemed to be involved in a pursuit if it travels at "high speeds" as defined by 442.04, or otherwise violates traffic laws while attempting to catch up to or follow a vehicular pursuit as defined above.

Primary Unit – An authorized emergency vehicle that either initiates or assumes lead vehicle control during the pursuit.

Support Unit – Any additional authorized emergency vehicle(s) that become directly engaged in the pursuit effort.

Forcible Stopping Techniques – Any introduction of force into the pursuit with the goal to either coerce or compel the conclusion of the evasive action. Each category is defined as follows:

Coercive – Techniques that *influence* the pursued subject to recognize that the contact formula has been created to such an extent that continued evasive action is pointless. These techniques could include the utilization of the following:

- (1) Roadblock (Level I) – the placement of an object(s) on or about the roadway in such a manner as to impede or alter the normal flow of traffic flow.
- (2) Controlled Tire Deflation Devices – Commercially produced devices that disable vehicle tires through slow, controlled deflation.

Compulsive – Techniques that *require* the pursued vehicle to cease evasive action. Compulsive techniques include:

- (1) Roadblock (Level II) – The placement of an object(s) on or about the roadway in such a manner as to completely block vehicular flow.
- (2) Boxing-In / Rolling Roadblock – The placement of authorized emergency vehicles on or about the roadway in an effort to “surround” the pursued vehicle and force the driver to voluntarily cease his or her evasive action.

442.03 Supervisory Control of Pursuits

The Watch Commander, or in his absence, an officer of supervisory rank, has the responsibility to provide oversight and control of vehicular pursuit activities initiated by Town and Country police officers. The Watch Commander or monitoring supervisor shall have the authority to terminate a vehicular pursuit at any time and shall consider whether the interests of public safety and effective law enforcement justify a vehicular pursuit based upon the known factors contained in 442.04.

442.04 Initiation of a Vehicular Pursuit

A. High-speed vehicular pursuits for traffic-related offenses are prohibited.

B. A police officer, in an authorized emergency vehicle, may initiate a vehicular pursuit when an actual or suspected violator of certain laws, by use of a motor vehicle, uses evasive tactics or ignores an officer’s lawful signal to stop. The laws where a high-speed pursuit may be initiated are limited to the following Part One Offenses and related crimes: criminal homicide, forcible rape, robbery, felony assault, burglary, and arson.

The following factors shall be considered by the potential initiating officer to determine whether the interests of public safety and effective law enforcement justify a vehicular pursuit. The reasonableness of the pursuit will include consideration of these factors:

The following factors shall be considered by the potential initiating officer to determine whether the interests of public safety and effective law enforcement justify a vehicular pursuit:

- A. The seriousness of the original offense.
- B. If the suspect is known, or there is a likelihood of identifying the suspect at a later time.
- C. The speed of the suspect vehicle and any hazardous acts by the driver.
- D. Visibility, weather, road conditions and volume of traffic.

- E. Familiarity with the area.
- F. The type of roadway and area the pursuit is about to enter; i.e. business, residential, school, or construction zone.

442.05 Conduct of Pursuit Vehicles

- A. The driver of an authorized emergency vehicle, when in the pursuit of an actual or suspected violator of the law may exercise the privileges set forth in this section [RSMo 300.11], but subject to the conditions herein stated. The driver of an authorized emergency vehicle may:
 - 1. Park or stand, irrespective of the provisions of this ordinance;
 - 2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - 3. Exceed the maximum speed limits so long as he does not endanger life or property;
 - 4. Disregard regulations governing direction of movement or turning in specified directions.
- B. The exemptions granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle. [RSMo 300.100]
- C. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others. [RSMo 300.100]
- D. Controlled Access Highways. Officers shall not pursue suspects the wrong way on controlled access highways or divided roadways.

442.06 Continuation of the Vehicular Pursuit

- A. Communications. Upon initiating the pursuit, the primary unit, when tactically feasible, shall advise communications of the following:
 - 1. The location of authorized emergency vehicle(s) engaged in the pursuit and that of the violator's vehicle.
 - 2. The subject's actions, past or present, that has caused the initiation of the pursuit.
 - 3. The current direction of travel for the pursuit.
 - 4. The license number and issuing state.
 - 5. Additional descriptive information, i.e. Make, model, color.

6. The number and description of occupants.
- B. No more than three authorized emergency vehicles will become engaged in a single vehicular pursuit unless otherwise authorized by the Watch Commander. It is the duty of the support unit(s) to assist and back up the primary unit.
- C. In the event that the primary pursuit unit is unable to continue the pursuit, the support vehicle in the best tactical position will assume the role of the primary unit.

442.07 Forcible Stopping Techniques

If it is determined by a police officer involved in the vehicular pursuit or monitoring supervisor that a forcible stopping technique is tactically necessary to coerce or compel the conclusion of the evasive action, the Watch Commander, or the monitoring supervisor if the Watch Commander is unavailable, may authorize specific techniques under the following guidelines:

- A. Coercive Techniques. If the monitoring supervisor or Watch Commander believes that the nonlethal use of force is necessary to bring the evasive action to a safe conclusion, the following coercive techniques are authorized:
 1. Roadblock (Level I)
 2. Controlled Tire Deflation Device
 - a. Deployment
 - i. Officer safety is of primary concern; if the device cannot be deployed safely then one shall not be deployed.
 - ii. Tire deflation devices may be utilized only after receiving supervisory approval and only by officer(s) that have successfully completed training in their use.
 - iii. Tire deflation devices shall not be used on vehicles with less than 4 wheels and shall never be used on all-terrain vehicles (ATV), buses or recreational vehicles (RV) unless deadly force is authorized in that situation.
 - b. Site Selection for Deployment Shall be Based on the Following:
 - i. A location that is safe for the officer(s).
 - ii. A location with limited traffic volume.
 - iii. A safe geographic location: The device shall not be used at intersections, on curves, in areas with a steep embankment, or other areas that may risk injury to the suspect or others, or in areas frequented by pedestrians.
 - iv. Deployment must be on a hard surface.
 - v. The location should limit the opportunity for the suspect vehicle to avoid striking the tire deflation device consistent with department training.
 - c. Deploy the Tire Deflation Device Consistent with Department Training
 - d. Unintentional Damage Caused by the Tire Deflation Device

- i. If the tire deflation device causes damage to tires of an innocent citizen's vehicle, the officer who deployed the device shall submit a department memo detailing the circumstances of the unintentional damage and refer to the incident which precipitated the unintentional damage.
 - ii. The Watch Commander shall take photographs to document any damages and provide the citizen with information on how to file a claim with the City for reimbursement.
 - e. Assisting Another Agency with a Request for a Tire Deflation Device

Generally, a tire deflation device may be used to assist another agency, either inside or outside the City of Town and Country's jurisdiction; However, the following conditions must be met:

 - i. If another agency requests assistance, a tire deflation may be utilized only if the outside agency's pursuit is based upon the Town and Country Police Department's established pursuit guidelines pursuant to this SOP and with the Town and Country Watch Commander's approval, and only by a Town and Country Officer trained in the deployment of the device.
 - ii. Communications must advise all involved agencies of the deployment of the tire deflation device and the location deployed.
- B. Compulsive Technique. If coercive techniques are not tactically feasible or fail, and the primary and / or supporting unit(s) reasonably believe that the use of a compulsive technique is necessary to bring the evasive action to a safe conclusion, the monitoring supervisor or Watch Commander may authorize boxing-in / rolling roadblock.
- C. Lethal Force. If the Watch Commander reasonably believes that the use of deadly force is necessary to bring the evasive action to a conclusion, and such force is consistent with federal and state guidelines and statutes, the following uses of force may be authorized:
 - 1. Roadblock (Level II)
 - 2. Use of firearms. Officers shall only discharge a firearm at a moving vehicle or its occupants if the suspect(s) pose an immediate threat of serious physical injury to the officer(s) or others and the use of force is consistent with SOP 725.04 (B), Use of Force.
- D. Training. If the monitoring supervisor or Watch Commander has authorized the use of either coercive or compulsive stopping techniques, participating officers will deploy such efforts in a manner consistent with their training.

442.08 Termination of Vehicular Pursuits

Any officer engaged in a pursuit, or the monitoring supervisor or Watch Commander, may terminate the pursuit activity at any time. Those factors or conditions that would facilitate such a decision would include, but are not limited to the following:

- A. The initiation criteria to apprehend the subject(s) is now out-weighted by the created risks of certain conditions (subject actions, traffic flow, pedestrian presence, weather, road conditions, etc.).
- B. The pursued vehicle is no longer under surveillance.
- C. The pursued vehicle is stopped.
 - 1. The apprehension of the violator(s) will be the responsibility of the primary and support units. High-risk vehicle stop procedures shall be initiated, consistent with the nature of the perceived risk of the encounter and the action(s) of the violator(s).
 - 2. The monitoring supervisor or Watch Commander shall proceed to the termination point to supervise the scene.

442.09 Pursuits In or From Other Jurisdictions

- A. A Town and Country police officer may become involved in a pursuit initiated by another agency that enters Town and Country if:
 - 1. The interest of public safety and effective law enforcement justify a vehicular pursuit based upon the factors listed in 442.04, and
 - 2. The pursuing agency is requesting assistance, and
 - 3. The Watch Commander or monitoring supervisor gives approval.
- B. When a pursuit has been initiated by a Town and Country officer and enters, or is about to enter another jurisdiction(s), the Watch Commander or monitoring supervisor should notify the appropriate law enforcement agency (ies) of the pursuit and whether or not assistance is requested. For further information on the authority to pursue outside of Town and Country, see SOP 704, Arrest Powers.

442.10 Reporting and Review

- A. The vehicular pursuit report shall be completed on all pursuits engaged in by officers of this Department.
- B. The Operations Division Commander or Platoon Commander shall review the report and DVR to ensure compliance with the guidelines set out in this policy.