

DEPARTMENTAL GENERAL ORDER 12-03

ST. LOUIS COUNTY POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

M-4
July 18, 2012

Index as:

Emergency Vehicle Operations
Post-pursuit Review
Pursuit Policy
Resisting Arrest, Pursuit
Forcible stopping techniques

Cancels:

General Order 07-3

EMERGENCY VEHICLE OPERATIONS

I. PURPOSE

- A. The objective of this policy is to guide and direct officers in utilizing Department vehicles in a safe and efficient manner. This directive shall govern an officer's conduct in the evaluation of situations that may require the extraordinary operation of a Department vehicle. Officers are, at all times, subject to the provisions of this General Order.
- B. The use of pursuits in the apprehension of fleeing violators of the law presents a clear and present danger to officers involved, to private citizens and to property. The purpose of this General Order is to establish policies and procedures for the St. Louis County Police Department concerning pursuits and emergency response.
- C. The Order is for Department use only and does not apply in any criminal or civil proceedings. **In addition to the above stated purposes**, this Order will form the basis for Departmental administrative review and possible corrective action concerning **the conduct of police officers**.

II. DEFINITIONS

For the purpose of this General Order, the following definitions shall apply:

- A. Pursuit: A pursuit occurs when there is an active attempt by a law enforcement officer operating a motor vehicle and utilizing emergency warning lights and siren to apprehend one or more occupants of another moving vehicle when the officer reasonably believes that the driver of the fleeing vehicle is aware of the officer's attempt to stop the vehicle and is resisting apprehension by increasing vehicle speed, ignoring the officer or otherwise attempting to elude the officer.
- B. Initial Unit: The police vehicle initiating the pursuit.
- C. Primary Unit: The police unit in closest proximity to the fleeing vehicle with primary responsibility for conducting the pursuit. The primary unit may or may not be the initial unit.
- D. Secondary Unit(s): **Police unit originally assigned or who became engaged in the pursuit determined at the discretion of the officers involved (situationally determined by the event). The unit is a backup to the primary unit and follows the primary unit at a safe distance.**
- E. Police Officer or Officer: Commissioned member of this Department, regardless of rank, or any commissioned employee of another agency who is operationally attached to this Department.
- F. Precinct Supervisor: A commissioned employee of this Department of at least the rank of sergeant, on-duty and responsible for the precinct in which the pursuit is initiated.
- G. Dangerous Felony: **The felonies of murder, forcible rape, forcible sodomy, assault 1st, burglary 1st (not to include burglaries from attached garages), robbery, kidnapping, or the attempt to commit any of these felonies.**

- H. **Impaired Driving**: Driving in such a manner as to place other individuals at immediate and substantial risk of serious physical injury from the suspect's driving.
- I. **Paralleling**: The operation of a police unit, other than those involved in the pursuit, on streets or highways parallel to the pursuit route.
- J. **Ramming**: Deliberate contact by a police vehicle with the pursued vehicle from the front, rear or side. **This act is not authorized except where deadly force circumstances exist. (Note: For safety purposes, officers who attempt to ram in deadly force situations should be aware that any vehicle contact may result in air bag deployment).**
- K. **Roadblock**: Any method of restricting the passage of the pursued vehicle by obstructing the roadway with police vehicles or other physical obstacles that are placed perpendicular to a roadway or angled in such a way as to create a roadblock. **This definition shall include the stopping of traffic to block lanes during a pursuit. Roadblocks are only authorized after proper training is instituted through the St. Louis County Police Department, and supervisor approval is received.**
- L. **Authorized Emergency Vehicle**: Any St. Louis County Police Department vehicle equipped with a siren and emergency lights, which are readily visible from the front and rear of the vehicle.
- M. **Pursuit-Rated Vehicle**: Any St. Louis County Department vehicle that has received a designation from the manufacturer as being designed and properly equipped for pursuit situations.
- N. **Pursuit Termination**: Stopping or turning away from the direction of the pursuit coinciding with the deactivation of emergency vehicle lights and sirens.

III. POLICY

- A. Public safety and protection of human life are our paramount concerns. A need to apprehend a law violator or to respond to a location or situation does not normally justify creation of new or additional risks of injury or death to police officers or to others. Occasionally, the need to apprehend a criminal or to provide emergency services may justify driving outside normally applicable law and rules of the road. However, State law creates only limited exceptions for emergency vehicle operators. It is the policy of this Department that police vehicle operation shall be within the law and vehicles shall be operated in a reasonable manner and with due regard for the rights and safety of others. Irresponsible, careless or reckless driving is prohibited and will not be tolerated. Police vehicle operation shall be at all times consistent with the concept of "reasonable safety" and with all other requirements of this Order.
- B. Officers shall not utilize four-wheel drive vehicles, prisoner transport vans and all other special purpose vehicles in a pursuit **unless no other alternatives for pursuit exist. Upon the arrival of a Department pursuit-rated emergency vehicle, all non-pursuit-rated vehicles shall terminate.** Officers with passengers that are not Department employees or reserve police officers (**reserve pilots do not apply. See Section III.F.**), such as citizens, chaplains, interns, prisoners, witnesses and victims, will not participate in pursuits **unless they are the initiating pursuit vehicle – even then, to be relieved as the primary vehicle at first opportunity.** The siren and emergency lights will be operated until the pursuit is terminated.
- C. Any officer in an authorized emergency vehicle may activate emergency lights and siren only when it is reasonably necessary to accomplish one of the following:
 1. To prevent the commission of a crime **that can cause substantial and immediate risk of serious physical injury** to another (i.e., robbery in progress, shooting, flourishing gun);

2. To provide emergency assistance to persons exposed to an imminent threat of death or serious physical injury (i.e., accident with injury, hazardous material spill);
 3. To apprehend a person(s) who is committing a **dangerous** felony offense;
 4. To avert or minimize the effect of a public catastrophe or emergency involving the threat of major property damage (i.e., major fire at a commercial building);
 5. To take enforcement action via a traffic stop **relative to an ordinance or misdemeanor criminal violation**;
 6. To stop a vehicle, based on reasonable suspicion **that the driver or passenger of the vehicle has committed a dangerous felony**, to conduct further investigation;
 7. To initiate a pursuit that meets criteria set forth in Section III.E.
- D. Pursuits shall not be attempted unless, in the judgment of the officer, the necessity for the immediate apprehension of the fleeing violator outweighs the danger created by the pursuit and no reasonable alternative exists. Prior to initiating a pursuit, consideration should be given to the following conditions: speed of the pursuit; area of the pursuit; weather and road conditions; the presence of pedestrians and other traffic; or malfunction of emergency lights or siren and the reason for the pursuit of the fleeing vehicle. **The officer shall always consider the likelihood of being able to make a positive impact on the situation (e.g. pursuing a motorcycle on a crowded highway would have a negative impact on the situation due to the unlikelihood of catching the vehicle).**
- E. Any officer in an authorized emergency vehicle may initiate a pursuit:
1. In connection with the investigation of an attempted child abduction or a SARAA or Amber Alert notification (This does not apply to known parental abductions); or
 2. In order to effect the capture or prevent the escape of a law violator when:
 - a. The suspect committed or attempted to commit a **dangerous** felony; or
 - b. **The suspect stole a marked or unmarked police vehicle (the pursuit of any other stolen vehicle is not authorized)**; or
 - c. The crime involved the use or threatened use of deadly force; or
 - d. There is a substantial risk that the fleeing violator will cause death or serious physical injury if apprehension is delayed.
- F. Only commissioned police officers (not including reserve police officers) may operate an authorized emergency vehicle actively involved in a pursuit. However, reserve pilots operating within the Metro Air Support Unit may be involved in a pursuit situation.
- G. Officers shall not pursue violators the wrong way on any interstate or other controlled access highway or divided roadway unless specifically authorized **to do so** by a supervisor.

IV. IMPAIRED DRIVING

- A. **Officers must act if they observe that a person's driving abilities are so impaired as to cause a substantial and immediate risk of serious physical injury. Officers shall attempt to stop a vehicle which has been observed being involved in a set of behaviors predictive of impaired driving. These observed set of behaviors predictive of impaired driving may include, but are not limited to, multiple red light/stop sign violations, extreme lane changes, 10-50 leaving the scene, etc. (e.g. subject vehicle on Hwy 270 is traveling the speed limit but performing extreme lane violations before striking the median multiple times; however, the vehicle continues down the highway) if these conditions are observed while the subject vehicle is traveling at**

the speed limit or below, and the subject does not respond to the officers attempt to stop the vehicle, officers shall do the following:

1. Notify watch commander that you are following an impaired driver. Include the direction, road conditions, driving behavior and speed of the suspect vehicle, as well as any other pertinent information.
2. Continue to follow the suspect vehicle at the speed limit or below. Officers may follow at the speed limit or below utilizing their lights and siren even if it is unknown whether the suspect is aware of the officer's attempt to stop. This attempt with lights and siren may convince the suspect to stop while warning others on the road of the unsafe situation. If the suspect increases vehicle speeds or performs other evasive attempts to elude the officer, then a determination must be made by the officer if the situation would now be considered a pursuit as defined in Section III.E.2. (Officers cannot engage in a high speed pursuit based on the driver being intoxicated, but must consider the totality of the circumstances).
3. The impaired driving must have occurred independent of any attempt to stop the suspect and cannot be solely a result of the suspect's attempting to flee from the officer regardless of the activation of an officer's emergency lights or siren.

V. PROCEDURE

- A. If the police officer reasonably believes that **any of the** criteria set forth in Section III.E are met, the officer may pursue a fleeing vehicle.
- B. When a decision is made to initiate a pursuit, the initiating unit shall advise the dispatcher of the following:
 1. A pursuit has been initiated;
 2. The roadway, direction and speed of travel;
 3. The reason for the pursuit;
 4. The identifying information concerning the pursued vehicle, i.e., color, year, make, body, license number and other identifying characteristics; and
 5. Number and description of the occupants.
- C. The dispatcher shall immediately rebroadcast all above information to the initiating precinct, adjacent precincts and concerned police agencies. Immediately following this rebroadcast, the dispatcher will notify a precinct supervisor of the pursuit.
- D. As the majority of pursuits are of short duration, the pursuit will be handled on the precinct channel, unless at least one of the following conditions exist:
 1. The pursuit exceeds five minutes in duration;
 2. The pursuit has or may extend into areas not on the County's radio system; or
 3. The precinct supervisor directs a switch to another channel.

When any of the above conditions exist, the dispatcher will immediately advise all units involved, including municipalities, that a pursuit is in progress and that the units should switch to a designated channel until the pursuit is terminated.

- E. The dispatcher shall **initially** designate the nearest available unit as the secondary unit to assist the primary unit, **but the secondary unit may change at the discretion of the officers involved and according to the changing events of the ongoing pursuit.** The precinct supervisor monitoring the pursuit may designate additional units if the

circumstances of the pursuit warrant such. All other units shall stand by unless specifically requested to assist. Upon direction of the dispatcher, other units in the area may take up strategic positions along the probable pursuit route and activate emergency lights in an attempt to slow down the fleeing vehicle or alert other traffic at intersections of emergency conditions. The secondary unit shall be responsible for broadcasting the progress of the pursuit and coordinating activity in the event the primary unit becomes involved in a foot pursuit.

- F. The primary unit shall be responsible for the arrest of the violator(s) when the violator(s) terminates the pursuit voluntarily or becomes involved in an accident. If the primary unit is unable to continue the pursuit for any reason, the secondary unit shall be responsible for deciding whether to terminate the pursuit or continue as the primary unit. **The closest officer involved in the pursuit at that time to the newly designated primary officer will advise dispatch and accept secondary unit responsibilities.**
- G. All units in a pursuit should be spaced sufficiently to allow adequate distance to successfully execute evasive maneuvers in the event that other vehicles may slow, stop, or turn or otherwise create a collision hazard.
- H. When operationally feasible, the Metro Air Support Unit shall be requested to assist. Once air support arrives and has the suspect vehicle identified, they will follow the suspect vehicle and inform the dispatcher and ground units of the vehicle or suspect's actions.
- I. When the vehicle/driver being pursued approaches or enters another jurisdiction, the dispatcher will notify the appropriate police agencies.
- J. When felony pursuits enter Illinois, the police officer involved will request that any arrested violators be held pending extradition proceedings. The Fugitive Affairs Unit will be notified as soon as possible and provide necessary assistance.
- K. Fugitives from Illinois arrested in St. Louis County on felony charges will be held awaiting extradition. Fugitives stopped on Illinois misdemeanor charges with no local charges pending will not be arrested but allowed to proceed after the pursuing authorities have all needed information and issued necessary summons.
- L. When the operator of a motor vehicle escapes or eludes a St. Louis County police officer and is later apprehended, the operator will be physically arrested and, in addition to the felony offenses, charged under RSMo 575.150, Resisting Arrest.
- M. St. Louis County police officers will not become involved in pursuits originated by a municipality or other agencies in any manner, unless all of the following conditions exist:
 - 1. The pursuit meets the criteria of Section III.E; and
 - 2. The pursuing agency requests our assistance; and
 - 3. The precinct supervisor where the pursuit is occurring gives approval.

The precinct supervisor shall determine the number of pursuing units authorized to become involved in other agencies' pursuits. Units may take up strategic positions along the probable pursuit route and activate emergency lights in an attempt to slow down the fleeing vehicle or alert other traffic of emergency conditions.

- N. **Upon the pursuit entering another precinct, the originating precinct watch commander shall exercise control and have final authority of the pursuit. The watch commander of the precinct being entered shall be notified of the situation and upon verifying the assist of the primary vehicle may control the number of officers involved from his command. If the pursuit is being performed by units assigned to divisions other than the Division of Patrol, the originating precinct watch commander shall have control and final authority of the pursuit. However, it**

shall be the responsibility of the dispatcher to promptly attempt to notify the pursuing unit's supervisor.

VI. TERMINATION OF PURSUIT

- A. Pursuing police officer(s) should terminate pursuits when:
1. The danger to the public or the pursuing police officer outweighs the necessity for immediate apprehension of the violator. Consideration should be given to the following conditions: speed of the pursuit; area of the pursuit; weather and road conditions; the presence of pedestrians and other traffic; the presence or absence of audible or visible warnings and the reason for the pursuit of the fleeing vehicle; or
 2. **In the opinion of the officer**, the distance between the pursuing police officer and the violator is so great that further pursuit is futile; or
 3. The police officer loses visual contact with the violator for an extended period of time; or
 4. There are malfunctions with police equipment or the police vehicle (e.g., emergency lighting, siren), which make continued operation of the vehicle in a pursuit hazardous.
 5. **In the opinion of the officer, other circumstances exist which make termination of the pursuit reasonable.**
- B. Pursuing police officer(s) shall immediately terminate pursuits when ordered to do so by a precinct supervisor.
- C. **Officers who have engaged in a pursuit shall terminate by stopping or turning away from the direction of the pursuit coinciding with the deactivation of emergency vehicle lights and sirens, at such time as the reason for initiating the pursuit has ended.**
- D. The dispatcher shall be notified as soon as a pursuit is terminated.

VII. FORCIBLE STOPPING TECHNIQUES

- A. No bumping or ramming is authorized at anytime during a pursuit as a method to stop the vehicle **unless circumstances for use of deadly force exist. (Note: For safety purposes, officers who attempt to ram in deadly force situations should be aware that any vehicle contact may result in air bag deployment).**
- B. Rolling Roadblocks: Rolling roadblocks occur when there is an attempt to restrict the passage of the fleeing vehicle with one or more police vehicles. Rolling roadblocks are not authorized and shall not be used as a method to stop a vehicle.
- C. Roadblocks and Tire Deflation Devices
1. Tire deflation devices shall only be used in the following circumstances: when a pursuit meets the requirements of **Sections III. E. or IV; when an opportunity arises to prevent a possible high speed pursuit where there is a concern that the suspect vehicle may become mobile; or at the discretion of a supervisor.**
 2. **Only officers trained in the use of roadblocks through the St. Louis County Police Department shall be permitted to utilize such a forcible stopping technique.**
 3. The decision to erect a roadblock or deploy tire deflation devices during a pursuit may only be made by a precinct supervisor. The decision must consider:
 - a. Safety of the officers; and

- b. Protection of citizens and their property.
- 4. Tire deflation devices should be used in accordance with training received and any instructions supplied by the manufacturer of the specific device being used. Tire deflation devices **shall** not be used to stop two-wheeled vehicles.
- 5. When using a tire deflation device, officers will place themselves behind a protective barrier other than their police vehicle. Tire deflation devices should not be used when no protective barrier is present.

VIII. SUPERVISOR RESPONSIBILITIES

- A. Upon notification that a pursuit is in progress, **the highest ranking** precinct supervisor on the scene shall assume responsibility for the monitoring and control of the pursuit as it progresses.
- B. The precinct supervisor shall immediately determine whether the pursuit was initiated in accordance with the provisions of this policy and shall permit the pursuit to be continued 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 precinct supervisor shall verify the following:
 - 1. Only the necessary number of units are involved in the pursuit;
 - 2. The proper radio frequency is being used; and
 - 3. Other agencies are notified as necessary and appropriate.
- D. The precinct supervisor shall continuously review the incoming information to determine whether the pursuit should be continued or terminated.
- E. The precinct supervisor shall order a pursuit terminated at any time if he/she concludes that the danger to the pursuing police officers or the public outweighs the need for the immediate apprehension of the violator.
- F. The precinct supervisor where the pursuit originated or where the pursuit involvement of County police officers originated will respond to the termination point of all pursuits involving County police officers to ensure necessary assistance is rendered.

IX. POST-PURSUIT REVIEW

- A. A Post-Pursuit Review (**available under "Department Forms" on the St. Louis County Intranet site, see attached**) shall be completed by the initiating unit's supervisor and forwarded through the chain of command within 24 hours after the pursuit. **The officer's accompanying CARE report shall contain all the information documented within the Post Pursuit Review.**
- B. The supervisor will critique the pursuit and review the facts with the officer(s) involved. The supervisor will make a determination as to whether the pursuit complied with the policies in this Order based on the critique.
- C. The Bureau of Communications supervisor shall prepare and forward a copy of the audiotape of the pursuit to the Division Commanding Officer.
- D. A Post-Pursuit Review will be prepared for every pursuit or use of forcible stopping techniques related to a pursuit that involves County Police units regardless of originating agency, duration or disposition.

- E. When the reason for the pursuit or actions taken during the pursuit do not fall within the guidelines stated in this Order, the supervisor will initiate a complaint as outlined in the Complaint Review Procedure.

X. COMMANDING OFFICER RESPONSIBILITIES

- A. Exercise staff supervision of all pursuits occurring within their division.
- B. Forward to the Bureau of Professional Standards a Post-Pursuit Review and any related police reports or memoranda.

XI. DUTIES OF THE BUREAU OF PROFESSIONAL STANDARDS

- A. Upon receipt of a complaint, shall conduct an investigation as outlined in the Complaint Review Procedure.
- B. A file of Post-Pursuit Reviews shall be maintained in a secure location, and the Chief of Police shall be provided with a quarterly summary and annual analysis of these pursuits.

XII. GENERAL

- A. The authority for police vehicles to operate as an emergency vehicle is found in State law, Section 304.022 RSMo. The statute prohibits the siren or front red or blue lights to be on except when responding to an emergency call or in pursuit of an actual or suspected law violator. The driver of an emergency vehicle may either (a) park or stand irrespective of the provisions of Section 304.014 to 304.025 RSMo, or (b) with the red or blue lights and siren activated:
 - 1. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary to for safe operation;
 - 2. Exceed the prima facie speed limit so long as the driver does not endanger life or property;
 - 3. Disregard regulations governing direction of movement or turning in specified directions.
- B. Although authorized emergency vehicles **with emergency lights and siren activated** are exempt from **the** traffic regulations **set out in Section XII.A.** and entitled to right-of-way, an officer operating an authorized emergency vehicle is required to exercise reasonable care, under the circumstances of the emergency situation, to prevent injury to the officer or others.
- C. Upon approaching an intersection controlled by traffic signals, or any other location at which there is an increased likelihood of a collision, the driver of any authorized emergency vehicle shall, prior to entering the intersection, or upon the approach to any other such location where there is an increased likelihood of a collision, reduce the vehicle's speed so as to avoid a collision with another vehicle or pedestrian.
- D. Police officers are expected to maintain complete control of their vehicles at all times.
- E. A police officer intending to make a vehicle stop should attempt to be within close proximity to the violator's vehicle before activating emergency equipment. The use of a siren is not necessary unless the vehicle fails to yield or the attempt to stop the vehicle requires a violation of traffic laws **on the part of the officer. In that event, both the lights and siren shall** be activated

XIII. REQUIRED TRAINING

- A. It is the policy of this Department that all commissioned officers must demonstrate the safe and proficient skill level necessary to operate Departmental emergency vehicles in pursuit mode as authorized in this Order. The County and Municipal Police Academy (CMPA) shall schedule regular training sessions, which shall be graded on a pass/fail basis. At least every two years, department required refresher training will be mandatory for commissioned officers.
- B. Officers reinstated, reappointed or scheduled to return to duty after extended sick leave or absences that have not been trained on this policy will be required to receive training before returning to duty.

XIV. EFFECTIVE DATE

This Order shall be effective with the commencement of the day watch on August 1, 2012.

Adopted by Command Staff

By order of:



COLONEL TIMOTHY E. FITCH
Chief of Police


TF:gv

Attachment: [Post-Pursuit Review](#)

Approved at the regular Board meeting of July 18, 2012.



GREGORY G. SANSONE
Chairman



RAYMOND T. WAGNER JR.
Secretary

Distribution

All Department Personnel

CALEA Reference

35.1.15; 41.2.1; 41.2.2; 41.2.3; 41.2.5; 61.3.4; 81.2.5