

Bowie State University Police Department

General Order



<i>Subject: VEHICLE PURSUITS</i>	<i>Number : 39</i>
<i>Effective Date: July 29, 2003</i>	<i>Rescinds: Former Art. 64</i>
<i>Approved: Acting Director Roderick C. Pullen</i>	

This Article contains the following sections:

- 39.1 Purpose
- 39.2 Policy
- 39.3 Procedures
- 39.4 Reporting practices

39.1 Purpose: To provide guidance to officers and supervisors in the decision-making process of engaging in, continuing, or terminating vehicular pursuits.

39.2 Policy: It is the policy of this agency to maintain a positive level of confidence which the community has in the department's ability to apprehend criminals, while safeguarding against the unnecessary hazards of bystanders' well-being, and minimizing possible damage to property. This procedure will provide guidance to officers and supervisors in weighing the possibility of damage to life and property against the benefit of apprehending suspected criminals. This procedure will restrict pursuits to those situations enumerated in 3.1(C) of this General Order, in which the need to apprehend the suspect may warrant the use of such measures.

39.3 Procedures - Definitions

- A. "Marked Police Vehicle" means a police vehicle displaying the emblems of the department, and equipped with audible siren and roof mounted exterior emergency light racks.
- B. "Unmarked Police Vehicles" are any other police vehicles than described above. (See A)
- C. "Emergency Operation" means the operation of the police vehicle with the roof lights and siren in operation.

- D. "Vehicular Pursuit" or "Pursuit" means the attempt by police officers, while using a marked police vehicle in emergency operation, to effect the apprehension of the occupants of a suspect vehicle that is maintaining or increasing speed to evade such apprehension and failing to stop for the police vehicle.
- E. "Primary Unit" means the police vehicle initiating the pursuit, or another police vehicle that takes the lead vehicle position for some reason.
- F. "Secondary Unit" means another police vehicle involved in the pursuit acting as backup for the primary vehicle.
- G. "Managing Supervisor" means the officer (regardless of rank) assigned to monitor and control an individual pursuit situation, and who will insure proper reporting of the incident.
- H. "Terminate Pursuit" means a decision by the primary unit or managing supervisor to discontinue pursuing a fleeing vehicle, or may be the point at which the vehicle no longer flees the police for whatever reason.
- I. "Major Jurisdictional Boundaries" means North 197 to Lemons Bridge Road; South 197 to Race Track Road; and Race Track to Jericho Park Road.

39.3.1 Initiating a Pursuit

- A. A police vehicle pursuit of a suspect/violator is authorized only in certain circumstances. Officers may engage in vehicle pursuits, if probable cause exists to believe that the fleeing suspect is committing, has committed or attempted to commit the following:
 - Any crime or attempt to commit a crime where the officer would be authorized to use deadly force; or
 - Any violent felony subject to arrest involving the use of physical force or violence against a person.
- B. The traffic charge of fleeing and eluding the police and criminal charges of auto theft and unauthorized use of a motor vehicle are non-pursuable offenses.

39.3.2 Decisions to Terminate a Pursuit: A decision by a primary vehicle operator or managing supervisor to abandon or terminate a pursuit shall not be subject to adverse scrutiny or discipline. A decision by the secondary unit to abandon an on-going pursuit should be justified as in reasons listed above. The terminating unit shall be responsible to notify communications that they are abandoning the pursuit.