

GENERAL ORDER, OPERATIONS, NUMBER 4  
OCTOBER 5, 2004, APRIL 3, 2001, JANUARY 3, 2000, APRIL 9, 1990, NOVEMBER 1,  
1986, JULY 25, 1986, FEBRUARY 15, 1984  
WATERLOO POLICE DEPARTMENT

A. SUBJECT:

High Speed Pursuit / Pursuit Driving Report

B. PURPOSE:

To provide guidelines for officers to follow in a high-speed motor vehicle pursuit.

This General Order is for internal use only and does not enlarge an officer's civil or criminal liability in any way. 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. Violations of this general Order, if proven, can only form the basis of a complaint by this Department, and then only, in a nonjudicial, administrative setting.

C. POLICY:

It is the policy of the Department that the following procedures be adhered to prior to and during a high-speed pursuit.

D. PROCEDURES:

1. Definition: A high-speed motor vehicle pursuit means an active attempt by an officer(s) of the Department operating a motor vehicle with red lights and siren activated, attempting to apprehend one or more occupants of a fleeing vehicle when any of the following exist.
  - a. The driver of the fleeing vehicle is resisting apprehension by increasing or maintaining speed ignores the lights and siren and refuses to stop.
  - b. The driver of the fleeing vehicle attempts to elude the pursuing officer(s).
2. Red lights, on-board video camera and siren shall be used in all pursuit situations.
3. A high-speed motor vehicle pursuit may be engaged in when an officer(s) reasonably believes immediate apprehension justifies the danger inherent in a pursuit and/or failure to engage in a pursuit presents an immediate and serious threat to public safety.
  - a. Officers shall not be relieved of their duty to drive with due regard for

the safety of all persons and the protection of property.

- b. Officers are expected to use sound judgment in deciding whether the hazard involved in initiating or continuing a pursuit outweighs the threat to public safety should an arrest not be made.
- c. Officers shall not engage in high-speed pursuits where the offense is only a traffic violation and the vehicle plate number or driver is known.
- d. Officers shall consider, but are not limited to, the following risk factors when initiating or continuing a pursuit.

### **High Risk**

- Frequent intersecting street (i.e., business district)
- Poor weather, slippery streets, low visibility
- Blind curves, intersections, narrow roads
- Numerous pedestrians
- Heavy, congested traffic
- Speeds twice the posted limit, or greater than 80 m.p.h.
- Unmarked police sedans, 4x4's, motorcycles, vans
- Extremely hazardous maneuvers (i.e., driving against on-coming traffic, "busting" red lights) by the violator
- Numerous police vehicles in pursuit (above authorized number)
- Officer excited, not in full control of emotions
- No supervisor involved, or ineffective supervisory oversight
- Special circumstances (i.e., school district)

### **Moderate Risk**

- Unmarked sedans, motorcycles
- Some intersecting streets (i.e., residential area)
- Light pedestrian traffic
- Moderate traffic, little congestion
- Speeds 20 m.p.h. greater than posted limit
- Officer generally calm, under control
- Some hazardous, but not extreme, maneuvers (i.e., crossing center line to pass vehicles, sudden lane changes) by the violator
- Supervisor involved and effective
- Authorized number of police vehicles involved in the pursuit

### **Low Risk**

- Marked sedan
- Straight road, good surface, clear lines of sight

- Few intersections
  - Few or no pedestrians
  - Good weather
  - No hazardous maneuvers by violator
  - Speeds at or less 20 m.p.h. over the posted limit
  - Supervisors involved and effective
  - Authorized number of police vehicles involved in the pursuit
  - Officer calm, in full control
- e. All officers and/or supervisors involved in or responsible for officer involvement in the pursuit shall be held accountable for the continuation of a pursuit when circumstances indicate the pursuit should have been terminated.
4. When a motor vehicle pursuit is initiated, the initiating officer(s) shall immediately report to the dispatcher the following information:
- a. The fact that they are in a pursuit situation.
  - b. Reason for the pursuit.
  - c. Complete description and plate number of the fleeing vehicle.
  - d. Any known or suspected occupant information.
  - e. Speeds involved.
  - f. Any and all other violations of law.
  - g. Any and all descriptive movements of the fleeing vehicle or occupants.
  - h. Location and direction of the pursuit.
    - 1. The officer(s) involved in the pursuit shall reasonably advise the dispatcher of all changes in locations and direction of travel as the pursuit progresses.
5. When radio traffic indicates that a pursuit is in progress.
- a. The Field Units should hold any and all non-emergency radio traffic during the progress of the pursuit.
    - 1. All units not involved in the pursuit shall switch to the designated channel given by dispatch for normal, non-emergency radio communications not related to the pursuit.

6. All field units shall monitor the progress of the pursuit.
7. The Watch Commander and/or Patrol Supervisor shall assert direct control over the pursuit and:
  - a. Order specific units into or out of the pursuit.
  - b. Order the immediate termination of the pursuit.
  - c. Request assistance from other law enforcement agencies.
  - d. Authorize roadblocks in accordance with the procedures established in D.22. Contained herein.
8. Officers operating unmarked Department vehicles shall only engage in a pursuit when:
  - a. The unmarked Department vehicle is equipped with a red light and siren or,
  - b. The fleeing vehicle represents an immediate and direct threat to life or property.
  - c. Specifically authorized by Watch Command and/or Patrol Supervisor
9. Marked Department vehicles shall take over a pursuit initiated by an officer operating an unmarked vehicle.
  - a. The unmarked vehicle shall withdraw from the pursuit when a marked Department vehicle arrives.
  - b. Officers operating unmarked vehicles may serve in a support function as directed by the Watch Commander or Patrol Supervisor.
10. Motorcycles shall be operated in accordance to the provisions established in General Order, Operations, Number 9, D. 3.
11. Any department vehicle classified as a Sports Utility Vehicle, Utility Vehicle, Van, Pick-Up Truck, or like vehicle shall not be used in any high-speed pursuit unless the fleeing vehicle represents an immediate and direct threat to life or property. Marked Patrol Vehicles shall take over the pursuit initiated by an officer operating one of the aforementioned vehicles.
12. No more than two Department vehicles shall become actively involved in the pursuit.

- a. No other officers may serve in a support function unless specifically directed by the Watch Commander or Patrol Supervisor. This includes any movement towards the pursuit as well as any involvement directly or indirectly in the path of the pursuit.
  - b. All pursuit and support vehicles shall operate in compliance with the State Code of Iowa and with the Department's general orders governing the pursuit and operation of motor vehicles.
- 13. Officers shall not drive on the wrong side of a divided highway or street unless authorized by the Patrol Supervisor or Watch Commander.
- 14. Officers shall not attempt to overtake or pass a fleeing vehicle, unless authorized by the Patrol Supervisor or Watch Commander.
  - a. Pursuing officers shall keep and maintain a reasonable and safe distance between the fleeing and pursuit vehicle.
  - b. The same distance as above shall be maintained between all pursuit vehicles.
  - c. Extreme caution shall be exhibited by all officers entering intersections during a pursuit.
- 15. Officers shall not fire their weapons from a vehicle during the pursuit.
- 16. Officers shall not stop or attempt to stop a fleeing vehicle during a pursuit by ramming or striking the fleeing vehicle with a Department vehicle.
  - a. Roadblocks shall only be employed to save a person's life or prevent serious injury to another and when all other efforts to effect apprehension have failed.
  - b. The use of roadblocks shall only be authorized by the Watch Commander or the Patrol Supervisor.
  - c. Stop sticks shall only be used with authorization of the Watch Commander or Patrol Supervisor.
- 17. A pursuit initiated by a law enforcement agency from another jurisdiction shall be the responsibility of the initiating agency.
  - a. Only the Watch Commander and/or the Patrol Supervisor may, at their discretion, involve Department vehicles and employees to assist the outside agency.

- b. The Department function shall be in a support capacity only, unless otherwise authorized by the Patrol Supervisor or Watch Commander.
  - c. The Watch Commander shall have the discretion to terminate the Department's involvement in the pursuit initiated by an outside agency.
  - d. The Watch Commander may request the initiating agency terminate the pursuit while in the city of Waterloo.
18. Pursuits may be continued outside of the Waterloo City Limits for no more than five (5) miles without specific authorization.
- a. Pursuing officers shall notify the dispatcher when they leave the City Limits.
    - 1. The Officer involved in a pursuit shall request that dispatch notify the law enforcement agency whose jurisdiction the pursuit has entered into.
  - b. Only the Watch Commander and/or Patrol Supervisor shall authorize a pursuit to continue beyond the five (5) mile limit.
19. If a serious injury or death occurs as a result of a pursuit, the investigation of the crash shall be turned over to an Outside Investigative Agency as directed by the Chief of Police or his/her designee, with the full cooperation of Waterloo Police Department personnel.
20. The Supervisor and Officer directly involved in the High Speed Pursuit will complete a Waterloo Police Department Pursuit Driving Report and it will be directed to the Training Unit. The Captain of Patrol and the Internal Affairs Supervisor will review the original report. (See attachment-Pursuit Driving Report)

By order of:

Thomas J. Jennings  
Chief of Police