

ADMINISTRATIVE MANUAL, ARTICLE 3, ADMINISTRATIVE INVESTIGATIONS AND REPORTS

3-3.0 MOTOR VEHICLE PURSUIT REVIEW POLICY

PRIMARY PURSUIT OFFICERS

- Complete a [Form 213](#), Motor Vehicle Pursuit Report (original and one copy).
NOTE: The first member asked to assist another jurisdiction in a pursuit will complete the [Form 213](#).

PURSUIT SUPERVISORS

- Complete the supervisor's narrative section of the [Form 213](#) and ensure accuracy, legibility, and completeness of all pursuit reports.
- Indicate on the [Form 213](#), Motor Vehicle Pursuit Report, the following information:
 1. Supervisor's status when the pursuit began.
 2. Role in the incident (i.e., whether an active participant in the pursuit or not).
 3. Actions taken.
 4. Supportive facts for the overall assessment.
 5. The overall assessment of risk factors (i.e., low, medium, or high).
- Forward the complete and accurate [Form 213](#) to the Patrol Shift Commander who supervised the pursuit.

PATROL SHIFT COMMANDERS

- Prepare a summary of the investigation report and a critique, via a [Form 12L](#), and forward it to their commander. This will include:
 1. A copy of the [Form 213](#).
 2. All related police reports.
 3. Photographs, diagrams, and media recordings.
- Conduct an administrative investigation immediately, whenever a motor vehicle pursuit involving a member of this Department results in a fatality, serious personal injury to any person, or extensive property damage.

PRECINCT COMMANDERS

- Complete all pursuit critiques for pursuits that began within their precinct's boundaries.
NOTE: This includes pursuits initiated to assist other jurisdictions.
- Confer with the primary pursuit officer's commander if he/she is not a member of their command.
NOTE: The primary pursuit officer's commander may submit a [Form 12L](#) to document information he/she believes should be considered during the critique of the pursuit.
- Include in a [Form 12L](#) to their commander, within 30 days of the pursuit, a review of all submitted pursuit reports/critiques and determine if:
 1. The pursuit conformed to policy.
 2. Training needs to be considered.
 3. Departmental disciplinary measures are appropriate.
 4. Policy changes should be considered.**EXCEPTION:** Pursuits requiring an administrative investigation.
- Prepare a [Form 12L](#) to their commander, including a synopsis of the findings, conclusions, and disposition recommendations of pursuits requiring an administrative investigation.
- Maintain a pursuit file involving any command member for a period of five years. This file will contain the following:
 1. A copy of the pursuit report, critique(s), and summaries.
 2. Photographs, diagrams, and media recordings (if available).

PATROL DIVISION COMMANDER

- Maintains primary authority, subject to review by the Operations Bureau Commander, over all pursuit dispositions conducted within Baltimore County.

- Reviews all [Forms 12L](#) critiquing pursuits, received from the commanders.
- Distributes the [Forms 12L](#) as follows:
 1. Original - Division files.
 2. Copy - Precinct Commander.
- Provides a copy of the pursuit critique documents and [Form 213](#) to the Strategic Planning Team at the conclusion of the review.

9-1-1 POLICE LIAISON

- Notifies the Operations Bureau Patrol Division Commander, via electronic mail, of pursuits occurring in all precincts under his/her command.

SAFETY OFFICER

- Correlates motor vehicle pursuit data for accident and safety issues.
- Produces periodic management reports regarding accident and safety issues.

STRATEGIC PLANNING TEAM

- Collects [Form 213](#) data regarding motor vehicle pursuits.
- Issues an annual report analyzing this data.

REFERENCE

- Field Manual, Article 9 (Vehicle Operations).

FIELD MANUAL, ARTICLE 9, VEHICLE OPERATION

9-5.0 MOTOR VEHICLE PURSUITS

DEFINITIONS

- Motor Vehicle Pursuit - an active attempt by a law enforcement officer using an authorized emergency motor vehicle to stop a suspect motor vehicle whose driver is attempting to avoid apprehension or refusing to stop.
- Risk Factors - separate incidents, conditions, or circumstances when added together may indicate the degree of danger/hazard to the public/police as a result of a pursuit.
- Risk Factor Assessment - a process used to evaluate the degree of danger/hazard of a pursuit based upon the totality of the risk factors present.
- Silent Surveillance - the following of a fleeing motor vehicle at the legal speed limit for the purpose of monitoring the direction of travel and relaying that information.
- Authorized Emergency Motor Vehicle - any police vehicle equipped with both a siren and emergency light(s).
EXCEPTION: Police motorcycles and prisoner transport wagons are not authorized emergency motor vehicles for the purpose of motor vehicle pursuits.
- Alternative Strategies - the use of aircraft, radio communications, other jurisdiction(s), alternate routes, and silent surveillance.

GENERAL

- The policy of this Department is to operate police vehicles primarily with regard for the safety of others by regulating the engagement and performance of motor vehicle pursuits.
- The identification/apprehension of a violator is a secondary concern.
- All pursuits will be conducted in accordance with the Annotated Code of Maryland, the Transportation Article, County law, and departmental procedures.
- Only sworn police officers operating authorized emergency motor vehicles may engage in a pursuit.
- In compliance with Maryland State law regarding emergency vehicles, all vehicle operators involved in a pursuit will engage their vehicle's emergency lights and sirens for the entire length of the pursuit.
NOTE: If the emergency lights or siren must be deactivated at any time during a pursuit, the officer and his/her supervisor will document in the narrative of the Form 213, Motor Vehicle Pursuit Report, the reason(s).

9-5.1 MOTOR VEHICLE PURSUIT GUIDELINE MATRIX/RISK FACTORS

GENERAL

- The decision to pursue a motor vehicle is a process of weighing risk factors of the pursuit against the primary responsibility of preserving life.
- Officers will balance the need for apprehension against the risk created in a motor vehicle pursuit.
- The presence of a high risk factor does not automatically mean a pursuit is high risk (e.g., clear weather, dry roads, school zone, and excessive speed may still be a low or medium risk assessment if traffic is light and school is not in session).
- Combinations of risk factors may raise or lower the risk associated with a pursuit.
- The pursuit matrix below will be used as a guideline prior to engaging in a pursuit and to evaluate continuing a pursuit.

LOW RISK FACTORS	MEDIUM RISK FACTORS	HIGH RISK FACTORS
Clear weather	Light precipitation	Heavy precipitation
Dry roads	Wet roads	Ice/snow covered roads
Light traffic density	Medium traffic density	Heavy traffic density
Daylight	Dark – street lights on	Dark – no street lights
No reckless driving	Additional traffic violations	Leaving roadway/high speed
Pursuit in Baltimore County	Pursuit in another jurisdiction – area familiar to the officer/supervisor	Pursuit in another jurisdiction – area not familiar to the officer/supervisor
Residential/commercial area in off peak hours of use	Residential/commercial area during normal business hours	Residential/commercial area in peak hours of use
Straight/wide roadway – few intersections	Straight roadway – some curves/intersections	Numerous curves/intersections and/or narrow roadway

- All pursuits involving motorcycles will be considered high risk.
- When another jurisdiction requests assistance with a pursuit occurring within or entering Baltimore County and the circumstances of the pursuit are unknown, the pursuit will be considered high risk until the actual risk factors can be obtained.

9-5.1.1 MOTOR VEHICLE PURSUIT GUIDELINE MATRIX

Seriousness of offense	Risk Factors		
	Low	Medium	High
Any felony where an officer has knowledge that serious harm or death has been or will be inflicted if an apprehension is not made.	May pursue	May pursue	May pursue but; discontinue when risks exceed the known threat to public safety by the perpetrator if capture is delayed.
Any other incident where an officer has knowledge that serious harm or death may be or has been inflicted if an apprehension is not made.	May pursue	May pursue	May pursue; discontinue if risks exceed seriousness of offense.
All other criminal acts	May pursue	May pursue; discontinue if risks exceed seriousness of offense.	<u>DO NOT PURSUE/ DISCONTINUE</u>
All other traffic/civil violations where the suspect's identity is unknown	May pursue; discontinue if risks exceed seriousness of offense.	<u>DO NOT PURSUE/ DISCONTINUE</u>	<u>DO NOT PURSUE/ DISCONTINUE</u>
All other traffic/civil violations where the suspect's identity is known	<u>DO NOT PURSUE/ DISCONTINUE</u>	<u>DO NOT PURSUE/ DISCONTINUE</u>	<u>DO NOT PURSUE/ DISCONTINUE</u>

9-5.2 MOTOR VEHICLE PURSUIT PROCEDURES

GENERAL

- The Maryland Traffic Article requires that police personnel engaged in a pursuit are either operating a marked police vehicle, or are attired in a police uniform in order to charge a suspect with fleeing and eluding.
- The final adjudication of a pursuit being in policy or out of policy will be determined by a totality of the circumstances involved.

PRIMARY PURSUIT OFFICER

- Notifies a supervisor immediately.
 - Uses the siren and emergency light(s) throughout the entire pursuit.
 - Advises the 9-1-1 Communications Center, as soon as possible, of the:
 1. Unit number and description (if unmarked or non-descript).
 2. Initiation and reason for a pursuit (Officer will state "pursuit" or "10-80" on the radio).
 3. Location and direction of travel.
 4. Speed, traffic, and road conditions.
 5. License number and description of wanted vehicle.
 6. Number and description of vehicle occupants.
 - Continually updates the dispatcher/supervisor of location, speed, and violations committed by the fleeing motor vehicle, until communications are assumed by a backup officer.
 - Immediately notifies the supervisor and Patrol Shift Commander, prior to continuing a pursuit that has left Baltimore County.
 - May discontinue a pursuit at any time.
 - Reduces active role in pursuing a motor vehicle when:
 1. Employing alternative strategies and/or,
 2. After entering another jurisdiction, another agency's units assume pursuit of the fleeing motor vehicle.
 - Terminates a pursuit if:
 1. A supervisor is unavailable and/or does not acknowledge the pursuit.
 2. Risk factors increase beyond the immediate need for apprehension.
 3. Instructed to do so by a supervisor.
- NOTE:** If the pursuit is terminated, the pursuing officer(s) will return his/her vehicle(s) to a reasonable and prudent speed for existing conditions.
- Will not conduct silent surveillance of a suspect vehicle following a terminated pursuit unless specifically instructed to do so by the Patrol Shift Commander.

BACKUP OFFICERS

- Assume a position to the rear of the primary pursuit officer's vehicle.
- Ensure a supervisor is aware of the pursuit.
- Identify their unit to dispatcher.
- Become a monitor car/assume communications.
- Continually update dispatcher/supervisor of location, speed, and violations committed by the fleeing motor vehicle.
- Will discontinue a motor vehicle pursuit when the primary pursuit officer is instructed to do so by a supervisor.
- May be individually instructed by a supervisor to discontinue a motor vehicle pursuit.
- Will not conduct silent surveillance of a suspect vehicle following a terminated pursuit unless specifically instructed to do so by the Patrol Shift Commander.

AVIATION TEAM

- Upon arrival at a pursuit scene:
 1. Assumes communication duties.
 2. Suggests alternative strategies to the Patrol Shift Commander or pursuit supervisor, if warranted.

PURSUIT SUPERVISOR

- Will be the Patrol Supervisor of the member who initiates the pursuit or the Patrol Supervisor where the pursuit began.
EXCEPTION: Pursuits initiated by members assigned to support teams within a precinct (e.g., Community Action Team, Community Outreach Team, etc.) or the Support Operations Division (K-9 Unit, Tactical Unit, etc.) may be supervised by the pursuing member's team supervisor, if the supervisor immediately assumes command of the pursuit.
- Does not relinquish command of the pursuit, except to a higher authority.
- Terminates any pursuit when risk factors increase beyond the immediate need for apprehension.
NOTE: When terminating a pursuit involving another jurisdiction, the pursuit supervisor will request the 9-1-1 Communications Center notify the other jurisdiction that our Department is terminating involvement.
- Continuously monitors pursuit vehicles and communications for adherence to this policy.
- Ensures the shift commander is immediately notified of any pursuit.
- May authorize more than two emergency motor vehicles to be active in any pursuit.

PATROL SHIFT COMMANDERS

- Notify the dispatcher when they are the initiating member in a pursuit.
- Maintain overall command of all pursuits begun in their precinct, and all pursuits entering the County from other jurisdictions.
EXCEPTION: If the Patrol Shift Commander is taking part in the pursuit, he/she will defer command of the pursuit to the highest ranking member on the radio channel. Upon disengaging from the pursuit, the Patrol Shift Commander will again resume command of the pursuit.
- Terminate any pursuit if risk factors increase beyond the immediate need for apprehension.
- Continuously monitors pursuit vehicles and communications for adherence to policy.
- Authorize the use of alternative strategies, when appropriate.

PURSUIT RESTRICTIONS

- Only one backup vehicle will be authorized for direct participation in a pursuit. Additional units must be authorized by a supervisor.
- Officers will not engage/participate in motor vehicle pursuits when accompanied by modified duty personnel, professional staff, chaplains, interns, or prisoners.
EXCEPTION: Auxiliary police may occupy vehicles in a motor vehicle pursuit but are excluded from operating them.
- Vehicles with mechanical, radio, or other equipment malfunctions will not be used to engage in a motor vehicle pursuit.
- Members will discontinue a pursuit if the radio system suffers an outage during the pursuit or if the pursuit goes into an area without adequate radio system coverage.
- If the primary/secondary motor vehicle pursuit officer(s) are operating an unmarked police vehicle, they will notify the dispatcher of this fact and relinquish the pursuit to a marked unit at the first opportunity.
- Non-uniformed officers operating non-descript vehicles will not initiate or participate in a pursuit unless exigent circumstances exist.
NOTE: Exigent circumstances must be explained in the narrative section of [Form 213](#).

9-5.3.1 FORM 213 PREPARATION INSTRUCTIONS

Block # (Blocks not listed below are considered self explanatory).

- 7 TIME BEGAN: Time the pursuit began.
- 8 TIME ENDED: Time the pursuit ended.
- 10 REFERENCE ROAD: Closest cross street that intersects with block 9.
- 11 PRECINCT PURSUIT BEGAN IN: Abbreviation of the precinct in which the pursuit occurred. If the pursuit began outside of Baltimore County, indicate "OJ."
- 12 HIGHEST SPEED OF POLICE VEHICLE: Highest estimated speed of the pursuit vehicle.
- 13 DISTANCE OF PURSUIT: In tenths, miles, or both.
- 15 REFERENCE ROAD: Closest cross street that intersects with block 14.
- 16 REPORTING AREA: List the area in which the pursuit began.
- 17 WEATHER: Check the primary weather condition that existed during the pursuit.
- 18-22 For these blocks, check the selection that describes the roadways traveled through and on, surface condition, traffic density, and illumination.
- 24 INCIDENT RELATED CC#: Case number for a related incident (If applicable).
- 27.1 Check all that apply.
- 28 EVENTS TERMINATING THE PURSUIT: If any type of roadblock was used, check the block marked "other" and reflect the type of roadblock in the narrative.
- 29 WAS THE PURSUED VEHICLE STOLEN: "Yes" or "No."
- 32 ACCIDENT INFORMATION: Indicate in the chart the number of persons injured under the column of injury severity.
- 34 INITIATING OFFICER'S INFORMATION: For purposes of this report, do not include time as a police cadet in the "YEARS OF SERVICE" block.
- 35-39 Completed by the primary pursuit officer.
- 40-42 Completed by the primary pursuit officer.
- 41 TOTAL NUMBER OF POLICE UNITS INVOLVED: This will include all units that engaged in the pursuit from the onset to the conclusion of the pursuit.
NOTE: A unit that engaged emergency lights and/or sirens at any time during the pursuit, and engaged in the pursuit of the vehicle is to be included.
- 43 OFFICER'S NARRATIVE: This section will include an explanation of the sequence of events surrounding the pursuit.
- 44 SUPERVISOR'S NARRATIVE: Will be completed by the supervisor in command of the pursuit and will never be left unanswered. **It will include the supervisor's status when the pursuit began, role in the incident, action taken, and supportive facts for the overall assessment. Using the Risk Factor assessment, the supervisor will circle the overall assessment (i.e., low, medium, or high) assigned to the pursuit.**
- 45 REPORTING OFFICER: The officer completing the report.
- 47 SUPERVISOR'S SIGNATURE & ID: Required of the pursuit supervisor.
- 48-49 SHIFT COMMANDER'S SIGNATURE & CASE STATUS: Required of the shift commander.
- 50-53 Leave Blank.

REFERENCE

- Administrative Manual, Article 3 (Administrative Investigations).