

Vehicle pursuit prohibition, exceptions, and pursuit prevention and intervention strategies

306.1 PURPOSE AND SCOPE

Vehicle pursuits expose the community, law enforcement officers, and fleeing violators to the potential of serious injury or death. The Bend Police Department prohibits members from engaging in vehicle pursuits, with limited exceptions identified in this policy.

The purpose of this policy is to provide officers with guidance in balancing the safety of the community and themselves with the duty and need to apprehend persons who engage in fleeing from or eluding law enforcement officers in a vehicle. This policy provides a framework for officers to engage in an informed decision-making process while articulating objectively reasonable facts under the totality of the circumstances of the initiation and engagement of a vehicle pursuit.

Vehicle pursuits are dynamic and rapidly evolving in nature and pose inherent safety risks as they continue. Because of this, if a vehicle pursuit is engaged in, officers shall articulate why the conditions of a vehicle pursuit met the exceptions to the vehicle pursuit prohibition. Additionally, officers are expected to continue weighing conditions and circumstances as a vehicle pursuit continues to determine if ongoing involvement is reasonable under the totality of circumstances.

The decision to engage in a vehicle pursuit must be made quickly and typically under challenging circumstances. Although the conditions for an exception to the pursuit prohibition may exist, the sound, reasonable, and professional judgment of the involved members will be the deciding factor if a pursuit is engaged in. No officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit or for terminating a vehicle pursuit at any time.

306.1.1 DEFINITIONS

Vehicle pursuit – a vehicle pursuit is an event involving at least one law enforcement officer in a vehicle, attempting to apprehend one or more occupants of another vehicle, when it is apparent that the driver of that vehicle is aware of the officer's presence and intent or attempt to stop them, and is actively resisting apprehension or arrest by using high-speed driving, evasive tactics, disobeying traffic laws, or other maneuvers. Depending on behavior and circumstances, driving lawfully but willfully failing to yield to an officer's signal to stop may also be a vehicle pursuit.

Vehicle – for purposes of this policy, a vehicle is a motorized vehicle.

Blocking or Vehicle Intercept – A very low speed coordinated maneuver where two or more police vehicles simultaneously intercept and block the movement of a slow-moving or stopped suspect vehicle, the driver of which may be unaware of the impending action, with the goal of containment and preventing the ability for a suspect vehicle to flee. The performance of a block in or intercept may include the use of a police vehicle to make coordinated and intentional contact with the suspect vehicle. Blocking is distinctly different than a moving or stationary roadblock.

Boxing-in – A coordinated trained tactic designed to stop a suspect vehicle by surrounding it with marked police vehicles and then slowing all vehicles to a stop. The performance of a box in

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tactic may include the use of police vehicles to make coordinated and intentional contact with the suspect vehicle.

Marked police vehicle – a police vehicle with police markings and an overhead light bar.

Police vehicle – a police vehicle that may not have police markings and does not have an overhead light bar.

Pursuit rated police vehicle – a marked police vehicle that is designed and equipped for use during high-speed driving, typically equipped with increased capacities for braking, acceleration, suspension, and transmission.

Ramming – The deliberate act of impacting a suspect vehicle with a marked police vehicle intending to damage or disable the suspect vehicle to stop it functionally.

Roadblocks – A coordinated tactic designed to stop a suspect vehicle by intentionally placing a marked police vehicle or other immovable objects in the travel path of a suspect vehicle.

Spike strips or Stop sticks – A device manufactured and intended to be used to puncture and deflate vehicle tires in a controlled fashion.

Pursuit Intervention Technique (PIT) – A coordinated and trained tactic where an officer in a pursuit-rated police vehicle intentionally makes contact with a moving suspect vehicle at a specific location on the suspect vehicle causing it to spin and come to a stop.

306.2 PURSUIT AUTHORIZATION, EXCEPTIONS TO VEHICLE PURSUIT PROHIBITION

Officers may engage in a vehicle pursuit, as an exception to the vehicle pursuit prohibition in the following circumstances;

1. When officers have reasonable suspicion to believe one of the occupants in a vehicle has committed a felony person crime, and;
 - (a) The identity of the occupant in the vehicle that has committed the felony person crime is unknown to the officers, and it is unlikely officers will be able to apprehend the suspect in another way, or;
 - (b) The identity of the occupant in the vehicle that has committed the felony person crime is known; however, the totality of circumstances would lead an objectively reasonable officer to believe that the risks posed to the community of the vehicle pursuit are outweighed by the danger the person poses to the community if not captured immediately, or;
2. When a suspect's driving conduct, prior to engagement of law enforcement or the initiation of a stop, displays a willful disregard for the safety of others and the totality of circumstances would lead an objectively reasonable officer to believe the driving behavior placed the community in imminent danger of serious injury, or;
3. When an officer has reasonable and articulable facts to believe that the initiation and engagement of a vehicle pursuit would be an exceptional circumstance and that the risks posed to the community of the vehicle pursuit are outweighed by the danger the person poses to the community if not captured immediately, and a supervisor must

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expressly permit the pursuit to continue. This may include lawful driving but willfully failing to yield to an officer's signal to stop with a low risk to the community.

306.3 MEMBERS RESPONSIBILITIES

The City of Bend Police Department requires that any member engaging in a vehicle pursuit drive with due regard for the safety of all other persons, with the overall goal of protecting human life and property. Members must balance the overall safety risk posed to the community against the benefit of capturing the suspect before initiating a vehicle pursuit and continually while engaging in a vehicle pursuit.

While engaging in a vehicle pursuit, and with emergency lights and sound warning devices/sirens activated, officers generally are exempt from certain rules of the road per Oregon Revised Statute (ORS) 820.300 and (ORS) 820.320. The exemptions do not;

1. Relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all other persons; or
2. Allow the driver to exceed any designated speed limits to an extent which would endanger persons or property; or
3. Relieve the driver of an emergency vehicle from the requirement they slow down as may be necessary for safe operation to proceed past any stoplights or stop signs, or;
4. Act as a defense to the driver of an emergency vehicle in an action brought for criminal negligence or reckless conduct; and does not
5. Relieve the driver of an emergency vehicle from the requirement they stop prior to proceeding past flashing bus safety lights, and the driver must still meet the following two conditions;
 - (a) Determine that no passengers of the bus remain on the roadway; and
 - (b) The driver of the emergency vehicle proceeds with caution.

306.4 VEHICLE PURSUIT CONSIDERATIONS

If a member engages in a vehicle pursuit, that is authorized as an exception as outlined in this policy; the member must initially and continually evaluate the risk conditions of the pursuit and continually weigh those risks posed to the community from the vehicle pursuit against the danger a suspect poses to the community if not captured immediately. The following factors shall be considered by the member when deciding to initiate and continue in a vehicle pursuit and when balancing the risk versus benefit;

- (a) The seriousness of the known or reasonably suspected to be known offense and the relationship to overall community safety;
- (b) The importance of protecting the public and balancing the known or reasonably suspected to be known offense and the apparent need for immediate capture against the risks to officers, other motorists, and the community as a whole;
- (c) The ongoing evaluation of the totality of the circumstances of the seriousness of the threat to community safety;

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- (d) The identity of the occupant(s) of the vehicle that has engaged in the felony person crime, and can alternative methods be developed to identify this person at a later time;
- (e) The suspect's driving behavior and changes in that driving behavior throughout the vehicle pursuit as well as the suspect vehicle condition;
- (f) Considerations if there are any passengers in the suspect vehicle;
- (g) Environmental considerations specific to the area of pursuit, the volume of other vehicle and pedestrian traffic, lighting, road conditions, visibility, and familiarity of the area by the members engaging in the pursuit;
- (h) Member's considerations on the ability to communicate with other responding units, availability of cover units, and ability to communicate these conditions to a supervisor monitoring the vehicle pursuit
- (i) The member's driving abilities and the abilities of the member's police vehicle.

306.5 MEMBER EXPECTATIONS

If a member initiates a stop or displays their intent to conduct a stop on a vehicle, and the violator vehicle displays behavior that would indicate their intention to flee from the member, the member shall not engage in a vehicle pursuit unless one of the prohibition exceptions are present prior to the attempt to stop the vehicle. If an exceptional reason is not present, the member shall immediately de-activate their emergency lights and sound device and slow to normal speeds or turn away from the path of the violator to show the intent to not engage in a vehicle pursuit.

If a member engages in a vehicle pursuit, the member shall provide the following information over the radio dispatch system, as soon as practicable, upon engagement in the vehicle pursuit;

- (a) reason for the stop and the engagement in the vehicle pursuit and identifying the exception of pursuit prohibition;
- (b) Location and direction of travel of the suspect vehicle;
- (c) Description of the suspect vehicle and license number if known;
- (d) Any information that the officer may possess regarding the presence of weapons or threats posed to responding officers or the community;
- (e) Suspect vehicle speed being reached;
- (f) Suspect's compliance with rules of the road, driving behaviors;
- (g) Road conditions and other vehicle and pedestrian traffic conditions;
- (h) Driving condition visibility, such as nighttime, low light, dark, fog;
- (i) Weather conditions that affect driving, such as rain, snow, ice, etc.;
- (j) Suspect vehicle conditions and presence of any passengers in that vehicle;
- (k) Any plan to implement an intervention strategy in the pursuit to bring it to a resolution;

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- (l) Any other conditions or circumstances that would impact the decision to continue or discontinue in a vehicle pursuit.

Additional cover pursuit-rated police units may participate in a vehicle pursuit to provide immediate cover and assistance to the engaged officer. Generally, no more than 3 marked pursuit-rated police units should be directly involved in the pursuit unless the seriousness of the felony person's crime would provide objectively reasonable grounds to have additional units directly involved. A supervisor must acknowledge and approve additional units to be involved. Additional units in the area that are not directly involved in a vehicle pursuit, should remain available to provide cover and support upon the resolution of the vehicle pursuit.

In a vehicle pursuit, the primary officer, typically the officer who initiated the vehicle pursuit or an officer who has taken the first position behind the suspect vehicle, will be responsible for the conduct of the pursuit. The primary officer is expected to concentrate on driving and maintaining visual contact with the suspect vehicle. They are also are expected to update if any safety issues are learned. The second and third units will generally be responsible for providing radio broadcast updates, planning intervention strategies, and determining the apprehension plan at the conclusion of the pursuit.

No member is authorized to request another law enforcement agency to respond to or take over a vehicle pursuit as a means to avoid the restrictions present in this vehicle pursuit prohibition policy. This policy is intended to cause members to weigh the cost versus benefit of the conditions and dangers of a vehicle pursuit against the immediate benefit of capture. Directing a member of another agency to engage in a vehicle pursuit that is prohibited in this policy will be evaluated as if that member engaged in the vehicle pursuit.

306.6 VEHICLE PURSUIT DRIVING TACTICS

The Bend Police Department will ensure members are trained in emergency vehicle operations upon hire and periodically through in-service and other training opportunities. Officers engaged in a vehicle pursuit should consider the following driving tactics;

- (a) Officers should consider their driving skills and capabilities as well as their vehicle performance and any damage to their vehicle;
- (b) Space themselves safely apart from the suspect vehicle as well as from other police vehicles involved in the pursuit so they can see and avoid hazards, react safely, and have time to maneuver in reaction to the suspect vehicle;
- (c) Exercise due caution when proceeding through intersections or against any traffic control devices;
- (d) Officers involved in a vehicle pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit;
- (e) Officers shall not, unless extreme circumstances exist, pursue a suspect vehicle who is driving the wrong way on a roadway or freeway. If a suspect vehicle does go the wrong way, the officer should attempt to maintain visual contact with the suspect vehicle while paralleling the suspect vehicle on the correct side of the roadway;

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- (f) Consider options of pursuit intervention strategies to bring the pursuit to a safe conclusion.

306.7 TACTICS FOR NON-INVOLVED COVER UNITS

Officers who are not directly involved in the vehicle pursuit are authorized to use their emergency equipment at intersections and in roadways along or near the pursuit path to assist in clearing areas or intersections to keep other vehicle and pedestrian traffic as safe as possible. Uninvolved patrol officers should remain in their assigned areas and not become involved during or at the termination of a vehicle pursuit unless directed so by a supervisor as part of an apprehension plan that is consistent with the threat level of the suspect(s) involved.

306.8 PURSUIT INTERVENTION AND PREVENTION STRATEGIES

Members shall only utilize pursuit intervention or prevention strategies that are approved for use by the Bend Police Department. Additionally, a member may not use an intervention or prevention strategy unless they individually have been trained and certified in that tactic by the Bend Police Department.

A pursuit intervention or prevention strategy is the use of a tactic in which a member has been trained to prevent or terminate a vehicle pursuit. Tactics may include the application of technology, spike strip deployment, blocking, boxing-in, ramming, roadblocks, or a PIT maneuver.

The use of these tactics will be evaluated using an objectively reasonable standard given the totality of the circumstances at the time the decision was made to utilize the tactic.

It is recognized that ending a vehicle pursuit as soon as possible, given the consideration of safety to all involved, is in the best interest of the community, the officers engaged in the pursuit, and of any occupants in a vehicle that is fleeing. However, consideration must be given to balancing the potential danger in applying any specific pursuit intervention or prevention strategy to what the anticipated outcome may be against allowing the pursuit to continue. Members must also consider the proximity that specific strategies put them to the suspect(s), who may pose a significant officer safety risk.

All members shall recognize that the manner and speeds of the application of any specific pursuit intervention or prevention strategy will determine the appropriateness under the totality of the circumstances and may implicate a force response up to and including the use of deadly force.

The use of force must be reasonably objective under the totality of circumstances and must be consistent with Bend Police Department Policy 300 Force Response.

Members shall at no time intentionally plan to utilize a civilian vehicle in the application of any prevention or intervention strategies.

306.9 SPECIFIC INTERVENTION AND PREVENTION STANDARDS

Blocking or Vehicle Intercept – this strategy may be considered in cases involving a stopped or parked car and officers have reasonable suspicion to believe that there is an occupant who is subject to arrest inside the vehicle and they have articulable facts to believe that the driver of

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the vehicle will attempt to flee if a traffic stop is attempted. This is a pursuit prevention strategy. This strategy may also be used if officers have reasonable suspicion to believe that the driver of a stopped or a parked vehicle is intoxicated and this strategy would be used to prevent the intoxicated driver from leaving the scene and endangering the community. Dependent on the circumstances, this strategy may be utilized in conjunction with visual and audio warning devices, or the officer may determine that the use of these devices poses a disadvantage to the situation.

The use of this strategy is not likely to cause pain or physical injury and does not implicate a force response. If time and circumstances allow, members should obtain permission from a supervisor to utilize this strategy prior to deployment.

Boxing-In – this strategy is a coordinated tactic that officers may consider utilizing when a vehicle is traveling. This strategy may be used as a prevention or intervention strategy dependent upon the circumstances. This strategy may be used when officers have reasonable suspicion to believe that there is an occupant who is subject to arrest inside the vehicle and they have articulable facts to believe that the driver of the vehicle will flee if a traffic stop is attempted or the vehicle is already fleeing, and it is determined that the utilization of this strategy can be safely implemented to bring the pursuit to a conclusion. Dependent upon the circumstances, the initial set up of this strategy may be utilized without visual and audio warning devices if the suspect vehicle is not yet engaged in a pursuit and this tactic is being used as prevention; however, as soon as contact is made with the suspect vehicle, members must utilize their visual and audio warnings devices. If this strategy is used as an intervention strategy in a vehicle pursuit, members must have their visual and audio warnings devices activated. The use of this strategy is not likely to cause pain or physical injury if implemented at speeds of 25 miles per hour or under; however, at higher speeds, the use of this strategy, depending upon how it is implemented, may be likely to cause pain or physical injury thus may implicate a force response in which members must comply with the BPD Policy 300 Force Response. Prior to deployment of this strategy and because of the increased need to coordinate between members for this strategy to be effective, members should obtain permission from a supervisor prior to utilizing this strategy. However, under narrow circumstances and due to short windows of success being available to deploy this strategy, members may be able to articulate why this tactic was deployed without prior supervisor permission.

Spike Strips or Stop Sticks – this strategy is a coordinated tactic that officers may consider utilizing as a prevention or intervention strategy. The utilization of spike strips may be used as a prevention strategy in a variety of scenarios at the discretion of members. They should be considered when there is a vehicle that members have reasonable suspicion to believe may be an involved vehicle in a crime or that a person may be in or coming back to, and the goal is to disable the vehicle tires as a preventative measure to lessen the likelihood of the driver of a vehicle fleeing from officers.

Spike Strips may also be used as an intervention strategy during an ongoing vehicle pursuit as an effort to slow or stop the vehicle pursuit by disabling one or more of the vehicle tires. The following special circumstances are to be adhered to in the utilization of Spike Strips;

- (a) Officers should carefully plan and consider the use of spike strips when it is reasonably certain that only the suspect vehicle will be affected by their use;

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- (b) When deployed, the deploying member must notify all other units of the location of Spike Strips by broadcasting over the police radio;
- (c) Spike Strips shall not be implemented on any vehicle with less than four (4) wheels.
- (d) Spike Strips shall not be used on any vehicle carrying hazardous materials, buses with passengers, or other vehicles that may have an increased risk to the occupants or the community by their use. The supervisor managing the vehicle pursuit may override this prohibition in very narrow applications if in the totality of circumstances, it would be objectively reasonable to deploy Spike Strips given the increased risk posed by the particular circumstances of the vehicle pursuit.

Generally, deploying Spike Strips do not implicate a force response as it is not likely to cause pain or physical injury; however, deploying Spike Strips on specific types of prohibited vehicles may implicate BPD Policy 300 Force Response, up to and including the use of deadly force. Because coordination is needed for the successful deployment of this strategy, members should obtain supervisor approval prior to deploying spike strips. However, because of limited opportunities and the rapid development of vehicle pursuits, there may be times that a member could articulate why they were unable to obtain supervisor approval prior to deployment.

Pursuit Intervention Technique (PIT) – this is a coordinated strategy that may be used in a variety of circumstances as a prevention or intervention strategy. In order to utilize this strategy, it must be an approved tactic trained and used by the Bend Police Department. Additionally, a member must be trained and certified by the Bend Police Department in the use of the PIT in order to apply it. This strategy may be employed as a preventive measure with or without the use of visual and audio warning devices activated if a member has probable cause to believe that under the totality of the circumstances, the suspect will attempt to flee if a stop is initiated. In all other intervention uses of the PIT, members shall have their audio and visual warnings devices activated. The PIT may be utilized as a part of an overall strategy to bring a vehicle pursuit to a conclusion in a safe manner. The use of a PIT shall be in alignment with training standards and all safety protocol considerations when employing the PIT. The PIT should not be used at speeds greater than 45 miles per hour unless the totality of circumstances justifies the use of force that may include the use of deadly force. Generally, the use of the PIT at 45 miles per hour and under will be considered the use of physical force and will implicate BPD Policy 300 - Force Response. If under the totality of the circumstances it is determined that a member needs to utilize the PIT to bring a vehicle pursuit to a conclusion at speeds higher than 45 miles per hour, the manner and intent of the use will determine if it should be evaluated as a use of deadly force. The PIT shall not be used in the following circumstances;

- (a) Vehicles with less than four (4) wheels;
- (b) Buses occupied with passengers;
- (c) Vehicles transporting hazardous materials;
- (d) Other vehicles that given the circumstances would pose a higher than normal danger if PIT was utilized;

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- (e) On vehicles in a physical environment that would pose a higher than normal danger if PIT was utilized.

This strategy requires coordination and additional considerations; prior to deployment, members should obtain supervisor approval. However, due to the limited windows of opportunities of successful deployment, in limited circumstances, it is reasonable for an officer to be able to weigh all available facts and employ this strategy as a preventative measure prior to obtaining supervisor approval.

Ramming – this strategy is generally utilized as a coordinated intervention strategy to stop a fleeing vehicle. Ramming should only be used after all other reasonable strategies have been exhausted, and one in which the need to stop the fleeing vehicle is so great that it outweighs the potential injury to the officers involved, and the use of force is objectively reasonable under the totality of the circumstances. The goal of ramming is to apply force to a suspect vehicle by a police vehicle that is strategically placed to disable the suspect vehicle, making additional movement not possible. When utilizing this strategy, a member must have their visual and audio warnings activated. Ramming a vehicle will implicate a force response as it is likely to cause pain or physical injury. Dependent upon the manner of use and how and where the collision is placed may implicate the use of deadly force, and if used in this manner, the member must be justified in using deadly force under BPD Policy 300 – Force Response. The use of this strategy shall be restricted for use only when an immediate foreseeable threat of death or serious physical injury is present.

This is a strategy that has the potential for injury to the officer and occupants of fleeing vehicles.

This strategy also requires that additional cover officers are available and requires coordination; prior to utilizing a vehicle ram, members should obtain supervisor approval.

Roadblocks – this strategy is a coordinated tactic that is intended to stop a vehicle by using a stationary item, such as a police vehicle or other items, to block the travel path of a suspect vehicle.

Generally, roadblocks pose a significant threat of death or serious physical injury to the occupants of the suspect vehicle if it does not stop and shall only be utilized when officers believe they would be justified in the use of deadly force on all occupants of a fleeing vehicle. This tactic should only be used in the most extreme circumstances because of the extreme danger it poses. If members set up a roadblock strategy, it should include a reasonable line of sight distance permitting the suspect to recognize and react to or stop before striking a roadblock. Members must utilize visual and audio warnings when utilizing a roadblock. This use of this strategy constitutes the use of deadly force and shall be applied in accordance with BPD Policy 300 – Force Response.

Prior to implementing a roadblock, members shall obtain supervisor approval.

Firearms – Utilizing firearms as a prevention or intervention strategy is prohibited. Any firearm discharge must comply with BPD Policy 300 – Force Response, specifically, the use of deadly force.

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306.10 PROHIBITED AND RESTRICTED POLICE VEHICLES

The only vehicles that are authorized to initiate or engage in a vehicle pursuit are pursuit-rated marked police vehicles. If one of the following police vehicles attempt a stop that results in the initiation of a vehicle pursuit, these units will terminate immediately or if the totality of circumstances available would provide objective reasonableness for overall community safety, the officer may continue until the first pursuit-rated marked police vehicle arrives to take over the vehicle pursuit. The following police vehicles are restricted;

- (a) Marked police vehicle (not pursuit-rated);
- (b) Unmarked police vehicles (no lightbar);
- (c) Marked police motorcycles;

The following police vehicles are prohibited from initiating or engaging in any vehicle pursuit unless human life is in immediate danger, and this is the only available member present to engage. These vehicles will immediately terminate involvement as soon as any marked police vehicle arrives to take over the vehicle pursuit;

- (a) Any plainclothes/investigations vehicle with limited lights/siren package;
- (b) Any police vehicle operated by City of Bend reserve police officers;
- (c) Any police vehicle with a ride-a-long or passenger, including a police cadet or non-sworn City of Bend employee;

Any police vehicles that do not have a lights/siren package are prohibited from initiating or engaging in a vehicle pursuit. Members should recognize that the exemptions provided by ORS 820.300 and ORS 820.320 do not apply to officers operating vehicles that do not qualify as an emergency vehicle as defined by ORS 801.260.

306.11 POST-PURSUIT APPREHENSION TACTICS

It is recognized that a vehicle pursuit presents dangerous circumstances to all involved and elevates a member's situational awareness and emotion with a desire to end the ongoing community safety issue as quickly as possible. At the conclusion of a vehicle pursuit, members must take time to recognize that proper self-discipline and sound professional judgment are essential to a safe and successful conclusion. Officers must be able to consider options for apprehension and develop a custody plan that allows for officer safety strategies, overall community safety, and employs trained tactics and strategy.

The primary officer maintains primary responsibility for the coordination of apprehension and custody tactics. This responsibility may be delegated to another officer or the managing supervisor.

306.12 TERMINATION OF VEHICLE PURSUIT

If a member has engaged in a vehicle pursuit, that decision is revocable at any time. The member shall terminate a vehicle pursuit if, at any time, a reasonably objective officer given the totality

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of circumstances would conclude that the risks posed to the community from the vehicle pursuit outweigh the danger a suspect poses to the community if not captured immediately.

It is recognized that a primary officer that initiates or is engaged in a vehicle pursuit has multiple tasks to accomplish and items of information and safety they are considering. They may not be able to fully and clearly understand a risk that may be approaching. Because of this, it is reasonable for other sworn members of the organization to be actively engaged in weighing the overall circumstances of a vehicle pursuit and feel supported and authorized to terminate a vehicle pursuit when appropriate. Any sworn member of the organization that is reasonably apprised of the circumstances and conditions of a vehicle pursuit is authorized to terminate a vehicle pursuit.

If a sworn member terminates a vehicle pursuit, all members will honor that termination order and discontinue the vehicle pursuit. This may only be overridden expressly by a supervisor who must provide to dispatch the override and the reasons why the override authorization is given.

No member will be disciplined, ridiculed, or harassed for authorizing the termination of a vehicle pursuit.

If a vehicle pursuit is terminated, all involved members shall verbally confirm they have received and complied with the termination.

When a vehicle pursuit is terminated, members shall consider other options to find and apprehend the suspect(s) involved in the vehicle pursuit.

If a vehicle pursuit is terminated or if the suspect eludes the officers, the primary officer shall broadcast all relevant information to dispatch and determine if any apprehension plan is needed at that time. If an apprehension plan is needed, the primary officer is responsible for coordinating the plan.

306.13 VEHICLE PURSUIT RE-ENGAGEMENT

If a suspect is located after eluding or after termination, all of the same vehicle pursuit considerations shall be considered before a member decides to re-engage in a vehicle pursuit.

Members shall consider preemptive strategies to reduce the likelihood of a pursuit occurring.

Members shall also consider the probability of a successful re-engagement if conditions have not changed.

306.14 VEHICLE PURSUITS INVOLVING OTHER JURISDICTIONS/INTERAGENCY PURSUITS

Members should strive to adhere to the Intergovernmental Pursuit agreement, which provides guidelines for vehicle pursuits that involve more than one agency within Deschutes, Crook, and Jefferson Counties. The Intergovernmental Pursuit Agreement does not supersede individual agency policies.

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306.15 VEHICLE PURSUITS THAT EXTEND INTO THE CITY OF BEND FROM ANOTHER JURISDICTION/AGENCY.

If a pursuit enters into the City of Bend by another agency, the pursuit shall be monitored by a supervisor. Members will not engage in a pursuit originating by another agency unless the Bend Police supervisor approves and only if the conditions of the pursuit meet the conditions of this policy. Bend Police members will not join into another agency's vehicle pursuit unless specifically requested to do so by the primary agency. Members' actions shall always be directed by this policy.

If Bend Police units become directly involved in the vehicle pursuit, a Bend Police Supervisor must manage Bend Police units' involvement.

If conditions and considerations of a vehicle pursuit being engaged in by another jurisdiction within the City of Bend city limits do not meet the expectations of this policy and members are not able to engage in the vehicle pursuit, members will be expected to provide support and assistance to ensure officer and community safety as much as possible.

Bend Police Supervisors have the authority to terminate any vehicle pursuit that enters into the City of Bend by another agency. The Intergovernmental Pursuit Agreement states that all agencies will honor a termination.

306.16 VEHICLE PURSUITS THAT BEGIN IN THE CITY OF BEND BY BEND POLICE MEMBERS THAT EXTEND INTO ANOTHER JURISDICTION.

If a Bend Police pursuit leaves the City of Bend and enters into another jurisdiction, the members must notify the other jurisdiction, and if assistance is requested, that request shall be made over the radio. The member is responsible for informing the other jurisdiction of the conditions and considerations of the vehicle pursuit and any actions that have been taken during the pursuit. If the other jurisdiction provides assistance and agrees to assume the primary role and control of the vehicle pursuit, once the transfer occurs, City of Bend personnel will be involved as supporting members. The initiating agency will remain in control of the vehicle pursuit unless and until it is released and fully taken over by another agency.

If any other agency in which a pursuit has entered into their jurisdiction orders that any pursuit is terminated, all Bend Police units will comply with that order.

A Bend Police supervisor will continue to manage all Bend Police units that are involved in any supporting roles when a pursuit has left our jurisdiction.

306.17 REPORTING REQUIREMENTS

All members directly involved in a vehicle pursuit shall document their actions in an appropriate police report. Members shall include all pertinent facts and justification for the exception to the vehicle pursuit prohibition. Directly involved members would include any primary or secondary involved pursuit units and any other member who took any police actions to assist in the event.

If any prevention or intervention strategies were used that implicated force, all members involved in that application shall also complete appropriate force response reports per Bend Police Department Policy 300 – Force Response.

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The primarily involved member is responsible for completing the Pursuit Report.

306.18 SUPERVISORY CONTROL AND RESPONSIBILITY

An available supervisor shall ensure they verbally acknowledge the initiation of any vehicle pursuit by our members by broadcasting over the radio that they are managing the vehicle pursuit. The supervisor that acknowledges the vehicle pursuit shall be the managing supervisor of that vehicle pursuit until resolution or until a supervisory handoff occurs. If a handoff occurs, it must be broadcast and acknowledged over the radio.

The supervisor managing the vehicle pursuit shall take the following actions;

- (a) Upon becoming aware of a vehicle pursuit, immediately ascertain all reasonably available information to continuously assess the vehicle pursuit circumstances to ensure that the pursuit is, and remains, an ongoing exception to the vehicle pursuit prohibition;
- (b) Continually balance the safety risks posed to the community against the benefit of the immediate need to capture the suspect(s);
- (c) Exercise control and management of the overall pursuit response;
- (d) Authorize and direct additional units as needed to engage in the vehicle pursuit;
- (e) Ensure radio communications between all relevant and involved parties; this may include designating the proper radio channel;
- (f) Ensuring the notification and/or communication and coordination of outside agencies if the pursuit either leaves or is likely to leave our jurisdiction;
- (g) If a vehicle pursuit leaves our jurisdiction, determine how many Bend PD units will remain engaged in the vehicle pursuit and will continually control and manage those units;
- (h) Assist in planning and directing resources for the vehicle pursuit conclusion apprehension and custody plan;
- (i) Terminate the vehicle pursuit when appropriate, which may include for the following reasons;
 - 1. The vehicle pursuit is not justified as an exception to the prohibition;
 - 2. If the engaged members are not accurately or effectively broadcasting the circumstances or adequately broadcasting updates;
 - 3. Members are not adequately planning for pursuit intervention strategies when appropriate or available;
 - 4. The safety risks posed to the community outweigh the benefit of immediate capture of the suspect(s);
 - 5. Any other circumstances in which the supervisor determines to be appropriate for pursuit termination;
- (j) A supervisor should avoid directly engaging in a vehicle pursuit and should only directly engage if no other members are available at the time. A supervisor's primary

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role in a vehicle pursuit is to manage the overall incident and continually evaluate the totality of circumstances and member's responses.

Following the completion of a vehicle pursuit and after all post-incident needs have been completed and addressed, supervisors shall be responsible for the following items;

- (a) When appropriate and possible, conduct a debriefing with involved members. The debriefing should include an overview of the pursuit and any intervention or prevention strategies that were utilized. The goal of the debriefing is to ensure all involved members have all of the information available and use the debrief as an opportunity to identify successful strategies as well as to identify opportunities for future improvements in performance;
- (b) Ensure all appropriate and required police reports are completed by involved members;
- (c) Prepare a post-pursuit critique and analysis of the vehicle pursuit. This critique should identify if there are any training needs for the organization or for an individual that would help in future performance;
- (d) The post-pursuit critique and analysis should also include the adherence to Bend Police Department policies, including this policy. If policy violations are identified during this critique, supervisors should address them appropriately. This may include the referral of alleged policy violations through an administrative review process as appropriate.
- (e) Ensure that if any pursuit prevention or intervention tactics were used that implicated the force response policy, that appropriate reports and reviews are completed.

306.19 WATCH COMMANDER RESPONSIBILITIES

If the watch commander is on duty and they become aware of a vehicle pursuit, they should monitor and continually assess the overall evaluation factors and ensure the pursuit is being conducted within the guidelines of this policy. The watch commander may elect to assume supervisory responsibility of the vehicle pursuit from any other supervisor if they determine it to be necessary for appropriate pursuit management.

The watch commander shall review all pertinent reports for content and completion and forward them to the Division Commander.

The watch commander shall review the post-pursuit critique of the incident and ensure the analysis appropriately documents the adherence to Bend Police Department policies.

The watch commander shall ensure that any performance deficiencies are appropriately addressed. The watch commander should look for positive performance to utilize as discussions points at briefings for ongoing education opportunities regarding vehicle pursuits.

306.20 COMMANDER RESPONSIBILITIES

The Patrol Division commander will conduct an annual review of all vehicle pursuit incidents for the previous calendar year. The Patrol Division commander will conduct an analysis that focuses

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on trends, overall performance, training or equipment needs, or policy modification requirements that may be needed to manage vehicle pursuits appropriately.

The previous year's analysis shall be completed by March 1st of each year. The Patrol Division commander will brief the executive staff of the findings.

Intergovernmental Pursuit Agreement for Law Enforcement Agencies within Deschutes, Crook, and Jefferson Counties (as an attachment) - Pursuit IGA