
KANSAS CITY, KANSAS POLICE

GENERAL ORDER

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SUBJECT: Pursuit Policy

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CROSS REFERENCE: G.O. 80.9

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I. PURPOSE

- A. The primary purpose of this policy is to secure a balance between the protection of the lives and safety of the public, police officers, and law enforcement's duty to enforce the law and apprehend violators. Since there are numerous situations which arise in law enforcement that are unique, it is impossible for this policy or any standard operating procedure to anticipate all possible circumstances. Therefore, this policy is intended to guide a police officers' discretion in matters of vehicular, foot and bicycle pursuits.
- B. To advise all sworn personnel of the relevant definitions and operational procedures, and to establish guidelines for all types of pursuits.

II. DEFINITIONS

- A. Boxing-in - A non-contact maneuver intended to facilitate the safe stop of a fleeing vehicle by closing the vehicle in with police units and forcing the fleeing vehicle to a controlled stop. Intentional contact may rise to the level of lethal force and the laws and regulations governing the application of force apply. Accidental contact constitutes a motor vehicle accident.
- B. Emergency Vehicle - A vehicle of the Department equipped with warning lights and siren as described in K.S.A. 8-1738 & 8-1720. Vehicles not equipped with this type of warning equipment are not considered an emergency vehicle.
- C. Foot Pursuits - A foot pursuit is an active attempt by a law enforcement officer to apprehend a pedestrian, on foot, when the officer has articulable reasonable suspicion to believe the individual is committing a crime, has committed a crime or is about to commit a crime, as defined by KSA 24-2402.
- D. Heading-Off - An attempt to terminate a pursuit by pulling ahead of, behind or toward a violator's moving vehicle to force it to the side of the road or otherwise come to a stop without making actual contact with the vehicle.

- E. Marked Vehicle - A police vehicle equipped with identifying decals, a fully operational set of emergency lights on top of the vehicle (except motorcycles, bicycles, 4x4 and truck chassis), and siren.
- F. Paralleling - A tactic during the course of a pursuit where emergency vehicles follow the course of the pursuit that passes through their assigned area in a non-emergency mode, on streets parallel to the actual pursuit when such can be performed without an unreasonable hazard to other vehicular or pedestrian traffic.
- G. Pursuit Driving - Pursuit driving is an active attempt by a law enforcement officer operating a motor vehicle and utilizing emergency warning lights and an audible device 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.
- H. Pursuit Vehicles -
 - 1. Primary Unit/Officer - Police vehicle that initiates a pursuit or any unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the fleeing suspect).
 - 2. Secondary Unit/Officer - Any police vehicle which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance, only when they have supervisory approval to be involved.
- I. Roadblock - Any barricade, obstruction or partial obstruction used to prevent the free passage of motor vehicles in order to stop or prevent the escape of a fleeing vehicle. The use of a roadblock shall be considered the use of deadly force.
- J. Stop Stick - A hollow spike tire deflation device which is deployed as a non-contact intervention tactic.
- K. Supervisor - A police officer, which by virtue of rank or assignment is responsible for the direction and supervision of the activities of other police officers.
- L. Unmarked Vehicle - A police vehicle that:
 - 1. Is not equipped with identifying decals and a fully operational Visabar fixed atop the vehicle and audible (siren) device, or
 - 2. A police vehicle that does not have both emergency lights and an audible (siren) device.
 - 3. An unmarked police vehicle may initiate a felony pursuit only when equipped with the proper emergency lights and audible (siren) device.
- M. Vehicle Contact Action - Any action initiated by the pursuing officer intended to result in contact between the moving police vehicle and the pursued vehicle. Any intentional vehicle contact action shall be considered a use of force by the officer and evaluated in accordance with the use of force policy.
- N. Violator - Any person who a police officer reasonably believes: (1) has committed an offense as defined in section V of this Order or (2) poses an immediate threat to the safety of the public or other police officers.

III. STATUTORY AUTHORITY

- A. KSA 8-1506 does not grant absolute immunity but rather grants certain privileges to emergency vehicle drivers which are not available to the ordinary motorist. However, the Privileged Act is conditions on commission only after the safety of others has been taken into consideration. These privileges may not be used without the use of both the siren and emergency lights.
- B. Both the siren and the emergency lights must be on when operating as an emergency vehicle or when in pursuit of a vehicle. The use of either the siren or emergency lights alone is not sufficient when engaged in a vehicular pursuit.
- C. The use of the "warble" or "yelp" mode should be restricted to situations involving Civil Defense notification.
- D. Truck chassis vehicles (prisoner transport van, ID van, DUI van, etc.), and bicycles are ill-equipped to apprehend speeders or become involved in vehicular pursuits and should not be used for that purpose. This is not meant to imply that these vehicles cannot be used to stop traffic violators or suspects of a criminal offense, when such use can be performed safely.
- E. Safety (seat) Belt - Safety belts will be worn at all times while operating a police vehicle or while riding as a passenger in a police unit. This order is in accordance with State Statute 8- 2501 thru 2504 and City Ordinance 35-651.

IV. EMERGENCY OPERATION OF POLICE VEHICLES

- A. Officers in pursuit of a fleeing suspect where probable cause exists to believe that the suspect has committed a crime as stipulated in section V of this order may travel at a speed reasonable for the circumstances to apprehend the suspect. The seriousness of the crime must be balanced against the threat to the public of two (2) vehicles traveling at high speeds at that particular time of day and the street being traversed. Officers must maintain sufficient control of the vehicle to insure the protection of the public.

V. PURSUIT CLASSIFICATIONS

- A. Violent Felony - A felony involving the commission of a violent act when there is reasonable suspicion to believe that serious physical injury or death has been or may have been inflicted upon another person or persons.
1. The Following are Classified as Inherently Dangerous Felonies (KSA 21-5402):
 - a. Murder
 - b. Aggravated Kidnapping
 - c. Aggravated Arson
 - d. Rape
 - e. Aggravated Assault
 - f. Aggravated Assault Against a Law Enforcement Officer
 - g. Aggravated Battery Against a Law Enforcement Officer
 - h. Abuse of a Child
 - i. Residential Burglary
 - j. Hit & Run (Serious Injury or Death)
 - k. Criminal Discharge of a Firearm at an Occupied Building or Occupied Vehicle
 - l. Voluntary Manslaughter
 - m. Kidnapping
 - n. Aggravated Robbery
 - o. Robbery
 - p. Arson
 - q. Aggravated Criminal Sodomy
 - r. Aggravated Battery
 - s. Aggravated Burglary
- B. Supervisors may authorize the pursuit of an individual when the initiating event is not an inherently dangerous felony but the individual's actions place others in imminent danger of great bodily harm or death.

VI. VEHICLE PURSUIT PROCEDURE

- A. Deciding Whether To Pursue
1. Officers may attempt the stop of any person suspected of having committed any inherently dangerous felony as described in section V, A, 1. It is clear, that while it is the officer who initiates the stop, it is the violator who initiates the pursuit. The officer's decision to pursue should always be undertaken with an awareness of the degree of risk that law enforcement officers expose themselves and others. Officers must weigh the need for immediate apprehension against the risk and dangers created by the pursuit.
- B. Initiation of Pursuit
1. Vehicular pursuits should only be initiated when an officer has probable cause to believe the violator has committed an inherently dangerous felony, and the law violator clearly exhibits the intention of avoiding apprehension by refusing to stop when properly directed to do so. Officers involved in a pursuit must continually question whether the seriousness of the violation reasonably warrants continuation of the pursuit. Pursuits should be terminated or avoided if they pose substantial risk to life or property.
 2. If the suspect attempts to elude the officer or avoid arrest, the emergency equipment must be activated, not only to warn the pursued, but also to protect the officer and others.
- C. In the event that the circumstances meet the authorized requirements as stipulated within this order to pursue the vehicle, a pursuit should not be automatically undertaken. An officer must still consider the following factors:
1. Likelihood of successful apprehension.
 2. Whether the identity of the violator is known to a degree where later apprehension is possible.
 3. Degree of risk created by pursuit
 - a. Volume, type, speed and direction of vehicular traffic.
 - b. Nature of the area: residential, commercial, school zone, open highway, etc.
 - c. Population density and volume of pedestrian traffic.
 - d. Environmental factors such as weather and darkness.
 - e. Road conditions: construction, poor repair, extreme curves, ice, etc.
 - f. Time of day
 4. Suspect characteristics:
 - a. Performance capability of suspect vehicle.

- b. Observed driving abilities of suspect.
5. Police officer consideration:
- a. Physical conditioning.
 - b. Driving skills, ability to communicate on radio and safely operate the police vehicle.
 - c. Familiarity with roads.
 - d. Performance capability of police vehicle.
- D. Role of the Pursuing Officer
1. The decision to initiate and/or continue a pursuit requires weighing the need to immediately apprehend the violator against the degree of risk to which the officer and others will be exposed because of the pursuit.
 2. Once the pursuit has been initiated, the primary unit must notify the dispatcher providing as much of the following information as is known.
 - a. Reason for pursuit and the requisite probable cause necessary to make the vehicle stop which initiated the pursuit.
 - (1) Attempting to elude or resisting arrest cannot be the foundation upon which initiation of the pursuit can be based.
 - (2) If the pursuit is initiated for aggravated assault or battery on a Law Enforcement Officer, or if this crime occurs during an active pursuit, the officer(s) will briefly articulate the probable cause for the crime that was committed. For example, "the vehicle drove towards me".
 - b. Location of the pursuit and direction of travel.
 - c. Identification of the violator's vehicle: year, make, model, color, vehicle license plate number and other identifying characteristics.
 - d. Road and Weather conditions
 - e. Safety information (e.g. shots fired, suspect vehicle attempting to ram, etc.).
 - f. Approximate speed of the pursued vehicle.
 - g. Other information that may be helpful in resolving the incident.

NOTE: Failure to provide this information to the dispatcher may result in an immediate decision by the supervisor monitoring the pursuit to order its termination.
 3. Request supervisor notification and approval to continue pursuit.
- E. Role of the Dispatcher
1. Once the dispatcher is notified of the pursuit, the main sub-fleet for that area will be cleared and a field supervisor will be immediately advised of the pursuit. (The supervisor or commander notified will be a higher rank than the pursuing officer.) If the rank of the officer initiating the pursuit is a sergeant or above, a superior commander need not be immediately notified.
 2. Communications personnel shall carry out the following activities and responsibilities during the pursuit:
 - a. Assign a field supervisor (by radio) to monitor the pursuit. Inability to locate a supervisor within a reasonable period of time will result in automatic termination of the pursuit by the pursuing officer.
 - b. Coordinate and dispatch backup assistance under the direction of the field supervisor.
 - c. Receive and record all incoming information on the pursuit and the pursued vehicle.
 - d. Maintain control over the affected radio sub-fleet so that affected units can communicate with each other.
 - e. Relay pertinent information to other units, sub-fleets, and or Departments.
- F. Field Supervisor Responsibilities
1. Upon notification that a vehicular pursuit incident is in progress, the field supervisor shall assume responsibility for the monitoring by radio frequency and control of the pursuit as it progresses.
 2. Supervisors and/or Commanders shall relinquish pursuit status as soon as primary/secondary units are in place. The supervisor/commander will then continue to monitor/approve the pursuit based on information provided by the units involved in the pursuit.
 3. Evaluate the information obtained from the pursuing unit.

4. Based on the information obtained, the supervisor will determine if the pursuit will be allowed to continue or be terminated and advise the unit(s).
 - a. The supervisor shall order a pursuit terminated at any time if he or she concludes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the violator. The decision to allow the continuation of the pursuit must be articulated in the supervisor's report.
5. Provide follow-up direction as needed, to include:
 - a. If the pursuit is terminated, instructions regarding further investigation.
 - b. If the pursuit is continued, confirm and designate which units will continue with the pursuit.
6. Monitor and direct other police resources, ensuring compliance with all applicable Department policies and procedures.
7. Specifically acknowledge and, if appropriate, allow the pursuit to go beyond the City limits.
8. Respond to the scene of apprehension and supervise activities as necessary.
9. The monitoring supervisor who is controlling pursuit tactics shall be responsible for the pursuit until it is terminated regardless of the geographic path of the pursuit. Other affected divisions or jurisdictions may be requested to assist but the primary supervisor shall remain in charge unless the pursuit is terminated by higher authority.
10. The supervisor shall ensure, for the duration of the pursuit, that this policy and all other applicable Department policies and procedure are followed by all involved officers.

G. Pursuit Limitations

1. The pursuit will be limited to the initial unit and a secondary unit (with approval). All other units will stay clear of the pursuit and shall not leave their assigned areas to become involved in the pursuit unless otherwise specifically directed by a supervisor.
 - a. If the primary unit is a two (2) officer vehicle, a secondary unit will not be authorized unless there are extenuating circumstances.
 - (1) Additional units may be assigned to the pursuit at the discretion of the monitoring supervisor based on articulated need.
2. Officers attempting to apprehend violators may operate emergency vehicles at a speed sufficient to overtake such violators, if both the emergency lights and siren are operating; and if the emergency operation of the patrol vehicle can be performed safely and in compliance with all other provisions in this General Order.
3. Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is a substantially increased likelihood of collision, the operator of any pursuit vehicle shall, prior to entering the intersection, reduce the vehicle's speed, and control the vehicle so as to avoid collision with another vehicle or a pedestrian and be prepared to stop if necessary. The officer shall observe that the way is clear before cautiously proceeding through the intersection.
4. Officers involved in a pursuit will not engage in any intentional vehicle contact action unless authorized by the monitoring supervisor and only then as a last resort to prevent imminent death or serious injury to the officer or another person where deadly force would otherwise be justified.

H. Pursuit Tactics

1. The primary unit will conduct the pursuit.
 - a. If approved, the secondary unit will follow the progress of the pursuit in emergency mode, at a safe distance, radioing the progress and directions of the pursuit to the dispatcher, if the primary unit is unable to do so. In addition, the secondary unit will act as a cover unit to the primary pursuit unit and act as a "buffer" or warning to traffic approaching the rear of the pursuit.
 - b. Other on-duty units, not actively involved in the pursuit, are encouraged to monitor the progress of the pursuit and respond to requests from supervisory personnel in the event additional units are required for the pursuit in progress.
 - c. Unless relieved by a supervisor the primary unit will be responsible for the broadcasting of the progress of the pursuit, controlling the pursuit tactics, and deciding if the pursuit should be terminated. If the primary unit is a two-man car, the passenger will broadcast, but both officers shall decide the tactics and whether or not to terminate the pursuit.
2. Other units, not directly involved in the pursuit, may engage in safety precautions at intersections in the possible path of the pursuit. Such safety precautions include stopping vehicular traffic, blocking side street access to the pursuit route, clearing the path of the pursuit, checking school crossing zones, etc.
3. Boxing-in or heading off a suspect's moving vehicle is permitted only when approved by a supervisor. The technique encourages the driver of the pursued vehicle to slow down and/or stop. These tactics increase the risk inherent in the pursuit.
 - a. Intentional contact may rise to the level of lethal force, so the laws and regulations governing the application of force apply. Accidental contact constitutes a motor vehicle accident.

- b. The intervention techniques must be performed at safe speeds and require supervisory approval prior to initiation.
 - c. Boxing-in may only be done when it is believed that the suspect(s) is unarmed and has given no indication that he or she will intentionally ram a police unit. This is due to the inherent danger of placing police units next to and in front of a suspect vehicle.
 - (1) Procedure: Once approved by a supervisor, the primary and secondary units may request the assistance of two additional units to conduct a boxing maneuver in an attempt to conduct a safe, controlled stop of a fleeing vehicle. Boxing-in will only be performed at safe speeds. The primary unit is responsible for coordinating the maneuver once the four designated units are in position behind the pursued vehicle. On the command of the primary unit, the secondary unit will accelerate and pass the fleeing vehicle on either side and take position at the front of the fleeing vehicle. The third police unit will accelerate and take position next to the fleeing vehicle on the same side that the secondary unit passed on. The fourth police unit will accelerate and take position on the side of the fleeing vehicle opposite the third police unit. The primary unit will hold its position behind the vehicle. Once all units are in position, the primary unit will give the command to bring the fleeing vehicle to a controlled stop.
 - (2) The third and fourth police units, which will take position at either side of the fleeing vehicle, should maintain a position forward enough that the suspect will see no means of escape to the left or right, however, the units must not pull forward next to the driver where they could become easier targets for gunfire.
 - (3) Officers must move quickly and decisively in executing a boxing maneuver. The success of the tactic depends largely on the element of surprise and on the available road space to affect the maneuver.
4. During the pursuit:
- a. Paralleling of the pursuit route will only be done in a unit's assigned area. The paralleling unit shall not be operated as an emergency vehicle.
 - b. No caravanning of police units in the pursuit either in line or alongside each other.
 - c. Units involved in the pursuit shall not attempt to pass other units, the pursued vehicle or pull alongside the pursued vehicle during the pursuit, unless authorized by the monitoring supervisor.
 - d. Units shall not pursue suspects the wrong way on interstates or other controlled access highways, divided roadways, or the wrong way on one-way streets, unless approved in advance by the supervisor monitoring the pursuit.
5. Officers are prohibited from discharging firearms from, or at, a moving vehicle unless the officer is confronted with a direct, immediate deadly force confrontation, where the vehicle itself is being used as a deadly weapon and the officer has no avenue of escape.
6. Officers are expressly forbidden from voluntarily placing themselves in the path of an oncoming vehicle in an attempt to provoke a deadly force confrontation.
7. A pursuit will not be undertaken by any police unit that is transporting prisoners, suspects, complainants, witnesses, authorized ride-a-longs, citizens, or other passengers who are not commissioned law enforcement officers.
- I. Pursuit Termination
1. A pursuit should be discontinued when there is a clearly excessive danger to the pursuing officer or the public.
- a. The pursuing officer must consider such variables as; the present danger, the length of the pursuit, the seriousness of the crime and the possibility of identifying the suspect at a later time, when determining whether or not to continue the pursuit.
 - b. All officers and supervisors involved in vehicular pursuits will be held accountable for the continuation of the pursuit when circumstances indicate that the pursuit should have been discontinued.
 - c. Unusual circumstances that would justify the continuation of the pursuit will be communicated to the monitoring supervisor for determination by either the pursuing officer(s), or other officers that are assisting in the pursuit, or investigation of a related crime.
2. Officers will terminate the pursuit when:
- a. No field supervisor or commander can be contacted to approve continuation of the pursuit. If the pursuing officer is a sergeant or above, a higher ranking officer need not be immediately notified.
 - b. A higher-ranking field supervisor or commander directs the pursuit to be terminated.
 - (1) Sergeants may not terminate another sergeant's pursuit. However, sergeants may terminate acting sergeant's pursuit, and sergeants may terminate a detective's vehicle pursuit but not a foot pursuit.
 - c. Weather, visibility or road conditions decrease the likelihood of a successful apprehension.
 - d. The officer loses visual contact with the suspect's vehicle or the distance between the suspect's vehicle and the primary unit becomes so great that further pursuit is futile.
 - e. The pursuing units lose radio contact with other units.

- f. The officer believes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the violator.
 - g. A person is injured during the pursuit and there are no other police or medical personnel able to render immediate assistance.
 - h. Any unanticipated condition, event or circumstances, which substantially increase the risk to public safety inherent in the pursuit.
- 3. During the course of the pursuit, the officers will continue to evaluate their ability to safely and successfully apprehend the suspect and shall, if circumstances warrant it, independently terminate the pursuit.
 - 4. When the decision is made to terminate the pursuit by the primary unit or a supervisor, any unit involved shall immediately:
 - a. Slow to the posted speed for that roadway.
 - b. Notify the dispatcher that the pursuit is terminated, giving location of the termination point.
 - c. Turn off all emergency warning equipment.
 - d. Alter direction of travel by turning to another roadway not taken by the perpetrator at the first available opportunity.
 - e. Return to assigned area.
- J. Suspect Apprehension
- 1. The officers of the primary unit are responsible for the arrest of the suspect when the suspect voluntarily terminates the pursuit, or becomes involved in a traffic accident. Any unit(s) that respond to the termination point shall be responsible for backing up the primary unit and can make the necessary broadcast to advise of the situation. If the officers of the primary unit become involved in a foot pursuit, they shall be responsible for coordinating any further activity, unless relieved by a field supervisor.
 - 2. If the suspect vehicle has occupants that remain at the vehicle at least one officer must remain at the suspect vehicle and may not engage in a foot pursuit.
- K. Loss Of The Pursued Vehicle And Coordinating Search
- 1. Should the pursued vehicle be lost, the primary unit will broadcast the necessary information to assist other units in locating the suspects or the suspect vehicle.
 - 2. After a broadcast has been given indicating that the pursued vehicle has been lost, the units which have been involved shall participate in:
 - a. A coordinated search for the vehicle or suspects, if practical. The monitoring supervisor shall coordinate the search.
- L. Reinstating Pursuits
- 1. Reinstatement of any previously terminated pursuit will be undertaken consistent with the authorization criteria for originally initiating a pursuit.

VII. PURSUIT ACROSS THE STATE LINE INTO MISSOURI

- A. A pursuit that proceeds into another jurisdiction by crossing the state line into Missouri will be allowed or authorized only when officers from this Department have probable cause to believe that the occupant(s) has been involved in, or committed, one of the violent felony crimes listed below.
 - 1. Murder
 - 2. Aggravated Kidnapping
 - 3. Aggravated Arson
 - 4. Rape
 - 5. Aggravated Assault
 - 6. Aggravated Assault Against a Law Enforcement Officer
 - 7. Aggravated Battery Against a Law Enforcement Officer
 - 8. Abuse of a Child
 - 9. Residential Burglary
 - 10. Hit & Run involving death
 - 11. Criminal Discharge of a Firearm at an Occupied Building or Occupied Vehicle
 - 12. Voluntary Manslaughter
 - 13. Kidnapping
 - 14. Aggravated Robbery
 - 15. Robbery
 - 16. Arson
 - 17. Aggravated Criminal Sodomy
 - 18. Aggravated Battery
 - 19. Aggravated Burglary

- B. Supervisors may authorize the pursuit of an individual when the initiating event is not a violent felony but the individual's actions place others in imminent danger of great bodily harm or death.
- C. A field supervisor or a command officer may order that the pursuit be terminated. Officers will adhere to the termination section of this order, once the pursuit is terminated, returning to their jurisdictional area.
- D. When the primary unit from this Department determines that the vehicle is suspected or involved in a violent felony crime is about to cross the state line into Missouri, the primary unit will immediately advise the dispatcher to contact the dispatcher from the affected jurisdiction so that it's officers can be notified. The primary unit from this Department will advise the dispatcher of the exact, or approximate location where the vehicle being pursued will cross the state line.
- E. The primary unit will continue the pursuit into Missouri, still operating in emergency mode, requesting the assistance of a unit from the new jurisdiction.
 - 1. If the primary unit is not relieved by units from the new jurisdiction, then the unit will continue with the pursuit unless instructed otherwise by the monitoring supervisor.
 - 2. If units from the new jurisdiction enter the pursuit, the unit from this Department will continue the pursuit to the termination point if possible.
- F. When an officer from the State of Kansas enters into Missouri, while in fresh pursuit of a violent felony suspect(s), the officer has limited law enforcement power and is duly authorized to operate his/her vehicle in an emergency mode and exercise reasonable force to terminate the activity of the suspects.
 - 1. Officers should be aware that once they cross the state line, their actions fall under Missouri law and they must comply with applicable Missouri statutes.
- G. If the felony suspect is apprehended in the state of Missouri, the Missouri unit taking custody of the subject shall transport the suspect to the appropriate booking facility in Missouri and the primary unit from this Department shall proceed to that booking facility and have the suspect booked on his/her complaint.

VIII. PURSUIT INTO ANOTHER KANSAS JURISDICTION

- A. When a pursuit approaches and proceeds into another Kansas Jurisdiction (either across county lines, Bonner Springs, or Edwardsville city limits), the gravity of the offense or violation must be weighed to determine if the pursuit should be continued. At the discretion of, and with the permission of the field supervisor, the pursuit may be continued into another jurisdiction if the officer in the primary unit has probable cause to believe that the vehicle or occupants have been involved in violent felony crime.
 - 1. Exception. Fleeing or attempting to Elude alone will not, by itself and with no other felonies or unusual circumstances, justify crossing Unified Government jurisdictional boundaries into another Kansas Jurisdiction. However, any fleeing driver that is apprehended whose eluding actions constitute felony fleeing or attempting to Elude should be charged and processed as with any other felony.
 - a. Felony fleeing or attempting to elude (KSA 8-1568) requires that the driver commit one of the following acts or omissions while the pursuit is in progress:
 - (1) Fails to stop for a roadblock.
 - (2) Drives around stop sticks placed by an officer.
 - (3) Engages in reckless driving (KSA 8-1566).
 - (4) Commits five or more moving violations.
 - (5) Is attempting to elude capture for the commission of any felony
 - b. If an officer's pursuit for a felony results in an additional charge of felony fleeing or attempting to elude, and the suspect is not taken into custody, the officer will articulate the reason for the additional charge in an investigative report, and forward the information to the traffic support detective for follow-up.
 - c. If felony eluding is the only felony charge the suspect is being booked for, the officer will book on a 48 hour Felony Hold and ensure the Traffic Support Detective is informed.
 - 2. The monitoring field supervisor or a command officer may order that the pursuit be terminated. Once the pursuit is terminated officers will immediately adhere to section VI, I, 4.
- B. When the primary unit from this Department in pursuit of a vehicle that is known or is suspected of having been involved in a violent felony crime, is about to cross the jurisdictional boundary, the primary unit will immediately advise the dispatcher to contact the dispatcher from the affected jurisdiction so that its officers can be notified. The approved unit(s) from this Department will advise the dispatcher of the exact or approximate location where the vehicle being pursued will cross the jurisdictional boundary.
 - 1. The pursuit vehicles from this Department are legally empowered to operate their vehicles in an emergency mode when entering another Kansas county or city when in pursuit of a vehicle.

- C. The primary unit will continue the pursuit into the affected Kansas jurisdiction, still operating in an emergency mode, requesting the assistance of a unit from the new jurisdiction.
 - 1. If the primary unit is not relieved by officers from the new jurisdiction then the unit will continue the pursuit unless instructed otherwise by the monitoring field supervisor.
 - 2. If units from the new jurisdiction enter the pursuit, a unit from this Department will continue the pursuit to the termination point if possible.
 - 3. In the event that the suspect is arrested at the termination point of the pursuit, he/she may be transported back to Wyandotte County and booked into the Detention Center.
 - 4. The felony suspect's vehicle may be towed back to a Unified Government tow lot. The tow company responsible for the area where the pursuit left Unified Government will be called to respond.

IX. PURSUIT INTO THIS JURISDICTION FROM ANOTHER JURISDICTION

- A. When a pursuit originates in another jurisdiction and proceeds into Wyandotte County, Kansas, specifically Kansas City, Kansas, officers of this Department will assist the pursuing officer in the following manner:
 - 1. Assistance from this Department will be at the discretion of the notified supervisor assigned to monitor the incoming pursuit. Assistance will be limited to one (1) unit in a secondary capacity, providing there is only one (1) unit involved from the outside jurisdiction. All procedures governing the operation of emergency vehicles and pursuit procedures will be adhered to.
 - a. If at any time the outside agency terminates the pursuit while in our jurisdiction, officers from this Department will terminate.
 - 2. An officer may deploy stop sticks when an outside agency is pursuing a vehicle into our city, with supervisor approval.
 - 3. The Communications Department will obtain and constantly maintain telephone communications with the dispatcher from the Department of the original pursuit and ascertain specific information about the nature of the pursuit.
 - 4. Units from this Department directed to assist shall remain in the capacity of assisting units and shall broadcast the path of the pursuit. As often as is practical, units from the original jurisdiction should be allowed to conduct the pursuit and affect the stop of the offender.
 - 5. After the suspect has been stopped and apprehended, all units from this Department will return to service and clear the area as soon as their assistance is no longer needed.
 - 6. If the felony suspect is apprehended in our jurisdiction by the outside agency and there is probable cause to arrest, we will consult with the outside agency and take one of the following actions:
 - a. Book the suspect into the Wyandotte County Jail on the appropriate state statutes,
 - b. Allow the outside agency to transport the subject back to their jurisdiction if the subject has no outstanding warrants.
 - 7. If the outside agency is from Missouri the officer assigned to the district in which the stop has been made, or the prisoner transport vehicle, will transport the prisoner to the Wyandotte County Detention facility and book on the appropriate charge(s).
 - 8. If a member of our Department takes the suspect into custody, the suspect will be booked into the Wyandotte County Detention Center on the appropriate state statute(s). Officers will articulate their probable cause for the arrest in their Arrest reports.

X. STARCHASE PURSUIT MANAGEMENT SYSTEM

- A. The StarChase system allows an officer to remotely affix a GPS tracking device to a pursued vehicle using an air pressure system that is affixed to a patrol vehicle. Once the tracker is affixed, its location can be tracked by an employee (StarChase Monitor) using a computer with an internet connection.
- B. StarChase equipment in the patrol vehicle will only be operated by a selected set of officers who have been trained in its use.
- C. Officers shall use their own judgment regarding affixing a StarChase tag upon a pursued vehicle and do not need prior approval from a supervisor as long as they have activated their emergency equipment and the vehicle has shown no intention of coming to a stop.
 - 1. If an officer has encountered an exigent circumstance and would like to deploy StarChase without activating their emergency equipment they will obtain supervisor approval prior to the deployment.
 - 2. Officers may also deploy StarChase on occupied stolen autos without activating emergency equipment. Stolen autos will not be pursued unless a violent felony has been or is being committed.
 - 3. Officers may use StarChase on any vehicle that initiates a vehicle pursuit as long as the deployment occurs when it is immediately apparent that the vehicle is not going to stop. No pursuing of the vehicle shall occur unless allowable under section VI.B.1 of this order.
- D. All safety decisions related to the discharge of a StarChase tag rest with the operating officer. While supervisors may direct or approve the deployment of a StarChase equipped patrol car in a pursuit, safety decisions related to passing other involved vehicles and the actual discharge of the device rest solely upon the operating officer whose decisions must take into account the guidelines contained in

this General Order regarding pursuits. In accordance with policy, the safety of officers, uninvolved persons and persons inside the pursued vehicle shall be considered. The following decisions are specifically included:

1. Whether the officer can safely maneuver close enough to the suspect vehicle to come within target range (14-18 Feet).
 2. Whether the officer can safely pass any other vehicle involved in the pursuit
 3. Whether any circumstance would indicate the device would not work (e.g. weather conditions, suspect vehicle weaving, etc.)
- E. StarChase equipped patrol cars, with approval from a supervisor, are authorized to respond with emergency equipment to join a pursuit for potential use of the device.
- F. Unless directed otherwise, the StarChase equipped vehicle will join the pursuit at the rear of authorized pursuing vehicles until cleared to pass.
1. StarChase equipped vehicles may pass other pursuing vehicles only when deemed safe and only with specific permission from the unit to be passed. Permission is to be sought and acknowledged one passing at a time. Officers driving the StarChase equipped vehicle will identify which side of the overtaken vehicle they will pass
- G. StarChase tags will be deployed in accordance with training. Once the StarChase tag has been successfully deployed, the unit will notify dispatch of a successful deployment.
1. Dispatch will monitor the deployed device and relay StarChase information.
 2. Officers will maintain constant communication with Dispatch for speed/direction/location updates of the suspect vehicle.
 - a. When deployed for any non-violent felony, as defined in Section VII & VIII, the pursuing vehicle will deactivate its emergency equipment and withdraw from the pursuit.
- H. The Supervisor will coordinate with Dispatch to direct resources and officers to appropriate locations to apprehend the suspect.
1. If the vehicle stops outside of our jurisdiction Dispatch will notify that agency for retrieval. A supervisor from this Department will meet with the outside agency once they have established control of the vehicle.
- I. No officer who is driving a moving patrol car will access the StarChase Monitor data as this creates an unnecessary hazard
- J. The StarChase tag will not normally be deployed in the following situations unless the suspect poses a substantial risk to the public:
1. During heavy rain
 2. While driving on exceptionally rough terrain
 3. On a motorcycle
 4. When pedestrians are between or very near the suspect vehicle and the StarChase equipped vehicle
- K. REPORTING
1. Officers will complete the appropriate sections of the pursuit report after deploying StarChase.

XI. STOP STICKS

- A. An intervention tactic used only when it is possible to do so in a safe manner and when the officer(s) utilizing the devices have received specific training in their use.
1. Stop Sticks will not be deployed on any major divided highway or interstate unless the extent of the crime justifies the need for immediate apprehension.
 - a. These major highways or interstates will include I-435, I-635, I-70, I-35, K-7, K-32, & US-69.
 2. Stop Sticks will only be used in Felony pursuits.
- B. Officers may elect to deploy hollow spike tire deflation strips, hereinafter referred to as stop sticks, to terminate a pursuit. Supervisory approval must be obtained before deploying stop sticks. Officers may only deploy sticks in Kansas City, Kansas.
1. In some circumstances, and with supervisor approval, an officer may deploy stop sticks on stopped or parked vehicles if they believe the vehicle will flee once the driver is aroused.
- C. Stop Sticks shall not be used to stop vehicles with less than four wheels (motorcycles, mopeds, etc.).
- D. The stop sticks shall not be used in locations where geographic configurations increase the risk of injury to the suspect, e.g. on roadways bounded by steep descending embankments, curves or at locations where the safety of proceeding or opposing traffic cannot be assured.
- E. The following guidelines shall apply when deploying stop sticks:

1. Deployment plans require close coordination between pursuing units and the officer deploying stop sticks.
 2. Pursuing units should notify the deploying unit as far in advance as possible.
 3. The officer with the stop sticks should not attempt to overtake and pass a pursuit in order to deploy the stop sticks.
 4. The officer deploying the stop sticks should be in a position at a predetermined location to allow sufficient time for deployment.
 5. Deployment locations should have reasonably good sight distances to enable the officer deploying the stop sticks to observe the pursuit and other traffic as it approaches.
 6. For optimum performance, stop sticks should be deployed on paved surfaces such as concrete or blacktop.
 7. The officer deploying the stop sticks should place the police vehicle at a location favorable to the proper operation of the equipment so the patrol car can be utilized as protection from the fleeing vehicle. If possible, an immovable physical object should be sought as protective cover for the deploying officer.
 8. Time permitting, assemble and position the stop stick with the nylon cord attached. After the stop stick is in position, the officer should hold onto the cord reel to ensure quick removal from roadway without danger to himself/herself. As a safety precaution, care should be taken to ensure that the cord is not wrapped around clothing, fingers, hands, etc.
 9. Extreme care should be exercised when deploying the stop sticks to reduce the possibility of damage to uninvolved vehicles and pedestrians. After deploying, officers should immediately seek cover as the stop sticks and cord may become airborne upon impact.
 10. Connected or disconnected stop sticks may be tossed into the path of a pursued vehicle, when inappropriate to use the guidelines described herein.
- F. If stop sticks are successfully deployed, this does not invoke any obligation on the pursuing officers' decision to continue or terminate a pursuit. Officers are not obligated to continue across jurisdictional boundaries or under unsafe conditions because stop sticks have been used. The same guidelines will apply to the determination to continue or halt a pursuit after stop sticks have been used.
1. Stop sticks will not be deployed on any vehicle that is about to cross into another jurisdiction unless the pursuit is for a violent felony as indicated in section VII, A and the pursuing vehicle already has permission to continue the pursuit.

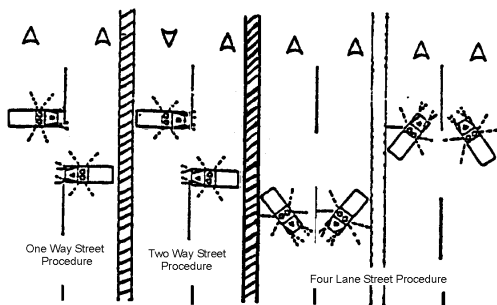
XII. ROADBLOCKS AND VEHICLE CONTACT

A. Legislative Authority

1. There are no statutes which specifically forbid or authorize a police officer to cause an intentional vehicle contact or blockade a public road in an effort to apprehend a person who has committed a crime. These tactics amount to the "seizure of a person" and must be reasonable. Officers are governed by the laws of arrest, and the Fourth Amendment requirement for reasonableness which permits "reasonable force" to affect the arrest, overcome resistance and to prevent escape. Impassable physical barriers should not be erected except in extreme need. A rolling type of stop is preferred, if it can be accomplished.
2. Careful consideration must be given before establishing a roadblock because of the personnel, material, monetary, and safety factors involved. Officers should bear in mind that causing intentional vehicle contact or contact with a barricade may be considered a force likely to result in death or serious injury and therefore will be measured by similar standards to the use of deadly force as outlined in General Order 1.02, Use of Force. This method of apprehension is not to be used in misdemeanor cases and only as a last resort in the pursuit of felony suspects.

B. Department Authority and Procedure. When officers of this Department are engaged in the direct pursuit of a fleeing felon and the supervisor determines a roadblock is necessary, other officers, under the direct control of a field supervisor, may set a roadblock in an attempt to end the pursuit and to reduce the possibility of injury to citizens or other police officers.

C. Setting The Roadblock



D. Duties at the Block Point

1. When it has been determined that a felony pursuit has been initiated, a field supervisor or commanding officer may authorize one or more roadblocks at different locations to be set in the potential path of the suspect. A roadblock does not mean barricading the roadway so that it is impossible to pass. It means creating a blockage that the suspect perceives as impossible to pass through, so that the suspect will surrender, hopefully reducing the chances of property damage and injury to suspects or possible innocent citizens.
2. Occupied vehicles and private automobiles will not be used as a barricade. Officers should remain cognizant that their first duty is to assist citizens, whenever possible, and to remove their vehicles from the path of the pursuit.
3. If circumstances prevail so that a barricade is deemed necessary to apprehend a fleeing felon who is being pursued by police officers, police vehicles may be used, if no other suitable equipment is available. The use of motorcycles, unmarked police truck chassis, 4x4 and sport utility vehicles, should be avoided if possible.
4. Once the barricade has been established:
 - a. Roll the windows in the blocking vehicles down and close the doors.
 - b. Shut off the engine.
 - c. The emergency lights must remain on.
 - d. Remove the shotgun, if feasible.
 - e. Officers must exit vehicles, stand clear of the roadblock and not voluntarily place themselves in the path of the oncoming pursuit.
 - f. Radio transmissions should be held to a minimum, other than to advise the pursuing units that the roadblock has been set.
 - g. Upon the approach to the roadblock, the pursuing units should slow down and be prepared to stop well short of the roadblock.

XIII. FOOT PURSUITS

- A. Officers of this Department will not engage in foot pursuits without articulable reasonable suspicion as stipulated in KSA 22-2402. Foot pursuits result in more injuries and lost time from duty than many activities an officer engages in during his/her tour of duty. Chasing persons merely because they run from officers does not constitute articulable reasonable suspicion or probable cause. The mere flight itself cannot be the foundation for the pursuit.
- B. Officers will secure their police vehicles before initiating a foot pursuit. A single officer may not abandon the police vehicle to chase a suspect fleeing on foot from a vehicle while other occupants of the suspect vehicle remain inside the vehicle.
- C. Officers becoming involved in a foot pursuit will immediately radio:
 1. The location and direction of the pursuit.
 2. Reason for the pursuit (type of crime suspected or known).
 3. Description of the suspect(s).
- D. Failure to provide the above information to the dispatcher may result in an immediate decision by a field supervisor assigned to monitor the pursuit to order its termination.
- E. The dispatcher responsible for the area in which the pursuit is taking place will:
 1. Clear the sub-fleet for that area and immediately assign a unit to assist the pursuing officer.
 2. Immediately notify a field supervisor who will monitor the pursuit.
 3. Coordinate and dispatch additional backup assistance under the direction of the field supervisor.
 4. Receive and record all incoming information on the pursuit and the suspect.
 5. Maintain control over the affected radio sub fleet so that affected units can communicate with each other.
 6. Relay pertinent information to other units and/or other sub fleets as directed by the engaged units.
- F. The pursuing officer will terminate the pursuit when:
 1. No field supervisor or commander can be contacted to approve continuation of the pursuit.
 2. A higher-ranking field supervisor or commander directs the pursuit to be terminated.
 - a. Sergeants may not terminate another sergeant's pursuit. However, sergeants may terminate an acting sergeant's pursuit. In no case will a supervisor or commander attempt to cancel a pursuit involving an officer of superior rank.
 3. There is a clear and unusual danger to the police officer.
 4. The pursuing unit loses radio contact with the communications unit.

- a. In this case, additional units will be sent by the affected area's dispatcher to the location to assist in locating the pursuing officer.
- G. Officers who are in foot pursuit of a subject for misdemeanor charges may only enter a home if there are articulable exigent circumstances present.
 - 1. If exigent circumstances are absent, the officer will establish a perimeter, and contact the Criminal Investigations Division to obtain a search warrant.
- H. The involved officers will complete a pursuit incident report in accordance with this order.

XIV. BICYCLE PURSUITS

- A. Officers operating Department authorized bicycles will not initiate or become involved in vehicle pursuits.
- B. Officers operating a bicycle are permitted to pursue a pedestrian or a person on another bicycle, if they have probable cause as stipulated in KSA 22-2401 to believe that the individual has committed or is committing a crime.
- C. Officers becoming involved in such a pursuit as well as affected supervisors and dispatchers will follow Department pursuit protocol as stipulated in the foot pursuit section of this order.

XV. PURSUIT REPORT

- A. Any officer that initiates a vehicle pursuit or operates as the primary or secondary unit in a vehicle pursuit will, upon the conclusion of the pursuit, whether or not an apprehension was made, complete a Police Pursuit Incident Report. This includes supervisors and commanders.
- B. Officers involved in a foot pursuit will complete a Police Pursuit Incident Report. This includes supervisors.
- C. Officers initiating a pursuit, while operating a Department bicycle, will complete a Police Pursuit Incident Report.
- D. Any officer that deploys stop sticks will complete the required shaded area of the Police Pursuit Report.
- E. The Police Pursuit Incident Report will be completed and turned into the supervisor who authorized or terminated the pursuit, before the end of the officer's tour of duty, for review and approval.
- F. The supervisor or commander that authorized the continuation of the pursuit, or directed its termination, will review the reports of the officers, complete a Supervisor's Report of Pursuit Investigation and determine if Department policy has been complied with, detect any training deficiencies, and recommend action.
 - 1. If a pursuit is terminated based upon a supervisors decision, the supervisor terminating the pursuit shall document their reason for termination in the Supervisors report.
- G. Originals of the Police Pursuit Incident Report along with the Supervisor's Report of Pursuit Investigation will be forwarded to the officer's Station or Unit Commander for review. Once the Station or Unit Commander's review is complete, the original report will be forwarded to the Case Screening Unit for processing. After processing, report copies will be forwarded, by Records Personnel, to:
 - 1. The officer's Bureau Director.
 - 2. The Bureau of Operations will maintain the department's pursuit database.

XVI. VEHICULAR PURSUIT REVIEW

- A. In-car AVL, video, and audio recording equipment will be thoroughly reviewed by the supervisor that authorized the pursuit, the commander that authorized the continuation of the pursuit, or directed its termination. As a part of this review, the reviewing supervisor, or commander will determine if Department policy has been complied with, detect any training deficiencies, and recommend action, if necessary, in the Supervisor's Report of Pursuit Investigation. (Reference XIV, H)
 - 1. This review will include all units that actively participated or were assigned to assist the pursuit. Uninvolved units in the division will also be reviewed to ensure they were not involved.
 - 2. The supervisor or commander's investigative findings will be documented in a Supervisor's Report of Pursuit Investigation. Any additional factors, such as malfunctioning recording equipment, or AVL, will also be documented in this report by the author.
 - 3. A Division or Unit commander shall conduct monthly audits in compliance with General Order 80.09, Section XII.
- B. The Defensive Driving Coordinator will:
 - 1. Review all pursuit documentation to identify the need for remedial training of individual officers or specific areas of emphasis in Department wide training regarding defensive driving and the application of pursuit policies and procedures.
 - 2. Prepare a yearly annual analysis identifying any needed modifications in Department pursuit procedures.

XVII. TRAINING

- A. Officers shall attend in-service defensive driving training as required. Defensive driving training may consist of, but will not be limited to, knowledge of applicable statutes, familiarization with pursuit policy and Department procedures, decision-making issues, and a review of previously documented pursuits.