
	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>201.50 PURSUIT DRIVING POLICY</b>
	<b>Effective Date: March, 2013</b>
	<b>Approved:</b> _____  <b>Chief of Police</b>

**I. Policy Statement**

Operation of an emergency vehicle is one of the most serious duties and responsibilities of the police officer. The policy of the Mesquite Police Department is to conduct motor vehicle pursuits with the highest regard for life and property. Regardless of the purpose of a vehicular pursuit, the objectives must always be weighed against the risks, including the possibility of injury or death. When an officer believes, through knowledge and awareness of facts, that engaging in or continuing to engage in a pursuit creates an unnecessary risk, the pursuit should be terminated. The decision to pursue or to discontinue pursuit must be based on facts and potential consequences known to the officer.

With the authority to operate an emergency vehicle comes a solemn responsibility. When a pursuit exposes any person to danger beyond a reasonable societal need to arrest the offender, the officer shall immediately terminate the pursuit.

**II. Definition**

Pursuit: An event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is trying to avoid arrest using high-speed driving or other evasive tactics or who is willfully failing to yield to the officer's signal to stop.

**III. General**

- A. Patrol Supervisors shall assert control by monitoring any pursuit and taking appropriate action to ensure compliance with this policy and the safety of the public, the officers, and the violator. This provision shall not be interpreted to relieve the officer of his concurrent responsibility to comply with policy and safety.
- B. A Police Officer shall discontinue a pursuit if, in his opinion, the need for the pursuit is outweighed by the potential danger to the public, to the officer, or to the violator.
- C. A Police Supervisor shall order a pursuit discontinued if, in his opinion, the need for the pursuit is outweighed by the potential danger to the public, to the officers, or to the violator.
- D. During vehicle pursuits, officers shall comply with state law, including the Texas Transportation Code, Chapter 546. Officers shall also comply with all applicable written directives. Pursuit driving does not relieve an officer from the duty to drive with due regard for the safety of all persons.
- E. Only marked police cars equipped with siren and permanently-affixed roof-mounted emergency lights, and/or marked police cars equipped with siren and permanently-affixed interior/exterior emergency strobe lighting systems shall be utilized in a pursuit. Unmarked police cars or civilian vehicles shall not be utilized in a vehicle pursuit.
- F. If authorized by a supervisory officer, deviation from the procedures outlined in this order is authorized when immediately necessary to protect the life or safety of any person. Such deviation will be based upon careful consideration by the supervisor of all factors involved in the pursuit.

**IV. Procedures**

- A. Pursuing Officer(s)
  - 1. Any officer involved in a pursuit must constantly evaluate the need to pursue based upon factors including, but not limited to, the following:
    - a) Seriousness of the offense known to the police;
    - b) Nature and extent of traffic;

- c) Weather conditions and other environmental factors.
  - d) The driving behavior of the suspect.
  - e) The potential, if any, for identifying and arresting the suspect at a later time.
2. The officer who first engages in a vehicle pursuit is the Primary Officer.
  3. The Primary Officer shall:
    - a) Notify the Public Safety Dispatcher of the fact of the pursuit, using the terminology "[Unit #] IN PURSUIT" or "[Unit #] 10-80";
    - b) Give the location, direction of travel, and approximate speed;
    - c) Give the nature of the offense;
    - d) Give the suspect vehicle description;
    - e) Give the number and description of occupants; and
    - f) Describe traffic congestion and conditions.
  4. The Primary Officer shall maintain sufficient distance between his vehicle and the suspect vehicle to avoid an accident involving both vehicles.
  5. Routine radio traffic will cease during a pursuit.
  6. Emergency lights and sirens shall be activated immediately during a pursuit and shall remain activated until the pursuit is terminated.
  7. A total of three police vehicles are authorized for involvement in a pursuit:
    - a) The Primary Officer,
    - b) One Secondary Officer, and
    - c) One Controlling Supervisor.
  8. Exception: The Primary or Secondary Officer may request, and the Controlling Supervisor may approve, an additional vehicle or vehicles to support the pursuit if it appears that additional police presence will be necessary to safely affect the arrest or to control access to the pursuit area.
    - a) Such support will be termed Support Officer(s).
    - b) Emergency lights and sirens shall be activated and all available video equipment utilized.
    - c) It shall be incumbent on the Support Officer(s) to stay out of the path of the pursuit.
    - d) Support Officers shall not make a deliberate attempt to take over the primary or secondary role in the pursuit.
    - e) Other than the Primary Officer, the Secondary Officer, and the Controlling Supervisor, officers who have not been specifically authorized by the Controlling Supervisor shall not participate in a pursuit as Support Units or in any other capacity.
  9. The Secondary Officer will be responsible for radio communications.
  10. The Secondary Officer, the Controlling Supervisor, and any Support Officers shall maintain sufficient distance between vehicles to avoid an accident.
  11. Helicopter assistance should be requested of the Dallas Police Department or the Department of Public Safety in pursuits of known or suspected felons.
  12. The officer shall not:
    - a) Initiate a collision between the police vehicle and the suspect vehicle;
    - b) "Box in" or surround the suspect vehicle; or
    - c) Overtake, drive next to, or attempt to force the suspect vehicle off the roadway.
    - d) Use a roadblock.
  13. The officer shall not continue a pursuit the wrong way on any one way street, highway, or roadway. (Not intended to prohibit pursuit on adjacent roadway where the officer is driving with the traffic flow)

14. The firing of a firearm from a moving police vehicle is prohibited, unless immediately necessary to protect the life or safety of the officer or a third person. (See Section 213.00, Use of Non-Lethal and Lethal Force.)
  15. The firing of a firearm at a fleeing vehicle is prohibited, unless immediately necessary to protect the life or safety of the officer or a third person. (See Section 213.00, Use of Non-Lethal and Lethal Force.)
  16. Police Vehicles occupied by persons other than Mesquite Police Officers (such as prisoners, witnesses, suspects, complainants, Police Explorer Scouts, Public Safety Dispatchers, Citizen Police Academy Alumni, civilian passengers of on or off-duty officers, etc.) shall not be involved in any pursuit.
- B. Tire Deflation Devices
1. In order to quickly and safely end a pursuit, a supervisor may authorize the use of a department approved tire deflation device (Stop Sticks) under the following circumstances:
    - a) There is probable cause to believe the suspect has committed an offense justifying the arrest of the suspect.
    - b) The officer has attempted to stop the vehicle using both emergency lights and siren and reasonably believes the suspect knows the officer is attempting to stop the suspect.
    - c) The suspect fails or refuses to stop the vehicle.
  2. The safety of officers, citizens and suspects should be of the utmost concern, and careful planning and evaluation of a deployment location is essential.
    - a) The deploying officer should choose a location that has natural barriers that may provide additional protection such as overpasses and guardrails if possible.
    - b) Situations including traffic, construction, special events, schools in session, residential areas and other activities may create circumstances where the use of a tire deflation device would be inappropriate.
    - c) The deployment location should be far enough ahead of the pursuit to allow for adequate set up time and line of sight.
    - d) The deploying officer's vehicle should be positioned in such a manner to provide additional warning to the suspect and pursuing officers as well as providing additional protection for the deploying officer. All emergency lights on the deploying officer's vehicle will be activated.
    - e) The deploying officer's vehicle will not be positioned in such a manner as to block the path of the pursuit or all emergency escape paths adjacent to the device.
    - f) Prior to deployment, the deploying officer will notify the pursuing officer by radio of their location and readiness. The tire deflation device WILL NOT be deployed if this information is not received by the pursuing officer.
    - g) Suspect vehicle information should be relayed by the pursuing officer to dispatch who will relay necessary information to the deploying officer. The deploying officer should make visual target identification prior to deployment to reduce the possibility of error.
    - h) The tire deflation device will be deployed in a manner consistent with the officer's training and in accordance with the manufacturer's recommendations.
    - i) The pursuing officer will reduce his speed prior to reaching the deployment location to allow the deploying officer time to deploy and retrieve the Stop Sticks before passing through.

- j) Deploying officers will refrain from entering the roadway to retrieve any deflation device until it can be done in a safe manner after all pursuing vehicles have passed.
  - 3. Tire deflation devices will not be used to stop the following vehicles without the express order to do so from a supervisory officer:
    - a) Vehicles with less than four wheels.
    - b) Vehicles transporting hazardous material.
    - c) School buses transporting passengers.
    - d) Public transportation vehicles transporting passengers.
    - e) Any vehicle that would pose an unusual hazard to innocent parties.
  - 4. The deploying officer is responsible for securing the equipment after use. This includes searching the area and collecting loose spikes or debris from the deployment.
  - 5. In the event the primary pursuing officer's vehicle becomes disabled as a result of striking the tire deflation device, the officer will immediately pull over and stop and the secondary unit may continue the pursuit.
  - 6. Only full time sworn personnel with department recognized training will be allowed to deploy a tire deflation device.
  - 7. Storage of the device  
The tire deflation device will be mounted in the trunk area on assigned vehicles in the manufacturer's carrying sleeve in a manner ready for deployment.
  - 8. Outside Agency Pursuits - The use of a tire deflation device to stop a vehicle being pursued by an outside agency will only be allowed if:
    - a) The use would fall within the guidelines of a pursuit initiated by the Mesquite Police Department.
    - b) The pursuing agency has requested and been made aware of the deployment to prevent their vehicles from hitting the device.
  - 9. Repair and Replacements - If the tire deflation device is struck by any vehicle, the device is no longer fully functional and should be replaced as soon as possible. If any device is deployed, the officer deploying the deflation device will inspect the unit for damage. If the deflation device is inspected and the officer finds the unit was not struck by a vehicle and was not damaged, return the sleeved device to the tray for the next deployment situation
    - a) Any officer who deploys a tire deflation device and the device is struck by a vehicle, shall contact the property room during normal business hours for a replacement.
    - b) An officer who has a tire deflation device struck will complete a Stop Tech Ltd. "Pursuit Reporting Form" to document the use of the device. This is completed due to replacement and warranty usage.
- C. Communications Personnel
  - 1. The Public Safety Dispatcher shall broadcast information pertinent to the pursuit to other police units.
  - 2. The Public Safety Dispatcher shall immediately identify and designate the closest patrol supervisor as the Controlling Supervisor.
  - 3. The Public Safety Dispatcher shall advise pursuit vehicles of any known hazards (such as accidents, street closures, etc.) in the apparent path of the pursuit.
  - 4. The Public Safety Dispatcher shall advise a neighboring police agency of any pursuit which appears to be about to enter that jurisdiction.
  - 5. The Public Safety Dispatcher shall record the details of the pursuit in the notes field of the Incident Record.
  - 6. The shift supervisor will coordinate the Communications Center activities during a pursuit.

- D. Controlling Supervisor
  - 1. The Controlling Supervisor shall monitor all radio communications to ensure that only authorized vehicles participate in the pursuit.
  - 2. If the Primary Officer has not provided the necessary information to allow the supervisor to assess the situation and conditions, (required by Section III. A. 3, above) the supervisor shall request it. If it is not provided upon request, the Controlling Supervisor shall order the pursuit terminated. If, in the opinion of the Controlling Supervisor, the Primary Officer is unable to broadcast information appropriately, the pursuit shall be terminated.
  - 3. The Controlling Supervisor shall continuously balance the need to immediately apprehend the suspect and the risk created by the pursuit. When the risk outweighs the need to immediately apprehend the suspect, the supervisor will terminate the pursuit. This decision shall be based on factors including, but not limited to, the following:
    - a) Seriousness of the offense known to the police;
    - b) Nature and extent of traffic;
    - c) Weather conditions and other environmental factors;
    - d) The driving behavior of the suspect; and
    - e) The potential, if any, for identifying and arresting the suspect at a later time.
- V. Conditions Under Which Pursuit Shall Be Discontinued
  - A. Pursuit SHALL BE discontinued at the order of the Controlling Supervisor. The controlling supervisor may only be overruled by a supervisor of higher rank.
  - B. Pursuit SHALL BE discontinued during any significant or extended loss of visual contact with the suspect vehicle.
  - C. Pursuit SHALL BE discontinued if unsafe weather conditions are encountered.
  - D. Pursuit SHALL BE discontinued if unsafe road conditions are encountered.
  - E. Pursuit SHALL BE discontinued if unsafe traffic conditions are encountered or predicted.
  - F. Pursuit SHALL BE discontinued while in a School Zone (during normal school zone hours).
  - G. Pursuit SHALL BE discontinued if a malfunction affecting safety, radio communications, or emergency warning devices develops in the police vehicle.
  - H. Pursuit SHALL BE discontinued when the actions of other police agencies or individuals increase the danger in such a manner as to outweigh the need for the pursuit, considering the conditions existing at the time. This includes any action on the part of another police agency which contradicts the Interjurisdictional Pursuit Agreement (included herein as Section V), whether or not that agency is a party to that agreement.
  - I. Pursuit SHALL BE discontinued if the pursuit extends over an unreasonable distance or unreasonable length of time. (Exception: The controlling supervisor may authorize continued pursuit if the offense is a serious felony necessitating immediate apprehension.)
  - J. Pursuit SHALL BE discontinued when the danger created by the pursuit outweighs the necessity for immediate apprehension.
- VI. Interjurisdictional Pursuits
  - A. The Mesquite Police Department is a signatory to the Interjurisdictional Pursuit Policy Agreement. Officers of the Mesquite Police Department shall abide by the provisions of that agreement unless directed to the contrary by competent authority. In case of conflict between the local policy and the Interjurisdictional Pursuit Policy Agreement, the MPD policy takes precedence. The provisions of the Interjurisdictional Pursuit Policy Agreement are as follows:
    - B. Interjurisdictional Pursuit Policy Agreement
      - 1. General Considerations

- a) If the reason or nature of the pursuit is in conflict with an agency's pursuit policy, that agency may decline to participate in the pursuit even though their assistance has been requested.
  - b) Any agency involved in the pursuit may choose to terminate their involvement at any time the agency believes the pursuit places the lives and property of both the public and/or the officers involved at undue risk.
2. Notifications
- a) Before entering another jurisdiction, or as soon as practical, the pursuing agency will notify the other jurisdictional agency of the following information:
    - (1) A pursuit has entered or is about to enter their jurisdiction.
    - (2) The location and direction of travel.
    - (3) The primary offense for which the vehicle and occupants are wanted.
    - (4) The vehicle license number and complete description of vehicle and occupants.
    - (5) The number and description of pursuing units as well as their relative location to the vehicle being pursued.
    - (6) Whether or not assistance is needed.
  - b) As appropriate, the initial agency will notify the jurisdictional agency that the pursuit is: (1) leaving the jurisdiction, (2) has been discontinued, or (3) has ceased and of the ending location.
3. Control of the Pursuit
- a) The initiating agency will have control of and will be responsible for the pursuit. Other agencies will not participate unless requested to assist.
  - b) A total of no more than (3) vehicles from the combined jurisdictions will be involved in any pursuit. At least one of the three involved units should be a supervisor. One additional unit from the current respective jurisdiction may trail the pursuit, by keeping the pursuit in sight from a distance to assist officers if needed.
4. Prohibited Practices
- a) The intentional use of roadblocks designed to stop the pursued vehicle.
  - b) Intentional bumping or ramming of the pursued vehicle.
  - c) Intentionally forcing the pursued vehicle off the roadway.
  - d) Pursuing a vehicle the wrong way on a one-way street or the wrong way on a divided roadway.
  - e) Shooting at the pursued vehicle, unless necessary to protect against imminent death or serious bodily injury to an officer or another person.
5. Responsibilities
- a) Initiating Agency
    - (1) Arrest and custody of the persons charged.
    - (2) Arraignment of arrested persons.
    - (3) Disposition of any passenger.
    - (4) Disposition of the arrested person's vehicle.
    - (5) Coordination of all reports related to the arrest, citations and criminal charges.
  - b) Agency of Primary Jurisdiction
    - (1) Reporting of any traffic collision(s) that occur as a result of a pursuit.
    - (2) As a matter of professional courtesy, a supervisor from the agency where the pursuit ceases will respond to the location to

offer immediate assistance at the scene and to determine any pertinent information regarding the pursuit.

VII. Documentation

- A. At the conclusion of the pursuit, the controlling supervisor shall complete a Pursuit Analysis Report (Exhibit No. 200-1).
- B. The controlling supervisor and the Watch Commander will review all pursuit documentation and complete a Pursuit Analysis Report documenting compliance or noncompliance with departmental pursuit policy.
- C. The Communications Shift Supervisor and any other personnel involved in a pursuit in any capacity may be required to prepare a memorandum documenting compliance or non-compliance with departmental pursuit policy.
- D. The Bureau Commander will ensure that appropriate follow-up action is taken, and make recommendations which may improve the quality of pursuit policy and training.
- E. The Chief of Police will designate a person or persons to annually review all pursuits. A report will be created in the form of a memorandum to the Chief of Police. The report will also attempt to identify trends and draw conclusions about the need for changes in policy, training, or equipment.

EFFECTIVE: April, 1986; REVISED: September, 1990; FORMERLY: C/86-42, C/84-42; REVISED: January, 1992; FORMERLY: 209.00; REVISED: January, 1996; REVISED: March, 1997; AMENDED July, 1997; REVISED: August, 2003; REVISED: August, 2011; REVISED: March, 2013

MESQUITE POLICE DEPARTMENT  
PURSUIT ANALYSIS REPORT

**PURSUIT INFORMATION:**

Service Number: \_\_\_\_\_ Date of Pursuit: \_\_\_\_\_ Speed Ranges: Low: \_\_\_\_\_ High: \_\_\_\_\_

Location Pursuit Originated: \_\_\_\_\_ Time Pursuit Started: \_\_\_\_\_

Location Pursuit Ended: \_\_\_\_\_ Time Pursuit Ended: \_\_\_\_\_

Initial Violation / Reason for Pursuit: \_\_\_\_\_

Was Pursuit Terminated  Yes  No

If Yes, by  Primary Officer  Controlling Supervisor  W/C

Reason Terminated: \_\_\_\_\_

**OFFICERS INVOLVED**      **UNIT #**      **TIME**      **LOCATION ENTERED PURSUIT**

Primary Officer:	_____	_____	_____	_____
Secondary Officer:	_____	_____	_____	_____
Controlling Supervisor:	_____	_____	_____	_____
Support Unit:	_____	_____	_____	_____
Support Unit:	_____	_____	_____	_____
Other Agencies Involved:	_____			
Watch Commander On-Duty:	_____			

**SUSPECT INFORMATION**

Driver's Name: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ DOB: \_\_\_\_\_

Driver Arrested:  Yes  No  
If yes, by:  MPD  Other Agency: \_\_\_\_\_

Location of Arrest: \_\_\_\_\_

Charges Filed: \_\_\_\_\_

**ADDITIONAL SUSPECT INFORMATION**

Suspect #2 Name: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ DOB: \_\_\_\_\_

Suspect Arrested:  Yes  No  
If yes, by:  MPD  Other Agency: \_\_\_\_\_

Location of Arrest: \_\_\_\_\_

Charges Filed: \_\_\_\_\_

Suspect #3 Name: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ DOB: \_\_\_\_\_

Suspect Arrested:  Yes  No  
If yes, by:  MPD  Other Agency: \_\_\_\_\_

Location of Arrest: \_\_\_\_\_

Charges Filed: \_\_\_\_\_

**VEHICLE INFORMATION**

Suspect Vehicle: Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ License Plate: \_\_\_\_\_

Impounded:  Yes  No      Impound Location: \_\_\_\_\_



**ACCIDENT / DAMAGE INFORMATION**

Was an Accident Involved in the Pursuit:  Yes  No

Location: \_\_\_\_\_

What Agency Worked the Accident: \_\_\_\_\_ Service Number: \_\_\_\_\_

Damage to City Vehicle(s):  Yes  No Unit #(s): \_\_\_\_\_

Damage to Suspect Vehicle:  Yes  No

Damage to Non-Involved Vehicle(s) / Property:  Yes  No

**INJURY INFORMATION**

Officers Injured:  Yes  No Name(s): \_\_\_\_\_

Hospitalized:  Yes  No If yes, Where: \_\_\_\_\_

Suspect(s) Injured:  Yes  No Name(s): \_\_\_\_\_

Hospitalized:  Yes  No If yes, Where: \_\_\_\_\_

Non-Involved Person Injured:  Yes  No Name(s): \_\_\_\_\_

Hospitalized:  Yes  No If yes, Where: \_\_\_\_\_

**WEATHER CONDITIONS:**  Clear  Cloudy  Rain  Snow  Ice  Fog

**LIGHTING CONDITIONS:**  Dawn  Daylight  Dusk  Darkness

**ATTACH COPIES OF CALL SHEET AND ARREST REPORT(S), IF SUSPECT(S) ARRESTED.**

\_\_\_\_\_  
Primary Officer Date

\_\_\_\_\_  
Controlling Supervisor Date  Yes  No This pursuit complied with department policy.

\_\_\_\_\_  
Watch Commander Date  Yes  No This pursuit complied with department policy.

\_\_\_\_\_  
Bureau Commander Date  Yes  No This pursuit complied with department policy.

\_\_\_\_\_  
Asst. Chief of Police Date  Yes  No This pursuit complied with department policy.

\_\_\_\_\_  
Chief of Police Date