



# Department of State Police General Order

Effective Date	<b>May 10, 2012</b>	Number	<b>TRF-04</b>
Subject	<b>Motor Vehicle Pursuits</b>		

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**Purpose** This policy provides guidelines for the pursuit of motor vehicles.

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**Policy** A motor vehicle pursuit is justified when the necessity of the apprehension of a suspect outweighs the risk created by the pursuit.

Officers shall continually evaluate all circumstances surrounding a pursuit. If the degree of danger to the public, the pursuing officer(s), and/or the suspect(s) is greater than the necessity for immediate apprehension, a pursuit should not be initiated, or if in progress terminated.

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**Definitions**

*Vehicular Pursuit:* An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

*Densely Populated Area:* An established city or town that is thickly settled and/or comprised of a business district marked by compactness, pedestrian and vehicular traffic.

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**Prohibited Pursuits** Pursuits of motorcycles **shall be prohibited**, unless the suspect poses an imminent threat of death or serious bodily harm to the public or officers.

When a member initiates or signals the operator of a motorcycle to stop for a motor vehicle violation and recognizes that the violator is refusing to stop, the member shall:

- Terminate any further pursuit, unless the suspect poses an imminent threat of death or serious bodily harm to the public or officers.

The Troop Duty Officer shall:

- Immediately assume command and control when circumstances result in a request for a CODE 1 regarding pursuit of a motorcycle; and
- Terminate the pursuit, unless the suspect poses an imminent threat of death or serious bodily harm to the public or officers.

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**Initiating a Pursuit**

If a violator fails to stop when signaled to do so and operates in such a manner as to avoid capture, officers must first recognize the potential risk to public safety before initiating a pursuit. Consideration should be given to tactics that reduce the opportunity for a suspect to flee apprehension.

If the degree of danger to the public, the pursuing officer(s), and/or the suspect(s) is greater than the necessity for immediate apprehension a pursuit should not be initiated or, if in progress terminated.

Factors to consider include:

- Probability of apprehension;
- Type of vehicle being pursued;
- Offense;
- Availability of assistance;
- Speed and driving behavior;
- Presence of passengers;
- Location, visibility, weather, road conditions, and the time of day;
- Volume of vehicular and pedestrian traffic; and
- Other circumstances or conditions which mitigate or aggravate hazards associated with the pursuit.

**Termination of Pursuits**

Officers shall immediately terminate a pursuit when any of the following conditions exist:

- When a pursuit for a civil infraction, misdemeanor, or non-violent felony enters into a densely populated area or heavily congested roadway;
- If radio communications with the Troop Duty Officer cannot be established or lapse during the pursuit;
- When the initiating officer or Troop Duty Officer determines that the risks of continuing the pursuit are outweighed by the risk to public safety; or
- When ordered to do so. Termination orders shall be immediately acknowledged.

When an officer terminates a pursuit they shall immediately deactivate all emergency visual and audible systems.

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**Pursuit  
Responsibilities**

<b>Position</b>	<b>Duties</b>
Primary Pursuit Officer	<p>Shall:</p> <ul style="list-style-type: none"> <li>• Request a <b>CODE 1</b> and broadcast cruiser number, location, direction of travel, speed and traffic conditions;</li> <li>• Activate all emergency visual and audible systems;</li> <li>• Provide the original reason for the attempt to stop the motor vehicle and a vehicle description;</li> <li>• Continually broadcast the location, direction, speed, and road conditions;</li> <li>• Operate cruiser in accordance with General Order ADM-19A Vehicle Use and Maintenance and MGL c.89 s.7B and continually re-evaluate the risk to public safety;</li> <li>• Advise the Troop Duty Officer and render assistance to any civilian vehicle involved in a crash;</li> <li>• Assistance to injured parties shall take precedence over the continuation of the pursuit; and</li> <li>• Conduct a comprehensive follow-up investigation in the event the operator eludes apprehension.</li> </ul> <p><b><u>Out of State Pursuits</u></b></p> <ul style="list-style-type: none"> <li>• Officers shall not pursue a fleeing vehicle across the territorial boundaries of the Commonwealth and into another state for a misdemeanor; and</li> <li>• Officers may pursue felony suspects into other states only when authorized by the Troop Duty Officer.</li> </ul>
Station Desk Officer	<p>Shall immediately:</p> <ul style="list-style-type: none"> <li>• Notify the Troop Duty Officer of a pursuit and request <b>CODE 1</b>;</li> <li>• Receive, record, and coordinate information on the pursuit and the pursued vehicle with the Troop Duty Officer and other law enforcement agencies; and</li> </ul>

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**Pursuit Responsibilities (Continued)**

Position	Duties
Station Desk Officer	<ul style="list-style-type: none"> <li>Ensure that all pertinent information regarding the pursuit is entered into the Daily Administrative Journal (DAJ) and forwarded to the Troop Duty Officer.</li> </ul>
Assisting Pursuit Officer(s)	<p>Shall immediately:</p> <ul style="list-style-type: none"> <li>Notify the Troop Duty Officer of their participation in the pursuit;</li> <li>Maintain a safe distance behind the primary unit, but be close enough to provide aid; and</li> <li>Assume radio communication if and when required.</li> </ul> <p><u>Only two (2) State Police vehicles may engage in active pursuit.</u> The Troop Duty Officer may permit additional State Police officers to assist in a pursuit if they determine extraordinary circumstances exist.</p> <p>State Police vehicles not directly engaged in the pursuit, but in close proximity to the pursuit shall immediately notify the Troop Duty Officer.</p> <p>These officers shall position themselves on alternate/parallel roadways to provide assistance in the event the suspect eludes the pursuing officer(s) or flees on foot; or as otherwise directed by the Troop Duty Officer.</p>
Troop Duty Officer	<p>Shall immediately:</p> <ul style="list-style-type: none"> <li>Initiate a <b>CODE 1</b>;</li> <li><u>Personally broadcast</u> that they have assumed “command and control” of the pursuit;</li> <li>Ascertain the cruiser number(s) of the involved officer(s); location, direction of travel, speed, and traffic conditions;</li> <li>Determine the original reason for the attempt to stop the motor vehicle;</li> <li>Obtain the vehicle description, including plate number, if known, and number of occupants;</li> <li>Continually evaluate the risk to the public, and the pursuing officer(s), as such risks relate to the necessity for immediate apprehension;</li> </ul>

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**Pursuit Responsibilities (Continued)**

Position	Duties
Troop Duty Officer	<ul style="list-style-type: none"> <li>• Utilize State Police Air Wing (if available); and</li> <li>• Direct State Police K-9 units to respond to the general area (if available).</li> </ul> <p><b><u>Mandatory Termination</u></b> In the event the Pursuit Officer fails to transmit the required information to the Troop Duty Officer, said Duty Officer shall terminate the pursuit.</p> <p>If the degree of danger to the public, the pursuing officer(s), and/or the suspect(s) is greater than the necessity for immediate apprehension, a <u>pursuit should not be initiated, or if in progress, terminated.</u></p> <p><b><u>Authority</u></b> Regardless of the rank of the pursuing officer, the Troop Duty Officer shall remain in command and control of the pursuit for the entire duration.</p> <p><b><u>Inter-Troop Pursuits</u></b> The Troop Duty Officer of jurisdiction shall assume command and control once the pursuit enters their Troop. Adjoining Troop Duty Officers shall be notified of pursuits that are in close proximity to their jurisdiction and may enter into their area of responsibility.</p> <p>When a pursuit enters into another Troop the originating Duty Officer shall remain in command and control until the adjoining Troop Duty Officer personally broadcasts that they have assumed “command and control” of the pursuit.</p> <p><b><u>Note: Only the Duty Officer from the originating Troop shall complete the pursuit evaluation.</u></b></p>

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**Pursuit Responsibilities (Continued)**

Position	Duties
Troop Duty Officer	<p><b><u>Inter-Jurisdictional Pursuits</u></b> Troop Duty Officers shall notify other law enforcement agencies when a State Police pursuit is within their primary jurisdiction. They shall factor into their consideration any additional information bearing on the pursuit provided by said law enforcement jurisdiction.</p> <p>Request for their assistance or;</p> <ul style="list-style-type: none"> <li>• Courtesy notification with <u>NO</u> participation requested.</li> </ul> <p><b><u>Out of State Pursuits</u></b> If a felony has been committed, the Troop Duty Officer may authorize the pursuing officer(s) to continue to pursue into another state. If this occurs, the Troop Duty Officer shall immediately:</p> <ul style="list-style-type: none"> <li>• Notify the law enforcement agency of jurisdiction and request their assistance;</li> <li>• Require that the first out-of-state law enforcement vehicle that joins the pursuit become the primary pursuit vehicle; and</li> <li>• Direct the Massachusetts State Police vehicle to become a backup unit; and</li> <li>• Direct the MSP officer(s) involved to return to the Commonwealth as soon as the pursuit investigation is terminated.</li> </ul> <p><b><u>Crash Investigations</u></b> The Troop Duty Officer shall assign a supervisor to investigate all crashes associated with a State Police pursuit.</p>

**Other Law Enforcement Agency Pursuits**

Once a law enforcement agency notifies the State Police that they are in pursuit the caller must be identified and specifically asked:

- Whether they are making a request for State Police assistance; or
- Making a courtesy notification with NO State Police participation requested.

Once a request for assistance is made, the Troop Duty Officer shall determine if the State Police shall participate. If approval is granted, State Police officer(s) shall act as a secondary unit to the other agency's officer unless otherwise directed by the Troop Duty Officer.

All State Police officers directly or indirectly involved in a pursuit initiated by another law enforcement agency shall adhere to all of the requirements established in State Police General Orders, as well as Rules and Regulations.

**Pursuit Driving  
Tactics**

Deliberate Contact – Shall be prohibited unless specifically authorized and ordered by the Troop Duty Officer, Troop Commander, or Command Staff Member and where the suspect poses an imminent threat of death or serious bodily harm to the public or officers.

Tire Deflating Devices – Should be considered as an effective option for bringing a pursuit to conclusion for passenger vehicles only. The use of these devices is prohibited for motorcycles, buses, and trucks. (Refer to TRF-21 for additional details.)

Caravanning - Only two (2) State Police vehicles may engage in active pursuit. The Troop Duty Officer may permit additional State Police officers to assist in a pursuit if they determine extraordinary circumstances exist.

Units Paralleling – Additional State Police officers may operate with emergency visual and audible systems activated and assist by paralleling the pursuit or pre-position themselves at likely avenues of escape. These assisting units are strictly prohibited from direct/active pursuit unless specifically authorized by the Troop Duty Officer.

Passing – Attempts to pass another police vehicle are strictly prohibited, unless the police vehicle is disabled or ordered by the Troop Duty Officer.

Spacing – All units in pursuit shall space themselves at a safe distance to ensure proper braking and reaction time.

State Police Motorcycles – SHALL NOT become involved in a pursuit.

Unmarked State Police Vehicles – Officers operating unmarked State Police vehicles shall only engage in pursuits if they are equipped with emergency visual and audible systems and shall allow a marked/semi-marked unit to assume the primary pursuit position at the earliest opportunity. The unmarked vehicle shall then become the assisting unit until an additional marked/semi marked State Police vehicle can assume the secondary role. Once two (2) marked/semi marked State Police vehicles have become actively involved in the pursuit, the unmarked vehicle shall immediately disengage from the pursuit unless specifically authorized by the Troop Duty Officer to continue involvement in the pursuit.

Reckless/Hazardous Driving – Officers shall not duplicate the reckless operation displayed by fleeing suspects. Officers are strictly prohibited from wrong way operation.

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**Post Pursuit Documentation and Review**

Position	Duties
Pursuit Officer	Provide the Troop Duty Officer with relevant information so they can complete the SP 343 Pursuit Evaluation Form.
Troop Duty Officer	<ul style="list-style-type: none"> <li>• Ensure that the Desk Officer has entered all pertinent information into the DAJ and the entry is forwarded to Troop Headquarters;</li> <li>• Complete all required entries in the Troop Headquarters DAJ;</li> <li>• Ensure that the Troop Headquarters DAJ entry is included in the Daily AM Report;</li> <li>• Complete the electronic RAMS Pursuit Evaluation; and</li> <li>• Ensure a follow-up investigation occurs for suspects who elude apprehension.</li> </ul>
Deputy Superintendent	<ul style="list-style-type: none"> <li>• Appoint members to the Pursuit Review Committee.</li> </ul>
Pursuit Review Committee	<ul style="list-style-type: none"> <li>• Examine each pursuit and ensure compliance with this policy and report their findings to the Deputy Superintendent.</li> </ul>

**References**

ADM-19A Vehicle Use and Maintenance  
 TRF-12 Traffic Crash Investigation  
 TRF-21 Tire Deflating Devices  
 MGL c. 89 s.7B

Promulgated By:  
Colonel Marian J. McGovern