

**PLANNING AND DEPLOYMENT**  
**TRANSMITTAL OF WRITTEN DIRECTIVE**

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BOARD OF POLICE COMMISSIONERS

**FOR SIGNATURE OF:** James E. Craig, Chief of Police

**TYPE OF DIRECTIVE:** Manual Directive 303.2

**SUBJECT:** VEHICULAR PURSUITS

**ORIGINATED OR REQUESTED BY:** Planning and Deployment

**APPROVALS OR COMMENTS:**

The above referenced was reviewed by Risk Management. Revisions are marked in strikethroughs, bold, and italics.

**APPROVED**  
JUN 06 2017  
*[Signature]*  
ASSISTANT CHIEF  
ADMINISTRATIVE OPERATIONS

**APPROVED**  
JUN 06 2017  
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SECOND DEPUTY CHIEF  
POLICE LEGAL ADVISOR

**AFTER THE DIRECTIVE IS APPROVED AND SIGNED, PLEASE RETURN TO  
PLANNING AND DEPLOYMENT.**

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CHECKED JUN 10 2017



<b>Series</b> 300 Support Services	<b>Effective Date</b>	<b>Review Date</b> Annually	<b>Directive Number</b>  303.2
<b>Chapter</b> 303 - Facilities and Equipment			
<b>Reviewing Office</b> Risk Management Bureau			<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces <input checked="" type="checkbox"/> Revised <small>Revisions in <i>italics</i></small>
<b>References</b>			

**VEHICULAR PURSUITS**

**303.2 - 1 PURPOSE**

This directive outlines the responsibilities of sworn members in regards to **regarding** vehicular pursuits. The Detroit Police Department places the highest value on the lives and safety of its officers and the public at large. The Department also recognizes its responsibility to apprehend persons who endanger the public by fleeing to avoid prosecution. However, vehicle pursuits shall not be conducted in such a manner as to recklessly endanger the lives of officers **Department members** and/or citizens.

**303.2 - 2 POLICY**

While operating Department vehicles in emergency situations, all members shall evaluate the seriousness of the offense and the risk of initiating the pursuit. Although police officers **sworn members** are exempted under state law from the observation of certain traffic regulations, in various circumstances, they are required by law and Department policy to maintain control of their vehicle at all times, and must recognize that the safety of the public is a **the** primary concern.

**303.2 - 3 Definitions**

**303.2 - 3.1 Catching up to a Vehicle**

*For the purpose of this directive, catching up to a vehicle means a marked or semi-marked Department vehicle may exceed the prima facie speed limit (while still obeying all other traffic laws) for the purpose of catching up to, identifying, and stopping a criminal and or traffic violator.*

**303.2 - 3.2 Due Regard for the Safety of Others**

*To give consideration and attention to the safety of citizens and Department members alike prior to initiating and/or during a pursuit.*

**303.2 - 3.3 Felony**

*A crime that is generally considered more serious in nature than a misdemeanor. A felony offender, upon conviction, may be sentenced to a term in a Michigan prison.*

*redundant*

**303.2 Vehicular Pursuits****303.2 - 3.4 Fleeing and Eluding a Police Officer in Michigan**

*An individual who commits the felony offense of fleeing and eluding willfully or purposefully fails to obey a sworn Department member who commands the individual to stop or signals the driver in some lawful way which is ignored.*

**303.2 - 3.5 Following**

*For the purpose of this directive, the act of following a vehicle means to proceed behind a suspect vehicle without activating emergency lights, siren, and not disregarding any traffic laws.*

**303.2 - 3.6 Imminent Danger to the Public**

*A clear and present danger to the public, which outweighs the need for immediate apprehension of the violator.*

**303.2 - 3.7 Marked Vehicle**

*A four (4) wheeled vehicle that is equipped with a permanent roof mounted light bar or beacons, an audible siren, and is fully marked with Detroit Police Department identification.*

**303.2 - 3.8 Motorcycle**

*A two (2) wheeled police patrol vehicle equipped with a siren, an oscillating, flashing, or rotating light and distinctively marked as a police vehicle.*

**303.2 - 3.9 Pacing**

*To follow a suspect vehicle for a stable, fixed distance in order to establish the speed traveled by the suspected vehicle.*

**303.2 - 3.10 Primary Unit**

*A unit that initiates a police pursuit or any unit that assumes control of a pursuit.*

**303.2 - 3.11 Pursuit Driving**

*For the purpose of this directive, pursuit driving is defined as the act of pursuing the driver of a vehicle who refuses to stop after giving the driver a visual and audible signal to stop by activating emergency lights and siren. This usually, but not always, involves the driver of a suspect vehicle disregarding traffic laws in order to evade arrest.*

**303.2 - 3.12 Safe Distance**

*The distance between two (2) vehicles traveling in the same direction of a roadway that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.*

**303.2 - 3.13 Secondary Unit**

*A Department vehicle that becomes involved in a pursuit as a "backup" unit to the primary unit.*

**303.2 Vehicular Pursuits****303.2 - 3.14 Semi-Marked Vehicle**

*A four (4) wheeled vehicle that is equipped with permanent flasher type lights to the front, or flashing, oscillating or rotating lights mounted in the front and rear window area instead of permanent top mounted light bar or beacons. The vehicle is also equipped with a siren. A semi-marked vehicle is a vehicle that is identifiable as an official police vehicle with markings identifying the vehicle as such. The marking(s) may be in particle, but the vehicle must be marked in some way identifying it as an official Detroit Police Department vehicle.*

**303.2 - 3.15 Unmarked Vehicle**

*A four (4) wheeled vehicle that may or may not be equipped with flasher type lights, flashing, oscillating or rotating lights mounted in the front and rear window area. The vehicle may or may not be equipped with a siren. An unmarked vehicle is a vehicle that has no markings identifying it as an official police vehicle.*

**303.2 - 3.16 Violent Felony**

*For the purposes of this directive, a violent felony is defined as murder, attempted murder, robbery, carjacking, kidnapping, a felonious assault resulting in injury to the victim, criminal sexual conduct 1<sup>st</sup> and 3<sup>rd</sup> degrees, and home invasion 1<sup>st</sup> degree.*

**303.2 - 4 PROCEDURES**

1. Resisting apprehension may include, but is not limited to, maintaining or increasing speed, disobeying traffic laws, or making some other overt action intended to avoid arrest. Routine traffic stops, or other instances in which officers **Department members** activate their emergency lights and sirens and the vehicle operator complies by coming to a stop in a reasonably short distance, will not be considered a vehicle pursuit.
2. Officers attempting to stop a vehicle shall activate their oscillating, flashing, or rotating roof **emergency** lights, as well as flashers, and direct the driver by visual or audible signal to bring the car to a stop. If the attempt to stop the vehicle fails, officers shall activate the headlights and siren of their vehicle prior to initiating a pursuit. ~~Officers shall activate their oscillating, flashing, or rotating roof light and/or siren while attempting to catch up to a suspect vehicle.~~

**303.2 - 5 Pursuit Initiation and/or Continuation Criteria**

~~A pursuit shall only be initiated for the following:~~

- ~~1. If members have probable cause to believe a **violent** felony (**as listed above**) has been, is being, or is about to be, committed. The felony of fleeing and eluding alone cannot be the felony on which the chase is based.~~
- ~~2. If members observe offenses wherein the conduct of the offense poses such an imminent danger to the public at large that the anticipated hazards of pursuit are outweighed by the danger posed by allowing the conduct to continue.~~

**303.2 Vehicular Pursuits**

1. *Members may only initiate or participate in a vehicle pursuit where there is probable cause to believe the suspect committed a violent felony (Reference 303.2 - 3-16, definition for violent felony).*
2. *Upon inquiry of the reason for the pursuit by dispatchers, supervisors, or command officers, a response shall be given immediately. If there is no response, the pursuit shall be terminated immediately.*
3. *Members may only participate in a vehicle pursuit while driving a fully marked or semi-marked vehicle that has functioning audio/video equipment and functioning emergency lights and sirens. Unmarked police vehicles shall not participate in vehicular pursuits.*
4. *Members shall be outfitted in either Class A, Class B, or Class C (Special Operations) uniforms while involved in a pursuit. Members wearing plain clothes shall not participate in vehicular pursuits.*
5. *Regardless of the outcome of the pursuit, a supervisor shall respond to the termination point and review the in-car video footage to ensure compliance with DPD protocols and this directive. Department members shall be directed to complete a Sungard report and other required documents immediately following the event.*
6. In addition to the above criteria, the decision to initiate/continue a vehicle pursuit should be made after consideration of the following factors:
  - a. Nature of the violation;
  - b. Time of day;
  - c. Weather conditions;
  - d. Geographic location and population density;
  - e. Familiarity with the area;
  - f. Speed required to maintain the pursuit;
  - g. Proximity to school areas during school hours;
  - h. Quality of communications between pursuing unit(s), dispatcher, and supervisor;
  - i. Performance capabilities of the police vehicle and fleeing vehicle;
  - j. When the pursued vehicle has outdistanced the officer to the extent that continuing the pursuit would require speeds that could endanger the officer and/or the public;
  - k. Driving skill and training of the officer, if known;
  - l. Whether the identity of the perpetrator is known and ~~can~~ **if** an arrest reasonably ~~be assured~~ **can be made** at a later date without potential risk of harm to the community;
  - m. **Volume of vehicular traffic; and/or**
  - n. **Direction of pursuit.**

The examples given above are not all-inclusive but are provided as a guideline.

**303.2 Vehicular Pursuits****303.2 - 6 Exemptions**

1. Officers should bear in mind that while they are exempt from adherence to certain provisions of the state and city vehicle code while performing emergency services, this exemption does not protect the driver of any emergency vehicle and the Department from the consequences of a reckless disregard for the safety of others (Michigan Compiled Laws 257.603 and 257.632). This exemption requires the following:
  - a. That the emergency vehicle display a flashing, oscillating, or rotating red or blue light; and
  - b. That the emergency vehicle sounds a siren or air horn when engaged in an emergency activity or pursuit.
2. Therefore, Officers **Department members** shall not initiate a vehicle pursuit if the mandated emergency equipment is not functional. Further, Officers **Department members** engaged in a vehicular pursuit shall immediately discontinue the pursuit should either the siren or rotating **flashing** emergency lights fail.

**303.2 - 7 Control of the Pursuit**

1. Officers **Department members** initiating a pursuit shall immediately contact the zone dispatcher and provide the following information:
  - a. **Assignment;**
  - a. Location, direction, and speed of the pursuit;
  - b. Reason for pursuit;
  - c. Description of vehicle, including license **the plate** number, if known;
  - d. Description and number of occupants; and
  - e. **Whether any weapons are involved.**
2. In general, the initiating officer **member** will become the primary unit and shall be responsible for broadcasting the progress of the pursuit, requesting additional police units if necessary, or **and** deciding if the pursuit should be abandoned **continue**.
3. Members joining the pursuit shall immediately notify Communications, who will determine which unit will be designated as the secondary unit. All other units shall stay clear of the pursuit, but remain alert to its progress and location.

**303.2 - 7.1 Patrol Supervisor's Responsibility**

1. **A supervisor from the command of the member(s) involved in the pursuit shall acknowledge and monitor the pursuit via radio as soon as possible.**
2. **Respond to the scene when a pursuit is terminated, whether an apprehension has been made or not.**
3. **Play back and view the video recording system from the involved unit(s) vehicle(s) to verify the pursuit was recorded. Viewing of the entire event is**

**303.2 Vehicular Pursuits**

*not necessary at the culmination point. However, determining whether video exists of the pursuit is required.*

4. The monitoring patrol supervisor shall constantly assess the circumstances surrounding the pursuit. Factors for consideration in the termination or continuation of the pursuit as previously delineated shall be considered in addition to any other factor the monitoring patrol supervisor deems appropriate. The monitoring patrol supervisor shall immediately terminate the pursuit when the circumstances warrant such action.
5. The monitoring patrol supervisor may designate additional units above and beyond the primary and secondary unit to enter the pursuit based on the following:
  - a. The suspect is armed;
  - b. Multiple suspects are in the fleeing vehicle; **and/or**
  - c. Extenuating circumstances heighten safety concerns for the ~~arresting officers~~ **members**.

**303.2 - 7.2 Communications Zone Dispatcher Responsibilities**

Communications **The zone dispatcher** will be responsible for coordinating the pursuit and directing all vehicles other than the primary unit and secondary unit to resume normal patrol. Communications is also responsible for the following:

- a. Sounding an "alert tone" (3 rapid beeps) to make all officers monitoring the **radio** district aware a pursuit or "priority" is commencing;
- b. Alerting a patrol supervisor from the district **precinct** of occurrence to monitor the pursuit. Should the pursuit involve personnel from a different command, a supervisor from the involved member's command, if available **and if feasible**, will be alerted to monitor the pursuit;
- c. ~~Reminding involved members to fasten their seat belts and activate vehicle emergency lights and siren;~~
- d. Checking the license **plate** number of the wanted vehicle **in LEIN**;
- e. Alerting other districts **precincts** or outside jurisdictions a pursuit is heading their way and updating the progress of the pursuit for the safety of officers in those districts **precincts** or jurisdiction;
- f. If the pursuit enters another radio district the dispatcher shall notify the district dispatcher the pursuit is entering and advise the involved members in the pursuit and the monitoring patrol supervisor to switch their communications to the radio district entered. The zone dispatcher in the district entered shall then be responsible for pursuit communications; and
- g. Replacing the primary or secondary unit if the need arises.

**303.2 - 7.3 Air Support**

1. **During all pursuit activities, the zone dispatcher shall be responsible for alerting Air Support, if available. Once Air Support has been notified and has established visual contact with the pursued vehicle, Air Support shall notify the zone dispatcher it is in position, has assumed the role of primary unit, and shall**

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*begin assisting and coordinating the ground activities. Air Support shall advise ground units of the following:*

- a. *Road hazards;*
  - b. *Unsafe conditions;*
  - c. *Heavy pedestrian or vehicular traffic;*
  - d. *Any facts believed relevant in determining the continuation or termination of the pursuit; and*
  - e. *Advise and update the zone dispatcher and monitoring patrol supervisor regarding the number of police vehicles engaged in the pursuit.*
2. *Members should maintain direct communication with Air Support in order to effect a safe pursuit. Air Support can provide ground units as to overall perspectives.*
  3. *The ground units, upon being advised by the zone dispatcher that Air Support has assumed the role of primary unit, shall reduce their speed and proceed with caution as directed by Air Support to the culmination point of the pursuit.*

### 303.2 - 7.4 Prohibited Acts

The following acts are strictly prohibited:

- a. Initiating a pursuit for a traffic **violation** or other **another** specifically delineated above;
- b. Engaging in a pursuit when a prisoner **detainee** or any other passenger in the police vehicle;
- c. Engaging in a pursuit while riding a motorcycle or driving a sport utility vehicle;
- d. Engaging in a pursuit while driving unmarked vehicles. Officers may keep the vehicle under observation, if it is safe to do so, while requesting a marked **or semi-marked** unit to initiate the pursuit **perform a traffic stop. If a pursuit is initiated by another unit**, the unmarked vehicle shall then proceed to the termination or culmination point using normal driving precautions.
- e. Ramming;
- f. "Caravanning" – no more than two (2) police vehicles shall be actively involved unless specifically directed by a patrol supervisor or ranking member;
- g. There shall be no paralleling of the pursuit route, ~~unless the pursuit passes through a unit's assigned patrol area. A unit which is paralleling shall not join or interfere with the pursuit and shall stop all pursuit-related activity at the boundary of its assigned patrol area;~~
- h. Passing of the lead unit unless as requested by the lead unit or directed by a supervisor;
- i. Attempting to overtake the fleeing vehicle;
- j. Rolling or stationary roadblocks;
- k. Wrong way on controlled access highways – pursuing vehicles may proceed on a parallel course **only if a pursued vehicle is traveling the wrong way on a controlled access highway**;

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- l. Discharging a firearm – unless the use of deadly force is justified in accordance with the Detroit Police Department's Use of Force Directive; and
- m. Officers are strictly prohibited from becoming involved in vehicular pursuits for any reason while off duty and traveling in privately owned vehicles-;
- n. *Operating Department vehicles to pin suspects against objects in order to detain them;*
- o. *Operating Department vehicles off of the roadway where pedestrians travel to pursue a suspect fleeing on foot;*
- p. *Operating Department vehicles to perform pit maneuvers or immobilization techniques against fleeing suspects (in a vehicle, on foot, riding a bicycle or moped, etc.) or for any other reason is strictly prohibited; and*
- q. *Tampering with recording equipment.*

### 303.2 - 8 Authority to Terminate a Pursuit

1. A pursuit may be terminated by any of the following members:
  - a. The units engaged in the pursuit;
  - b. The monitoring patrol supervisor;
  - c. A ranking member of the Department; and
  - d. Communications supervisor only in the event a patrol supervisor has not acknowledged and assumed responsibility as the monitoring supervisor.
2. A monitored pursuit shall not be terminated in any manner that subverts the rank structure of the Detroit Police Department.

### 303.2 - 9 Discontinuing the Pursuit

1. Members involved in a pursuit must question whether the seriousness of the violation warrants continuation of the pursuit. A pursuit shall be discontinued when, in the judgment of the primary unit, there is a clear and present danger to the public, which outweighs the need for immediate apprehension of the violator.
2. Officers **Members** must keep in mind that a vehicle pursuit has the same potential for serious injury or death as the use of fatal force. The danger to the public inherent in any vehicle pursuit must be carefully considered. Officers **Members** must place the protection of human life over all other considerations.
3. Therefore, ~~The~~ The decision to terminate a pursuit may be the wisest course of action. A member will not be criticized for terminating a pursuit when, in the member's opinion, the lives of others would have been at undue risk had the pursuit continued.

#### 303.2 - 9.1 Termination of the Pursuit

1. If a pursuit is terminated by the primary unit, patrol supervisor, **Communications supervisor**, or a ranking member of this Department, the involved units shall discontinue the pursuit, acknowledge the termination of the pursuit via radio, turn

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off the roadway, and advise dispatch of the termination point, and stand by for the patrol supervisor.

2. The patrol supervisor shall respond to the termination point, advise dispatch they are at the location and ensure the involved units have discontinued the pursuit.

**303.2 - 9.2 Pursuit Culminating in an Arrest**

1. The monitoring patrol supervisor shall respond to the culmination point of a pursuit whether or not an arrest is made.
2. If the culmination point is in another district **precinct**, a supervisor from that district **precinct** shall also respond.
3. Involved officers shall wait at the culmination point; however, if conditions at the scene are such that officers believe a hostile situation exists or is imminent, officers may convey any prisoners from the scene prior to the arrival of a supervisor.
4. In addition to the required arrest reports, (i.e. ~~CrisNet~~ **Sungard** Report, Traffic Warrant Request) if a ~~department helicopter~~ **Air Support** was involved in the pursuit, the members effecting the arrest shall contact ~~Aviation~~ **Air Support** to obtain the member's names, badge numbers, and the number of the helicopter **Air Support** unit. ~~Aviation~~ **Air Support** members shall be listed as witnesses on the ~~CrisNet~~ **Sungard** Report and the Traffic Warrant Request. The names and badge numbers of all members responding to the termination point shall be included on the arresting officer's PCR **Sungard Report**.

**303.2 - 10 Monitoring Patrol Supervisor's Paperwork  
Vehicular Pursuit Report (DPD665)****303.2 - 10.1 Member's Responsibilities**

1. *The Vehicular Pursuit Report (DPD665) shall be completed in the Management Awareness System (MAS), or if inoperable, in a paper format until MAS is operational.*
2. *The Vehicular Pursuit Report shall be completed by a Department member operating any Department vehicle in all instances where they actively attempt to apprehend the operator and/or occupants of a motor vehicle who, having been given an audible and visual signal by the officer directing the operator to bring the vehicle to a stop, resists apprehension.*
3. *The Vehicular Pursuit Report must be prepared to document every vehicle pursuit regardless of the outcome (i.e. pursuit terminated, vehicle escaped, arrest, etc.)*
4. *The Vehicular Pursuit Report shall be completed by any member(s) involved in a pursuit at any time.*
5. *Members shall submit the Vehicular Pursuit Report to the monitoring supervisor during the tour of duty in which the pursuit occurred, without exception.*
6. *The following additional forms shall be submitted with the Vehicular Pursuit Report, if applicable:*

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- a. Activity Log (DPD250);
- b. Sungard Report; and
- c. Use of Force Report (UF-002).

**303.2 - 10.2 Monitoring Supervisor's Responsibilities**

1. Ensure that any members who are involved in a vehicle pursuit complete the Vehicular Pursuit Report prior to the end of their tour of duty.
2. Review the involved members Vehicular Pursuit Report(s) for accuracy and legibility.
3. Obtain and review the audiotape of the vehicle pursuit from Communications to ensure consistency as to what is reported.
4. Obtain and review the video/audio from the In-Car Video system to ensure that the In-Car Video recording equipment, including the microphone(s), of the In-Car Video system to evaluate consistency as to what is reported, and save to a disk if necessary.
5. Include a declarative statement documenting the following in the "Supervisor Review and Recommendation" portion of the Vehicular Pursuit Report (DPD665):
  - a. Whether video exists for the incident, and if not, why;
  - b. Whether the video was reviewed by the investigating supervisor; and
  - c. The results of the review by the supervisor.
6. List the evidence tag number(s) of the Audio/Video evidence in the section of the form titled "Supervisor Review and Recommendation."
7. Prepare his/her recommendation based upon DPD policy and procedures in the appropriate section of the Vehicular Pursuit Report.
8. The supervisor shall complete and submit the Vehicular Pursuit Report no later than ten (10) days from the date of the incident.
9. Supervisors are required to document in the "Supervisor's Review and Recommendation" narrative of the Vehicular Pursuit Report, their review and evaluation of the pursuit to include:
  - a. An evaluation of the basis for the initiation, continuation, and/or termination of the pursuit;
  - b. Evaluation of the factors and circumstances of the pursuit (time of day, weather conditions, traffic volume);
  - c. Evaluation of whether members operated the vehicle in accordance with the requirements for operating a vehicle during pursuits (activating lights and sirens, having operational video recording system);
  - d. Evaluation of driving tactics of involved units (review of prohibited acts, training opportunities);
  - e. Evaluation of whether members contacted dispatch;
  - f. Evaluation of skills and training and prior vehicular pursuit history of involved officers;

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- g. Document whether the recording system was operational and whether the pursuit was recorded;*
  - h. Document whether the event was uploaded, saved to a disc and held as evidence at the command and the availability of external recordings (i.e. green light video, local business video, etc.);*
  - i. Document what was observed on the video recordings; and*
  - j. Refer members having a pattern of non-compliant vehicle pursuits to Professional Education and Training to participate in Vehicle Pursuit Training.*
- 10. After reviewing the circumstances of the pursuit, the monitoring supervisor shall determine whether the actions of the member(s) involved were in accordance with DPD policy and procedures. If the monitoring supervisor determines that no further action is necessary and where no vehicular accident, injury, or property damage occurred as a direct result of the pursuit, then the completion of the Vehicular Pursuit Report is all that is required.*

~~The monitoring patrol supervisor shall **ensure that the member initiating the pursuit completes the Vehicular Pursuit Report DPD 665 in MAS prior to the conclusion of his/her tour of duty.** This form must be prepared to document every vehicle pursuit regardless of the outcome, i.e., pursuit terminated, vehicle escaped, or arrest made. The form shall be completed and forwarded to the involved member's span of control supervisor for review and update. The completed form shall be printed, signed, and forwarded through channels to the applicable Captain for processing and retention. If an accident or property damage results from a police pursuit an Investigation and Report will be completed in addition to the **vehicular pursuit report** and forwarded through channels to the **applicable Deputy Chief.** **If there is a use of force or detainee injury, a Use of Force/Detainee Injury Report (UF-002) and a Supervisory Investigation Report (UF-002A) must be completed.**~~

~~Communications will routinely duplicate the chase related segments of the master dispatch tape for every police chase. Whenever a **vehicular pursuit report** is completed, supervisors preparing these reports shall insure that a copy of the pursuit tape is obtained from Communications and placed into evidence at their command. Additionally the monitoring patrol supervisor shall remove the in-car videotape, if any of the involved vehicles were so equipped, and place the tape on evidence. The evidence tag number(s) shall be recorded on the **vehicular pursuit report.** If any impropriety is discovered upon viewing by a supervisor the in-car videotape shall be placed in the desk safe until it can be turned over to the Internal Affairs.~~

~~After reviewing the circumstances of the pursuit, the monitoring supervisor shall determine whether the actions of the officers involved were in accordance with these procedures and no accident, injury, or property damage resulted. If the monitoring supervisor determines that no further action is warranted, then the completion of the **vehicular pursuit report** is all that is required.~~

**303.2 Vehicular Pursuits****303.2 - 10.3 Commanding Officer's Responsibilities**

*The commanding officer shall review all Vehicular Pursuit Reports. The commanding officer shall indicate if he/she agrees or disagrees with corrective action taken by the supervisor completing the form. The commanding officer shall consider and impose the appropriate discipline or non-disciplinary action.*

**303.2 - 10.4 Distribution and Retention**

*The original Vehicular Pursuit Report shall be maintained at the command for a period of three (3) years if any accident, injury, or property damage has occurred, and one (1) year for all others. Copies of the Vehicular Pursuit Report (without attachments) shall be forwarded to Civil Rights and Professional Education and Training for future training considerations.*

**303.2 - 11 Vehicle Pursuits Resulting in Traffic Crashes**

- 1. When members are involved in a vehicular pursuit which results in a traffic crash, a supervisor shall request Crime Scene Services to photograph the crash scene, including injuries to victims and/or suspects.*
- 2. If a traffic crash, injury, or property damage results from a police pursuit, the monitoring supervisor shall complete a Vehicle Pursuit Resulting in Traffic Crash Investigation (DPD568\_VPTC) in the MAS system.*
- 3. The investigation shall be in an Investigation and Report (I&R) format and forwarded with a copy of any additional reports, through channels, to the assistant chief, Office of Neighborhood Policing.*
- 4. Complete a Supervisor's Traffic Crash Report (DPD159A):*
  - Vehicular Pursuit shall be indicated on the Supervisor's Traffic Crash Report;*
  - The names, ranks, and assignments of all DPD members participating in the pursuit shall be noted on the crash report in the remarks section;*
  - If a Department vehicle is involved (makes contact with persons, vehicles, or property) the Department vehicle and its occupants shall be appropriately entered on the report; and*
  - Include a declarative statement documenting the following:*
    - Whether video exists for the incident, and if not, why;*
    - Whether the video was reviewed by the investigating supervisor; and*
    - The results of the review by the supervisor.*
- 5. Complete a City of Detroit Vehicle Accident Report (CofD113) and distribute as indicated in Manual Directive 204.1 - 13.3 (Crash Investigation/Crashes Involving DPD Vehicles or On-Duty Members).*

**303.2 Vehicular Pursuits****303.2 - 12 Vehicle Pursuits Resulting in Only Policy Violations**

1. *If the monitoring supervisor determines that the involved member has violated Department policy, he/she shall complete a Vehicle Pursuit Violation Investigation (DPD568\_VP) in the MAS System.*
2. *The investigation shall be in an Investigation and Report (I&R) format.*
3. *The Vehicle Pursuit Violation Investigation shall be submitted with the Vehicular Pursuit Report and any additional attachments to the commanding officer for review.*

**303.2 - 13 Pursuits Leaving the City**

1. ~~When **any** person has committed or is suspected of having committed any felony **crime** or misdemeanor within a city, or has escaped from any **city** prison within the city of Detroit, the **police** officers **of the city** shall have the same right to pursue, arrest and detain such person within **without** the city limits as the sheriff of the county (M.C.L. 117.34). Officers **Members** engaged in a lawful pursuit falling within the guidelines of this order may continue the pursuit outside the boundaries of the city. In no case, however, shall the pursuit continue across the international border into Canada. This State law is less restrictive than Department policy but should not be interpreted so as to relieve officers of their responsibilities to adhere to Department policy.~~
2. ~~If the pursuit culminates with an arrest, ~~officers should~~ **members shall** notify the authority having jurisdiction over the territory where the pursuit has terminated. ~~Officers~~ **Members** should keep in mind that persons may not be charged in different jurisdictions with similar offense(s) arising from the same incident. Therefore, if the decision is made to allow prosecution by the jurisdiction where the chase **pursuit** terminates, ~~Detroit officers may~~ **DPD members shall** not arrest for the same or lesser offense regulating the same activity. For example, if reckless driving is charged by the outside jurisdiction, a ~~Detroit officer~~ **DPD member** may not seek additional traffic related charges within Detroit.~~
3. ~~If ~~Detroit officers~~ **DPD members** will seek felony charges, ~~officers~~ **members of another jurisdiction** shall return the arrested person(s) to Detroit for processing on the felony matter first. A hold will be placed on the person **detainee** for the charge requested by the outside jurisdiction and the prisoner processed in accordance with existing procedure.~~

**303.2 - 14 Responding to Pursuits by Outside Agencies into Detroit**

1. When the **a** zone dispatcher receives information that an outside agency is involved in a chase **pursuit** within the **Detroit** city limits, the information shall be broadcast immediately.

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2. Officers **Members** shall remain alert to the outside agency's location and progress but shall not become directly involved in the chase **pursuit** unless specifically requested by the outside agency and approved by a patrol supervisor. When a request for assistance is approved, the zone dispatcher will designate a unit(s) to participate in the pursuit.
3. In the event a unit becomes aware of a pursuit prior to the outside agency having time to make a request for assistance, the unit shall immediately advise the zone dispatcher **that** an outside agency is involved in a pursuit within the city limits of Detroit. The unit shall also advise the zone dispatcher of the location, direction, speed, and reason for the pursuit, if known.
4. A patrol supervisor shall direct the unit to assist if it is safe to do so until such time the zone dispatcher can determine the reason the outside agency is involved in a pursuit.
5. A patrol supervisor will be assigned to monitor the pursuit. The monitoring supervisor shall be responsible for all duties set forth in this chapter **directive** as they apply to Detroit personnel. Only those patrol unit(s) designated by the zone dispatcher shall participate in the pursuit and respond to the chase **pursuit** termination point.
6. Upon being made aware of the reason for the pursuit, the patrol supervisor shall determine if Detroit units shall remain actively involved based on the aforementioned criteria for pursuits involving our **DPD** members.
7. The Detroit Police Department shall not assume the lead or overtake the pursuing outside agency. If the outside agency terminates a pursuit, Detroit units shall immediately cease the pursuit as well.
8. If no request for assistance is received from the outside agency and the chase **pursuit** culminates in Detroit, the zone dispatcher shall assign a patrol unit(s) to respond to the chase termination location. The responding unit(s) shall proceed to the termination location using normal driving precautions and shall render assistance as appropriate.
9. Whenever a pursuit initiated by an outside agency terminates within the city limits, a patrol supervisor shall be dispatched to the termination point. If it is determined that a felony or other serious crime has been committed within our **the city of Detroit** jurisdiction, the person(s) shall be taken into custody. If there appears to be no need for further investigation by this Department, the outside agency may take custody of the person(s) without unnecessary delay.
10. The officer in charge of the **precinct** station desk in the district where the chase terminates shall make a notation in the desk blotter, including details of the incident and the disposition of the prisoner.
11. If ~~Detroit officers~~ **DPD members** have been authorized to participate in the a pursuit, the **involved members must complete a Vehicular Pursuit Report.** ~~monitoring supervisor must complete the~~ **Vehicular Pursuit Report DPD 665 in MAS.** If there was no direct involvement in the pursuit by ~~Detroit officers~~ **DPD members**, the Vehicular Pursuit Report is not required.

## 303.2 Vehicular Pursuits

### ~~303.2 - 15 Evidence Copies of Dispatch and In-Car Video Tape Recordings~~

~~Officers shall utilize in-car video equipment for all vehicular pursuits. Pursuit tapes placed into evidence shall be stored at the command responsible for completion of the vehicular pursuit report. Evidence tapes documenting an arrest or incident involving other persons, e.g., accident, injury, or property damage, shall be retained for three years from the date of the incident. Police tapes documenting routine pursuits that terminate without incident or arrest shall be retained for ninety days.~~

~~However, the retention time may be extended pursuant to court action or order from competent authority. Tapes that are no longer needed by the department shall be returned to Communications for recycling. If any impropriety is discovered upon viewing by a supervisor the in-car video shall be placed in the desk safe until it can be turned over to the Internal Affairs.~~