



Iowa State University Department of Public Safety

Directive: 41.3

SUBJECT: PATROL OPERATIONS

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POLICY:

Emergency vehicle operations shall be conducted in accordance with existing statutes. Iowa State University Police Department personnel have a duty to drive with due regard at all times.

DEFINITIONS:

“Administrative Review” is a time-sensitive assignment given to a command staff member to gather the facts of an incident. It may include but is not limited to reviewing initial written reports and video. The purpose of an administrative review is to determine if there are policy or safety issues that require a more thorough internal investigation, or any violation of law. If an internal investigation is not required, training and procedural recommendations may be made.

“Internal Investigation (Fact-finding)” is an investigation to gather the facts of an incident in detail. An Internal Investigation may begin as an Administrative Review. For some incidents, the more complete Internal Investigation is required by policy. The Internal Investigation includes gathering information from interviews of the primary personnel related to an incident as well as other officers, arrested persons, victims and witnesses. It may include but is not limited to reviewing written reports, video, reports from other agencies that produced reports, and physical evidence. When it is determined that discipline is a possible outcome, interviews will be in accordance with the discipline process. If it is determined through an internal investigation that a violation of law may have occurred, the Chief of Police may direct the initiation of a parallel criminal investigation. A criminal investigation is conducted by someone other than the person conducting the investigation, and information is not shared between the two.

“Periodic Analysis” is a review of a critical work product as prescribed by various policies. The purpose of a periodic analysis is to determine trends, identify training needs and summarize a group of events. If a periodic analysis reveals a specific policy issue originating with a specific incident, an internal investigation of that incident may be initiated.

“Reasonable Suspicion” is a less demanding standard than probable cause. Reasonable suspicion can be established with information that is different in quantity or content than that required to establish probable cause. Reasonable suspicion can arise from information that is less reliable than that required to show probable cause.

“Dwelling” means a structure or part of a structure that is used or intended to be used as a home or residence by one or more persons to the exclusion of all others. For the purposes of this section, a dwelling meets that definition regardless of whether the dwelling is currently occupied by a resident.

PROCEDURE:

41.3.1.1 CALL RESPONSE PRIORITIES

The following shall provide guidelines for call response priorities:

- A. Routine incidents are calls for police services where a quick response is not essential for the preservation of life or property. Routine incident response is appropriate for calls where crimes are not in progress, where no one remains in jeopardy as a result of the activity, and alarm activation where no criminal activity has been otherwise confirmed.
 - 1. When responding to any calls of this nature, all police units will be operated in accordance with traffic regulations.
 - 2. Emergency equipment will not be used unless the nature of the incident changes or the equipment is required for visibility at the scene.
- B. Emergency incidents are calls for police service involving in-progress crimes, injury accidents, certain critical alarms, and any other life-threatening situation.

41.3.1.2 RESPONSE TO EMERGENCY INCIDENTS

The following shall provide guidelines for emergency response to incidents:

- A. The Iowa Code set forth regulations governing emergency vehicle operation. The following subsections set forth key portions of these regulations. Iowa Code 321.231 states,
 - 1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected perpetrator of a felony or in response to an incident dangerous to the public or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.
 - 2. The driver of any authorized emergency vehicle, may:
 - a. Park or stand an authorized emergency vehicle, irrespective of the provisions of this chapter.
 - b. Disregard laws or regulations governing direction of movement for the minimum distance necessary before an alternative route that conforms to the traffic laws and regulations is available.
 - 3. The driver of a fire department vehicle, police vehicle, or ambulance, or a peace officer riding a police bicycle in the line of duty may do any of the following:
 - a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
 - b. Exceed the maximum speed limits so long as the driver does not endanger life or property.
 - 4. The exemptions granted to an authorized emergency vehicle under subsection 2 and for a fire department vehicle, police vehicle, or ambulance as provided in subsection 3 shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of section 321.433 or a visual signaling device, except that use of an audible or visual signaling device shall not be required when exercising the exemption granted under subsection 3, paragraph "b" of this section when the vehicle is operated by a peace officer, pursuing a suspected violator of the speed restrictions imposed by or pursuant to this chapter, for the purpose of determining the speed of travel of such suspected violator.
 - 5. The provisions of this section shall not relieve the driver of an authorized emergency vehicle or the rider of a police bicycle from the duty to drive or ride with due regard for the safety of all persons, nor shall such provisions protect the driver or rider from the consequences of the driver's or rider's reckless disregard for the safety of others.
- B. Before using emergency lights and siren, the officer should decide whether increased speed and signals are appropriate or desirable. Factors in this decision may include, but should not be limited to, the nature and urgency of the call, the possibility of alerting offenders at the scene, whether other police vehicles can be contacted by radio to intercept an offender, and the potential for conflict with other vehicles responding to the scene.

- C. Weather and road conditions can pose additional driving hazards, which may at times require an emergency response to be made at even less than the posted limits to ensure safety, even though emergency equipment is in operation.
- D. Pedestrians and other vehicle traffic along the route of an emergency vehicle must be given due consideration, particularly in dense urban areas where other lighting, frequent intersections, reduced sight distances, a heavy volume of traffic, etc., can affect visibility, hearing, and reaction time. There is no legal protection, even for the operator of an emergency vehicle, for driving that is reckless and/or endangers the safety of others.
- E. Although non-sworn members of the Department will, for the protection of the public, operate the emergency lights of a police vehicle if it becomes necessary to stop, stand or park contrary to the rules of the road (e.g., to protect persons and vehicles at an accident scene or at the location of a traffic hazard until a police officer's arrival), they are never authorized to operate the vehicle's emergency light and/or siren to exceed the speed limit, to operate contrary to regulations governing direction of movement or turning or to pass through a stop sign or signal.

41.3.2.1 MOTOR VEHICLE PURSUITS

The following procedures shall govern the evaluation of circumstances associated with motor vehicle pursuits:

- A. For purposes of this directive, a pursuit shall mean an active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.
- B. The decision to initiate a motor vehicle pursuit shall be based upon the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
- C. The following circumstances shall be evaluated before initiating or participating in a motor vehicle pursuit: the nature and seriousness of the offense; the likelihood of successful and safe apprehension; existing roadway and weather conditions; vehicular and pedestrian congestion; the nature of the area; the time of day; the availability of assistance; whether or not the identity of the suspect is known; the mechanical condition of the patrol vehicle; and the officer's emergency driving skills.
- D. The commission of a felony shall not automatically constitute authorization for pursuit, particularly when the suspect has not demonstrated potential for serious injury to the officer or others. Officers shall not pursue vehicles for minor traffic violations.
- E. Officers shall have the responsibility at all times to avoid driving at such speeds or under such adverse conditions that may cause them to lose control of their vehicles, or create significant risk of harm to themselves or others. Although state statute does not prevent the use of emergency speeds while engaged in a pursuit, it does hold the officer criminally and civilly responsible for negligent or wrongful actions.
- F. Pursuant to sections 321.231 and 321.324 of the Code of Iowa, the driver of an emergency vehicle shall not be relieved of the responsibility to drive with due regard for the safety of all persons using the highway. There shall be no protection from the consequences when reckless disregard for the safety of others is displayed.
- G. Emergency lights and siren shall be activated and used continuously until the pursuit is terminated.
- H. When emergency lights and siren are utilized, the officer is requesting the right-of-way and does not have the absolute right to disregard a sign or other traffic control device.
- I. An officer shall not pursue a vehicle the wrong way on any highway unless specifically authorized to do so by supervisory personnel.

41.3.2.2 MOTOR VEHICLE PURSUITS - VEHICLE RELATED ROLES AND RESTRICTIONS

The following procedures shall specify vehicle-related roles and restrictions associated with motor vehicle pursuits:

- A. Only marked patrol vehicles with operational emergency equipment should be used to pursue motor vehicles.

- B. Unmarked vehicles, even if equipped with red lights and siren, shall not be used for pursuit purposes except in emergency situations where a marked vehicle is not available and the reason for the pursuit involves a crime entailing risk of great bodily injury or death. Should the above situation occur, a marked patrol vehicle shall assume the primary pursuit function as soon as possible.
- C. An officer shall not initiate or become involved in a pursuit if a civilian passenger is in the patrol vehicle. A civilian passenger must exit the patrol vehicle before the officer may become involved in the pursuit. Any person who is not a sworn department officer shall be considered a civilian.

41.3.2.3 MOTOR VEHICLE PURSUITS – INITIATING OFFICER RESPONSIBILITIES

The following procedures shall govern initiating officer responsibilities associated with motor vehicle pursuits:

- A. In order to diminish the likelihood of a pursuit, the officer intending to stop a vehicle should, when practical, be within close proximity prior to activating the emergency lights and siren.
- B. At the onset of a motor vehicle pursuit, the initiating officer shall notify the dispatch center of the following: unit identification; location, speed, and direction of travel; vehicle description, including license number, if known; specific reason for the pursuit, including known laws violated; number of occupants, if known; and existing traffic conditions.
- C. Failure to provide sufficient information to supervisory and dispatch personnel shall be cause for a pursuit to be terminated.
- D. The officer shall report location, direction of travel, speed, and other pertinent information to the dispatch center throughout the pursuit.
- E. If there are two officers in the pursuing patrol vehicle, the passenger officer should operate the radio.
- F. The primary unit may maintain pursuit as long as it is safe to do so, or until directed by a supervisor to terminate the action.
- G. Pursuing officers shall continually evaluate whether or not the seriousness of the offense justifies continuing the pursuit.
- H. When approaching intersections, especially those controlled by signs, signals, or other traffic control devices, the pursuing officer shall: reduce speed and prepare to stop; enter the intersection at a reduced speed; ensure that all operators of cross-street vehicles are aware of his or her presence; and resume pursuit only when it is safe to do so.
- I. If another officer is assigned primary responsibility for the pursuit, the officer originally initiating the pursuit shall assume the role of a secondary unit.
- J. Should the pursuit leave the roadway, the officer must carefully consider whether or not the seriousness of the offense outweighs the risk to personal safety and property damage. In this instance, a shift supervisor should strongly consider summoning additional officers to the scene for purposes of forming a perimeter.
- K. If a suspect abandons the vehicle and proceeds on foot, the pursuing officer shall immediately inform the dispatch center. The officer must then decide whether or not the pursuit will be continued on foot and/or if additional personnel should be summoned to form a perimeter. In either event, the officer shall radio the location, direction of travel, suspect description, and other pertinent information to the dispatch center.
- L. If the pursued vehicle is stopped, officers shall conduct their subsequent activity as appropriate for felony traffic stops. The initiating officer may take command of the stop and instruct the occupants through the process of exiting the vehicle.
- M. If the traffic stop is conducted at night, officers should additionally illuminate the area with spotlights and/or alley lights.
- N. The location of the stop and any other pertinent information shall be conveyed to dispatch and supervisory personnel.

- O. Dispatch and supervisory personnel shall be immediately notified when all occupants are secured.

41.3.2.4 MOTOR VEHICLE PURSUITS – SECONDARY UNIT RESPONSIBILITIES

The following procedures shall govern secondary unit responsibilities associated with motor vehicle pursuit:

- A. The secondary unit should maintain a safe following distance from the initiating unit but remain close enough to render assistance or assume pursuit if the initiating unit becomes disabled.
- B. Once in position, the secondary unit shall notify the dispatch center of his or her identity and assume radio communications responsibilities for the initiating unit.
- C. No more than one secondary unit shall become actively involved in a pursuit unless specifically directed otherwise by supervisory personnel; the involvement of more than two patrol vehicles may add to the hazards of the pursuit.

41.3.2.5 MOTOR VEHICLE PURSUITS – DISPATCHER RESPONSIBILITIES

The following procedures shall govern dispatcher responsibilities associated with motor vehicle pursuits:

- A. Immediately after receiving notice of a pursuit, the dispatcher shall advise all other officers to clear the frequency unless they have emergency radio traffic.
- B. Supervisory personnel should be immediately notified when a pursuit has been initiated.
- C. The dispatcher should rebroadcast radio transmissions, as necessary, to any other units involved or likely to become involved in the pursuit.
- D. The dispatcher should notify neighboring jurisdictions by telephone, radio, or computerized system when the pursuit may extend into their locality.
- E. Additional dispatching responsibilities shall include: performing relevant IOWA/NCIC records and motor vehicle checks; receiving and recording all information regarding the pursuit; ensuring that routine and other calls for service are properly routed; and performing regular dispatching duties.

41.3.2.6 MOTOR VEHICLE PURSUITS – SUPERVISORY RESPONSIBILITIES

The following procedures shall govern supervisory responsibilities associated with motor vehicle pursuits:

- A. Supervisory personnel shall monitor, coordinate, and control the number of vehicles involved in a pursuit, as well as the length of the pursuit.
- B. Once notified of a pursuit, supervisors shall constantly weigh the seriousness of the offense against the safety of all concerned.
- C. Supervisory personnel should remember that the decision to terminate a pursuit may be the most prudent course of action.
- D. Additional supervisory responsibilities shall include: monitoring information provided by the pursuing or secondary unit officer; determining whether the pursuit should be terminated or continued; ensuring all personnel comply with established departmental procedures; determining the number and involvement of any additional officers; ensuring other affected agencies are notified; coordinating the actions of additional officers involved, if any; ensuring that sufficient patrol strength is maintained for routine and other calls for service; coordinating dispatch assistance when deemed necessary; and correcting any improper assignments or misuse of departmental personnel.

41.3.3 ROADBLOCKS AND FORCIBLE STOPPING

The following procedures shall govern forcible stopping techniques associated with motor vehicle pursuits:

- A. Due to the extreme danger inherent in the use of fixed roadblocks, personnel shall not implement fixed roadblocks to apprehend suspects or stop fleeing vehicles.

- B. An officer should not cause deliberate physical contact between the patrol vehicle and the suspect's vehicle. No attempt to force another vehicle off the road or into any obstacle shall be made, except during an extreme situation in which the use of deadly force is justified and necessary.
- C. An officer shall not discharge a firearm from or at a moving vehicle unless the officer reasonably believes that the occupant(s) of the vehicle are using or are about to use deadly force against the officer or another person.

41.3.4 PURSUIT TERMINATION

The following procedures shall govern actions associated with terminating a motor vehicle pursuit:

- A. A pursuit shall be terminated in the following circumstances:
 - 1. When, in the opinion of the pursuing officer or supervisor, the clear and unreasonable danger created by the pursuit outweighs the necessity for immediate apprehension.
 - 2. When the suspect's identity has been established to the point that later apprehension can be accomplished.
 - 3. When the prevailing traffic, roadway and environmental conditions indicate the futility of continued pursuit.
 - 4. When the distance between the suspect vehicle and the pursuing vehicle is so great that further pursuit is futile.
 - 5. When the distance between the university and the pursuit is so great that radio communication is hampered.
 - 6. When the patrol vehicle sustains significant damage.
 - 7. When essential emergency equipment fails.
 - 8. When the location of the pursued vehicle is no longer known.
- B. Termination of pursuit shall include the following:
 - 1. Shutting off emergency equipment;
 - 2. Conforming to State of Iowa traffic statutes applicable to ordinary motorists;
 - 3. Discontinuation of all attempts to follow the vehicle; and
 - 4. Discontinuation of all attempts to stop the vehicle.
- C. Supervisory personnel, involved officers, and other affected agencies shall be informed of pursuit termination as soon as possible.

41.3.5 INTER AND INTRAJURISDICTIONAL PURSUITS

The following procedures shall govern actions associated with inter- and intra-jurisdictional motor vehicle pursuits:

- A. Officers shall not become involved in a pursuit initiated by another agency unless all of the following are present: assistance is requested by the pursuing agency; supervisory approval has been obtained; and an emergency exists which dictates immediate intervention.
- B. Officers who become involved in a pursuit initiated by another agency shall be governed by this department's procedures. The requesting agency should advise the dispatch center of the offense, location, direction of travel, and description of the vehicle being pursued before departmental officers join in the pursuit.
- C. When another agency becomes involved in a pursuit initiated by this department and the other agency's actions are in violation of this department's pursuit procedures and/or incident control is lost, supervisory personnel should strongly consider terminating the pursuit. Other departments shall not be used as the primary or secondary pursuit vehicle without supervisory approval.
- D. In the event that a suspect involved in a pursuit is apprehended in another jurisdiction, the agency having the jurisdiction shall be contacted immediately to evaluate other possible law violations.

41.3.6 REPORTING REQUIREMENTS

The following procedures shall govern reporting requirements related to motor vehicle pursuits:

- A. A written report shall be completed for each pursuit-related incident.
- B. An incident report shall normally be assigned to the officer initiating the pursuit. Supervisory personnel and all other officers involved shall submit supplemental reports as deemed necessary.

- C. Reports shall include the following: a detailed account of pursuit chronology; decisions made; reasons for those decisions; pursuit disposition; and all other pertinent information.
- D. Supervisory personnel shall ensure that all reports are submitted by the end of that shift's tour of duty unless extenuating circumstances exist.

41.3.7 ADMINISTRATIVE REVIEW

The following procedures shall govern administrative review requirements related to motor vehicle pursuits:

- A. Administrative and supervisory personnel shall conduct a critique of each pursuit as soon after the incident as possible to determine whether or not actions taken were in compliance with applicable departmental directives.
- B. Pursuit critiques should consist of a thorough review of the following: dispatch tape recordings; written reports; memoranda; training records; interviews; vehicle recordings; body worn cameras, and other pertinent evidence.
- C. The Field Services Captain shall be responsible for documenting pursuit critiques in writing. Such reports shall then be forwarded to the Chief for review and appropriate action.
- D. The Field Services Captain shall conduct an annual, documented analysis of pursuit-related reports. Such a review may reveal patterns or trends that indicate training needs and/or policy modifications. Analytical reports shall be made available to all personnel.

41.3.7 VEHICLE PROCESSIONS

The following shall provide guidelines for vehicle processions:

- A. A police supervisor or manager must give approval to provide a police escort to a vehicle or procession of vehicles. The police supervisor or manager will consider the following factors when determining whether a police escort should be approved:
 - 1. Rationale/need for the escort (including but not limited to the presence of a reasonable known or potential threat to person(s) to be escorted, keeping a large group together thus improving overall traffic flow/safety, dignitary protection, moving large vehicles through areas congested with pedestrians, special honorary events);
 - 2. Number of vehicles to be escorted;
 - 3. Personnel and resources available;
 - 4. Distance and expected duration of the escort;
 - 5. Anticipated route;
 - 6. Potential disruption to overall traffic flow;
 - 7. Time of day (including traffic and pedestrian conditions); and
 - 8. Experience of the driver(s) of the vehicle(s) being escorted.
- B. Police vehicle processions shall comply with statutory requirements. The following procedures are applicable:
 - 1. At a minimum, the procession detail will consist of at least one lead police vehicle and one police vehicle at the rear of the procession.
 - 2. Depending on the number of vehicles being escorted, it may be necessary to have additional police or traffic control personnel assist with maintaining control of intersections and cross traffic.
 - 3. Once an intersection or cross traffic has been controlled, either by the lead vehicle or by assisting personnel, the escorting police vehicles and escorted vehicles are not required to stop at yellow or red traffic control signals or stop signs but must obey all other traffic laws.
 - 4. Ensure functional radio communications with escorting officers, including outside law enforcement agency personnel that are assisting.
 - 5. Vehicles being escorted should have their headlights illuminated.
 - 6. Notify communications personnel when the procession has started and when it ends.
 - 7. A debrief among the escorting officers should be conducted at the conclusion of the vehicle procession.

- C. Sworn Department officers are permitted to participate in processions upon requests from outside law enforcement agencies provided that the requesting agency also has written guidelines for its officers and employees regarding the escorting of vehicles and provided that those guidelines do not directly conflict with Department guidelines.