

WHITE SETTLEMENT POLICE DEPARTMENT

GENERAL ORDERS		CHAPTER 6: Operational Services		NUMBER 604.00	
		TITLE: PURSUITS			
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604.01 PURPOSE

The purpose of this order is to provide a framework for decision-making in the operation of an authorized emergency vehicle during a pursuit. It also establishes rules to follow during engagement of a vehicular pursuit.

604.02 DUE CARE

Operation of an emergency vehicle is one of the most critical acts a police officer can undertake. The primary duty of a police officer is to protect human life. In violating traffic regulations, an officer creates risks to self and others. For that reason, statutes and this department's rules limit emergency vehicle operation to certain situations and incidents. Even when emergency vehicle operation is permitted, an officer must exercise due care for the safety of others. Statutory exemptions from governmental and personal liability may be lost if an officer is negligent in doing acts that could reasonably have been anticipated to have harmful results. The fundamental duty is to operate an emergency vehicle with due care and regard for the safety of oneself and others.

604.03 POLICY

Vehicular pursuits present a danger to the community, officers, and suspect involved. It is the policy of this department to regulate the way that vehicular pursuits are undertaken and performed. Officers and supervisors shall constantly evaluate the circumstances surrounding the pursuit and shall immediately terminate the pursuit when the danger to the officers and/or public outweighs the need to continue pursuing the fleeing vehicle. The Department shall train appropriate personnel annually in the pursuit policy. [T.B.P.7.13](#)

604.04 PURSUIT RISK-BALANCING FACTORS

Involvement of an offender's vehicle may increase the risk of harmful results to the officer and innocent third parties in a pursuit. Officers must realize that they may be held responsible for death, injury, or property damage caused by the pursued offender's actions. Engaging in pursuit requires a conscious weighing of the risk of harm from the offender's escape against the risk of harm posed by the pursuit itself. This balance must continue as the pursuit progresses. Authority to initiate a pursuit

may not justify its continuation. Continuing a pursuit would not be reasonable, for example, after the officer learns that the offender may be apprehended otherwise at less risk or that the risk of harm to others from the offender's escape is less than the risk of the pursuit itself. Among factors to be considered in deciding to engage in or continue pursuit are:

- nature of the offense for which the pursuit was initiated;
- driving behavior of the suspect being pursued;
- time of day, road, weather, and vehicle conditions;
- knowledge of the offender's identity, possible destination, and previous activities;
- likelihood that the suspect could be apprehended otherwise;
- risk of harm to others from the offender's escape;
- risk of the pursuit itself; and
- any other factors that bear on weighing the risk of harm of continuing the pursuit against the risks of not apprehending the suspect or recovering property.

604.05 DEFINITIONS

- A. Authorized Emergency Vehicle: A vehicle of this agency equipped with operable emergency equipment as designated by applicable law.
- B. Vehicular Pursuit: An attempt by an officer in an authorized emergency vehicle to apprehend a suspect who is actively attempting to elude apprehension while operating a vehicle.
- C. Imminent Threat: There is a significant likelihood, based upon known facts, of death or serious injury if apprehension is delayed.
- D. Terminate: All units discontinue emergency vehicle operations, resume the posted speed limits, and cease pursuit of the fleeing vehicle.
- E. Primary Unit: The police vehicle that initiated a pursuit or any unit that assumes the lead vehicle position immediately behind the fleeing vehicle.
- F. Secondary Unit: The police vehicle which becomes involved in a pursuit as the backup to the primary unit and which follows the primary unit at a safe distance.
- G. Controlling Supervisor: The on-duty supervisor who assumes control of a vehicle pursuit. If the on-duty supervisor is the unit who initiates the pursuit, as soon as possible, another unit should serve as primary unit and allow the supervisor to assume the responsibilities of the Controlling Supervisor.
- H. Hazardous Moving Traffic Violation: An act committed in connection with the operation of a motor vehicle on a public street, highway, private road, or parking lot which clearly demonstrates the potential to endanger other people on the roadway and in the immediate vicinity to where the hazardous traffic violation is occurring.
- I. StarChase: An air pressure system attached to the front of an authorized emergency vehicle that contains a GPS tag. When activated, the tag is released from the police vehicle with the intent to affix itself to the suspect vehicle, either fleeing or stationary, to activate GPS mapping data of the location of the suspect vehicle.
- J. StarChase Monitor: WEST COMM Dispatcher or other authorized StarChase user that can safely operate the CoreView GPS monitoring/mapping software from a stationary position.

- A. **Units authorized in a pursuit.** Officers in authorized emergency vehicles may initiate a vehicular pursuit as governed by this policy section. Officers in unmarked units may initiate a pursuit, if properly equipped with adequate emergency lights and audible siren. Once sufficient marked units enter the pursuit, the unmarked unit may terminate, unless authorized to continue by the Controlling Supervisor.
- B. **Initiation of a pursuit.** Officers shall consider the following elements while making the decision on whether to engage in a vehicular pursuit:
1. The decision to initiate a pursuit must be based on the pursuing officer's reasonable belief that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large; AND
 2. Whether it would be prudent to engage in a vehicular pursuit, given the consideration of the following risk factors:
 - a. existence of vehicular and pedestrian traffic;
 - b. known information on the suspect;
 - c. road configuration (interstate, divided highway, residential street);
 - d. physical location and population density (residential area, school zone, business district);
 - e. lighting and visibility;
 - f. weather and environmental conditions;
 - g. performance capabilities of the pursuit vehicle and the vehicle being pursued;
 - h. officer training and experience;
 - i. availability, both in time and distance, of support units, both ground and air;
 - j. speed and evasive tactics employed by the suspect;
 - k. presence of minors and/or other persons in the police and suspect vehicles; and
 - l. existence of any other condition or situation that would create an unreasonable risk to the officer or suspect; AND
 3. Whether the apprehension of the suspect by other means is possible that would not create an unnecessary public safety risk to apprehend the suspect later; AND *T.B.P.7.13*
 4. Pursuits may be initiated when the officer reasonably determines from the circumstances that: *T.B.P.7.13*
 - a. A Texas Penal Code felony offense has been committed in the officer's presence or the officer has reasonable grounds to believe that it has been committed and the offender is escaping the officer's presence and the officer reasonably believes it is immediately necessary to apprehend the offender or recover property; or
 - b. A Texas Penal Code violent misdemeanor offense involving assault has been committed in the officer's presence or the officer has reasonable grounds to believe it has been committed and the offender is escaping the officer's presence and the officer reasonably believes it is immediately necessary to apprehend the offender; or
 - c. An impaired driving offense of Driving While Intoxicated is being committed in the officer's presence; or
 - d. To apprehend initial hazardous moving traffic violations that display erratic or reckless driving behaviors that unnecessarily endanger the public.
 5. A pursuit will not be initiated solely on the officer witnessing the offense of Evading Arrest or Detention in a motor vehicle. *T.B.P. 7.13*

- A. **Continuation.** Pursuits may be continued if the officer reasonably determines from the circumstances that it will not expose any person to a risk of collision, injury, or death greater than a reasonable need to apprehend the offender or recover property. *T.B.P. 7.13*
- B. The first officer to become involved in a vehicular pursuit shall be designated as the **Primary Officer** and shall have the following responsibilities:
1. Activation of emergency lights, siren, and camera(s) for the duration of the pursuit.
 2. The notification of Dispatch Services that they are in pursuit and provide the following information:
 - a. Unit identifier.
 - b. The location, direction and speed of the suspect vehicle.
 - c. The initial reason for the pursuit.
 - d. The license plate number, vehicle description and number of occupants, if known.
 - e. Existence of any information concerning the presence or use of firearms, overt threats of force, or other unusual hazards.
 - f. Provide frequent updates regarding the pursuit conditions, location, direction, speed, weather conditions, and presence of other traffic, until relieved by another unit calling the pursuit.
- C. The **Dispatcher** will have the following responsibilities:
1. Notify the Controlling Supervisor.
 2. Clear the radio channel of non-emergency traffic and transmit all pertinent information on the pursuit to other police units.
 3. Advise pursuit units of any known or potential hazards such as crashes, street closings, repairs, and other dangers in the path of the pursuit.
 4. Relay necessary information to other officers and jurisdictions.
 5. Initiate a command notification through EVERTEL.
 6. If the pursuit enters an area using a different radio channel, the original dispatcher shall continue communications responsibility. All units shall utilize the radio channel on which the pursuit originated, and Dispatch Services has the option to radio patch the channels, if applicable.
- D. The **Controlling Supervisor** shall have the following responsibilities: *T.B.P. 7.13*
1. Immediately, upon learning of a police pursuit or assigned by Dispatch Services, take command of the situation as the Controlling Supervisor.
 2. The designated Controlling Supervisor has the option of joining the pursuit and monitoring it as an active participant or assuming command of the pursuit from a stationary position.
 3. The Controlling Supervisor shall monitor all radio communications to ensure that only those units authorized and designated, participate in the pursuit. The supervisor shall be held accountable for compliance with this policy.
 4. The Controlling Supervisor shall consider the nature and seriousness of the offense for which the suspect is being pursued. The Controlling Supervisor shall also assess the potential, if possible, for identifying and arresting the fleeing offender at a later time, depending on the ongoing public safety risks for allowing the suspect to remain at large. The Controlling Supervisor, without lessening the responsibility of the pursuing officer to continuously evaluate the circumstances of the pursuit and discontinue it without being ordered to do so, shall also continuously monitor the

- pursuit and order discontinuation when:
- a. the known circumstances or facts do not justify continuing the pursuit; or
 - b. the actions of other police agencies or individuals increase the danger to officers or the public.
- E. In a pursuit, the officers driving the second marked unit shall serve as the secondary unit. No more than two units should be involved in a pursuit, unless the Controlling Supervisor joins the pursuit as a third unit or authorizes additional units.
- F. Additional units may join a pursuit, one of which should be the Controlling Supervisor or their designee. This includes more than two units when the Controlling Supervisor deems it prudent and necessary to add more units to increase officer safety based upon the actions, nature of offense, and number of suspects in the evading vehicle.
- G. One unit, not assigned to the pursuit, shall remain in the geographical boundaries of the City of White Settlement, unless circumstances dictate the Controlling Supervisor to authorize all units to leave the city. In that case, Dispatch Services shall immediately notify Command Staff to recall an off-duty officer or arrange neighboring agency coverage.
- H. Additional assisting units shall activate their vehicles emergency lights and siren and advise dispatch that they have joined or are assisting with the pursuit.
1. The assisting officers shall follow the primary unit at a safe distance.
 2. Officers driving the assisting units shall never pass or take a position in front of the primary unit unless instructed by the Controlling Supervisor to do so.
 3. The second unit in the pursuit should, if practical, assume radio duties by “calling” the pursuit, advising dispatch of the direction and location of the pursuit, along with other requirements 604.05 B, on a continual basis.
- I. Any additional officers may use their vehicles as support but shall not become actively involved in the pursuit, violate traffic laws or operate in an emergency status, unless authorized by the Controlling Supervisor. Support units not actively involved in the pursuit clearing and alerting traffic to the imminent dangers that pursuits pose, should also be careful to not enter the direct path of the pursuit that could cause unintended consequences for the pursuing and suspect vehicles.
- J. Officers shall not operate their vehicles as primary or secondary units in a pursuit when their vehicle is occupied by any passenger (including prisoners) who is not a White Settlement Police Officer, unless the city liability waiver form has been signed.
- K. When possible, assistance from an air unit should be requested.
- L. Officers shall maintain a safe following distance at all times and allow ample room for sudden stops and changes in direction by the suspect.
- M. During a pursuit the following practices are prohibited:
1. Use of roadblocks to stop violators. *T.B.P. 7.18*
 2. Bumping or ramming a fleeing vehicle.
 3. Attempts to force the pursued vehicle off the roadway by any means.
 4. Boxing in a fleeing vehicle.
 5. Heading off a fleeing vehicle.
 6. Pursuing the suspect vehicle off-road in a reckless manner that is likely to cause damage to police vehicles.
 7. Pursuing the suspect vehicle against on-coming traffic or on the wrong side of the road. This prohibition does not prevent an officer from considering maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway for a short amount of time. Officers engaged in paralleling should know the extreme

danger that a fleeing suspect places other innocent motorists in when operating a vehicle on the wrong side of the roadway, thus requiring continual review as to the facts and reasons justifying continuation of a pursuit when the suspect drives in complete disregard for the safety of others.

8. Driving alongside the pursued vehicle.
 9. Getting in front of the vehicle and slowing down.
 10. Driving at pursuit speed without lights and siren activated.
 11. Discharging a firearm at a moving vehicle except as allowed under departmental rules on the use of deadly force.
 12. Holding at a standstill, stopping, or slowing any vehicles operated and occupied by innocent third parties for the purpose of restricting the patch of an evader. This provision does not prevent support units from warning traffic of impending dangers that pursuits pose.
 13. Placing oneself in a position where deadly force is a likely outcome based upon the path and positioning of the evading vehicle.
 14. Initiation of a pursuit if the officer has delayed the initiation of such pursuit for an unreasonable amount of time or for an extraneous reason.
 15. Use of spotlights to inhibit the driving ability of any driver. Spotlights may be used momentarily when necessary to identify the driver or observe activity in a pursued vehicle that might endanger an officer.
- N. Pursuing officers or the Controlling Supervisor may order a pursuit terminated if, in his best judgment, the necessity of the apprehension is outweighed by the level of danger.

T.B.P. 7.13

604.08

PURSUIITS ENTERING ANOTHER JURISDICTION

- A. Before entering another jurisdiction, communications will notify the other agency of the pursuit and provide all necessary and pertinent information concerning the pursuit including:
 1. The location and direction of travel.
 2. The primary offense for which the vehicle and occupants are wanted.
 3. The vehicle license number and description of the vehicle and occupants.
 4. The number of pursuing units as well as their relative location to the vehicle being pursued.
 5. Whether or not assistance is requested.
- B. As appropriate, dispatch will notify the jurisdictional agency that the pursuit is:
 1. Leaving their jurisdiction.
 2. Has been discontinued and the ending location.

604.09

TERMINATION OF THE PURSUIT

- A. If visual contact is lost, other than momentarily, the pursuit and code status shall be immediately discontinued.
- B. The officer or Controlling Supervisor shall terminate the pursuit when the life or safety of any person is endangered by the pursuit or when the pursuit becomes unsafe or hazardous to the public.
- C. The pursuit may be terminated if the suspect's identity has been determined and apprehension at a later time is feasible.

604.10

PURSUIITS INITIATED BY OTHER AGENCIES

- A. Officers may join a pursuit by another agency if it is reasonably believed that the agency needs assistance or has requested assistance, as approved by the Shift Supervisor, who will then transition to the duties of the Controlling Supervisor.
- B. The initiating agency will have control of and will be responsible for the pursuit.
- C. Officers will not follow another agency's pursuit outside the city limits, unless authorized by a supervisor. The Shift Supervisor shall assume duties of the Controlling Supervisor, even if the pursuit leaves the City of White Settlement on cases where authorization is made to allow officers to continue in the pursuit.
- D. If the pursuit ends in the City of White Settlement, the initiating agency will be responsible for the arrest and custody of the persons charged, arraignment of arrested persons, disposition of any passengers, disposition of the arrested persons' vehicle and the coordination of all reports related to the arrest, citations and criminal charges.

604.11

REPORTING

- A. After any pursuit, the officers involved shall complete a vehicle maintenance request to have the patrol unit inspected.
- B. Unless injury prevents it, officers shall document the pursuit on the White Settlement Police Department Pursuit Report prior to the end of shift. The pursuit report shall *T.B.P. 7.14* document:
 - 1. The reason for the pursuit, and whether the agency was notified of a license plate reader alert on the suspect vehicle prior to the pursuit.
 - 2. The personnel involved.
 - 3. The result of the pursuit.
 - 4. Any injury or damage.
 - 5. Any other significant events that occurred.
 - 6. Any additional informational elements contained in the pursuit reporting system.
- C. The Patrol Commander will conduct an administrative review of the pursuit to determine if the pursuit was conducted within the policies of the department.
- D. The Pursuit Report and any related documents will be routed through the chain of command to the Chief of Police.
- E. The Patrol Commander will conduct an annual analysis of pursuits and forward the report to the Chief of Police. *T.B.P. 7.14*
- F. An annual statistical summary report will be produced for the public that contains generally releasable information related to pursuits that occur.

604.12

STARCHASE PURSUIT INTERVENTION TOOL

The StarChase Pursuit Tactical Technology Intervention Tool is a strategy to increase the apprehension of potential or actual fleeing suspects in motor vehicles and recover stolen vehicles or recover vehicles used in felony-grade offenses.

The StarChase system allows an officer to remotely affix a GPS tracking device to a pursued or about to be pursued suspect vehicle using an air pressure system to discharge the tracker from the

front of a StarChase equipped authorized emergency vehicle to the suspect vehicle in front of it. Once the GPS tag is affixed, the location of the suspect vehicle may be tracked by an authorized employee (StarChase Monitor) using a computer, tablet or smartphone with an internet connection.

Training on all aspects of the StarChase system shall be conducted by a certified StarChase Trainer and made available to all officers authorized to use StarChase. The training shall include this policy, importance of vehicle safety and protecting the public, StarChase operation protocols, StarChase deployment procedures, and the authority to use the CoreView GPS monitor and mapping software. Officers shall also demonstrate proficiency in deploying a GPS tag onto a vehicle.

Equipment Testing: Officers assigned to a StarChase-equipped vehicle shall perform the following system checks at the start of shift:

- A. Check the StarChase GPS tracker housing unit located on the front of the authorized emergency vehicle to ensure two StarChase GPS tags are present.
- B. Activate the StarChase system deployment unit to ensure proper functionality.
- C. Report any issue with the housing unit, number of tags, or system functionality to the Patrol Commander.

Deployment Authorization: Officers may deploy StarChase prior to the attempted stop, during a vehicle stop, or during the pursuit of any violator under section 604.06 B4 when the officer has reasonable suspicion that the violator may flee or is fleeing in a motor vehicle. A divisional commander can also authorize a StarChase deployment in other circumstances that comply with state and federal law.

For purposes of this section, the following provisions shall be followed:

- A. In adherence to this section, an authorized deployment will be clearly announced on the police radio that a “StarChase” is being and has been deployed and location.
- B. WEST COMM Dispatch Center will immediately begin tracking on the deployed StarChase GPS tag and relay pertinent geographic location of the suspect vehicle to officers.
- C. StarChase equipment shall only be operated by officers who have been successfully trained in its use.
- D. StarChase equipped vehicles should be assigned to StarChase trained officers.

Safety Considerations:

Except as specified below, officers shall use their own judgment regarding deployment of a StarChase tag upon a pursued or “about to be pursued” suspect vehicle.

- A. All safety decisions related to the deployment of a StarChase tag shall be evaluated by the operator prior to discharge. While supervisors may direct or approve the deployment of a tag, prior supervisory approval is not required and the actual decision to deploy the tag will be evaluated by the operator and within their sole discretion into the safe deployment of the operator’s vehicle, other motor vehicle or pedestrian traffic on the roadway, and the evasive actions of the suspect vehicle.

- B. In accordance with this policy, the safety of officers, uninvolved person(s) inside the pursued or “about to be pursued” vehicle, and members of the public shall be considered.
- C. The following provisions are authorized under this policy:
 - 1. StarChase-equipped authorized emergency vehicles, with approval of a controlling supervisor or divisional commander, may be authorized to respond with emergency lights and siren to join a pursuit for potential deployment of a GPS tag.
 - 2. Operators of the StarChase equipment should continually evaluate any circumstance that would tend to indicate an unsuccessful discharge of a GPS tag (weather conditions, suspect vehicle evasive actions such as weaving, pedestrian-crowded area, or other factor).
 - 3. Operators are prohibited from deploying the StarChase system on motorcycles or pedestrians.
 - 4. Operators shall increase the likelihood of a successful discharge of a GPS tag by safely maneuvering close enough to the suspect vehicle, while maintaining an adequate and safe reactionary time to respond to unpredictable driving behavior by the suspect, before discharging the tag, as outlined in the StarChase training protocols.
 - 5. Unless directed otherwise by the controlling supervisor, the StarChase-equipped vehicle will join in the pursuit at the rear of the authorized pursuing vehicles.
 - 6. Once a StarChase-equipped vehicle joins a pursuit, it becomes an authorized unit as it relates to the number of authorized pursuing vehicles.
 - 7. Operators of StarChase-equipped vehicles may pass other pursuing vehicles only when deemed safe and clear communication between the operator and pursuing vehicle has been established. Permission is to be sought and acknowledged one passing unit at a time. The pursuing vehicle being passed should provide specific permission to the StarChase unit. The StarChase unit will identify which side will be overtaken.
 - 8. StarChase GPS tags will be deployed in accordance with the training protocols:
 - a. Once the StarChase GPS tag has been successfully deployed, pursuing vehicles should normally drop back significantly and disengage visible emergency vehicle operation from the suspect vehicle once normal driving speeds and regulations are obtained.
 - b. Officers shall maintain constant communication with the StarChase Monitor (normally WEST COMM Dispatcher) for speed, direction of travel, and location updates of the suspect vehicle.
 - c. The controlling supervisor shall coordinate with the StarChase Monitor to direct resources and officers to appropriate locations to apprehend the suspect. Emergency vehicle operation that is deemed prudent, reasonable, and safe may be authorized to respond to the suspect location once the vehicle stops.
 - d. At least one officer shall remain in the City of White Settlement unless authorized by the controlling supervisor.
 - e. No officer who is driving a moving authorized emergency vehicle will access the StarChase Monitor/Mapping data as this can create an unnecessary driving distraction hazard.
 - 9. Tactical Considerations:
 - a. The StarChase tag will not normally be deployed in the following situation unless the suspect poses a substantial risk to the public:
 - i. During heavy rain.

- ii. While driving on exceptionally rough terrain.
 - iii. On a motorcycle.
 - iv. On a pedestrian.
 - v. When pedestrians are between or in close proximity to the suspect vehicle and the StarChase-equipped vehicle.
 - vi. On vehicles that have an open or exposed driver/passenger cabinet (convertibles, certain jeeps).
 10. Every effort shall be made by officers to retrieve any GPS tag that is deployed successfully or unsuccessfully. Officers should include the GPS tag serial number in official police reports.
 11. Supervisor review of every deployment shall occur by downloading the activity detail report from the StarChase software. This report may be included in appropriate offense reports.
 12. Operators shall notify the Quartermaster to replenish GPS tags before the start of the next shift.
 13. Dispatch personnel should be logged into the StarChase monitoring/mapping software and be ready to engage with the system. Dispatchers should be ready to notify neighboring jurisdictions on pursuits that enter other cities or if additional assistance is requested by the operator or controlling supervisor.
 14. In addition to the pursuit reporting requirements, officers shall make a report on the department's prescribed form on all StarChase deployments, whether successful or unsuccessful.
 15. Field supervisors, commanders, or command staff may authorize StarChase-equipped vehicles to join other jurisdiction pursuits when clear communication to assist the other agency is coordinated. The Fort Worth Police Real-Time Crime Center may be contacted during a successful deployment to summon additional resources as needed.
- D. Apprehension Protocols.

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers who use force shall follow the department's use of force policy. Unless relieved by the controlling supervisor, the primary officer who arrives on scene at the conclusion of a tracking location should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider the safety of the public and the responding/involved officers when formulating plans to contain and apprehend the suspects. Perimeter containment should also be a consideration when attempting apprehension.

END OF POLICY