
 <input checked="" type="checkbox"/> General Order <input type="checkbox"/> Division Order <input type="checkbox"/> Bureau Order  Order No. <b>19-31</b>  <input checked="" type="checkbox"/> Procedure <input type="checkbox"/> Plan <input type="checkbox"/> Rule	<b>Iowa Department of Public Safety</b>	
	<b>TITLE/SUBJECT: Motor Vehicle Pursuits</b>	<b>IDENTIFIER: 22-02.02</b>
	<b>TO: All Sworn; DPS Communications Specialists</b>	<b>CC: All DPS Personnel</b>
	<b>RELATED DIRECTIVES/FORMS: Iowa Code 321.1(6); Iowa Code 321.231; Iowa Code 321.279; Iowa Code 806; DPS Form 33, Pursuit Report</b>	
	<b>APPLICABLE CALEA STANDARD(S): 41.2.2, 41.2.3</b>	
	<b>EFFECTIVE DATE: 3-19-19</b>	<b>REVISION #: 7</b>
	<b>INSTRUCTIONS: This directive replaces and supersedes GO 17-126/DOM 22-02.02, dated 12/18/2017. Changes have been made throughout sections IV.B, V.D and VIII.C.</b>	
<b>APPROVED</b>  <b>Brett Tjepkes, Executive Officer</b>	<b>DATE:</b> <b>March 5<sup>th</sup>, 2019</b>	

### I. Purpose

The purpose of this policy is to provide guidelines for the motor vehicle pursuit of suspects by Department officers.

### II. Policy

It is the policy of this Department to allow motor vehicle pursuits in accordance with Iowa law and Departmental Rules and Regulations.

### III. Definitions

A. *Authorized Emergency Vehicle* - Vehicles of the fire department, police vehicles, ambulances, and vehicles owned by the United States, this state, any subdivision of this state, or any municipality of this state, and privately owned vehicles as are designated by the director of transportation under section 321.451. Currently the Iowa Department of Public Safety has 4 types of authorized emergency vehicles in their fleet. These include:

1. Fully marked patrol units driven by uniformed officers
2. Unmarked patrol vehicles driven by uniformed officers
3. Unmarked, non-pursuit rated vehicles driven by non-uniformed officers.
4. High center of gravity patrol vehicles.
  - a. All Sworn DPS personnel will be required biennially to sign off on DPS form 130 in power DMS. EVOC instructors will facilitate the posting of the form with the CALEA Bureau.

B. *Eluding or Attempting to Elude* – **Iowa Code section 321.279 Eluding or attempting to elude pursuing law enforcement vehicle.**

1. The driver of a motor vehicle commits a serious misdemeanor if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked

official law enforcement vehicle driven by a uniformed peace officer after being given a visual and audible signal to stop. The signal given by the peace officer shall be by flashing red light, or by flashing red and blue lights, and siren. For purposes of this section, “*peace officer*” means those officers designated under section 801.4, subsection 11, paragraphs “*a*”, “*b*”, “*c*”, “*f*”, “*g*”, and “*h*”.

2. The driver of a motor vehicle commits an aggravated misdemeanor if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle that is driven by a uniformed peace officer after being given a visual and audible signal as provided in this section and in doing so exceeds the speed limit by twenty-five miles per hour or more.
3. The driver of a motor vehicle commits a class “D” felony if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle that is driven by a uniformed peace officer after being given a visual and audible signal as provided in this section, and in doing so exceeds the speed limit by twenty-five miles per hour or more, and if any of the following occurs:
  - a. The driver is participating in a public offense, as defined in section 702.13, that is a felony.
  - b. The driver is in violation of section 321J.2 or 124.401.
  - c. The offense results in bodily injury to a person other than the driver.

C. *Forcible Stopping Technique* - A general term describing any technique or maneuver involving the intentional application of force intended to terminate or re-direct a pursuit.

D. *Fresh Pursuit* –

1. (Iowa source: Iowa Code 806.5) “Fresh pursuit” as used in the Iowa Code, includes fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.”
2. (Illinois source: 725 ILCS 5/107-4) “The immediate pursuit of a person who is endeavoring to avoid arrest.”
3. (Minnesota source: M.S.A. 626.71) “‘Fresh pursuit’ means fresh pursuit as defined by the common law and includes the pursuit of a person who has committed or is reasonably believed to have committed a violation in the presence of the peace officer. Fresh pursuit does not necessarily imply instant pursuit, but pursuit without unreasonable delay.”

E. *Motor Vehicle Pursuit* - An active attempt by peace officers in an authorized emergency vehicle to apprehend one or more people in a moving motor vehicle who attempt to avoid apprehension or fail to respond to an officer’s signal to stop.

F. *Legal Intervention* – Any technique, maneuver or practice used by peace officers designed to terminate or re-direct a vehicular pursuit. This includes but is not limited to the use of stationary or rolling road blocks, stop sticks, or forcible stopping techniques such as:

1. *Precision Intervention Technique (P.I.T.)* - A specific forcible stopping technique taught to DPS officers in basic and in-service training, involving a precisely calculated contact of the pursuing officer's vehicle with the violator's vehicle, designed as a less than lethal option to end a vehicular pursuit.
  2. *Intentional Vehicle Contact* - A forcible stopping technique, which involves intentional vehicle contact by an officer to end or re-direct a vehicular pursuit.
- G. *Pursuit Rated Vehicle* - A vehicle that is designed by the manufacturer to be used in a police pursuit. Pursuit rated, or police package vehicles, come with heavier frames, suspension, steering, braking system and speed rated tires, and are designed to be used in a high speed pursuit situation.
- H. *High Center of Gravity Vehicles* – Vehicles that are larger, taller, heavier, and less stable than other vehicles. HCGV's are vehicles that are more susceptible to inertial forces, increased body roll, rollover, and increased stopping distances. HCGV's include, but are not limited to; pickups, full size vans, sport utility vehicles, and utility type vehicles.
- I. *TraCS (Traffic and Criminal Software)* – A computer software application that provides users with all of the functionality needed to record and retrieve information on traffic stops, incidents, pursuits, arrests and other encounters that officers might have in the course of their duties. The TraCS database is the repository for all State Patrol data and available for use by other Divisions.
1. DPS Form 33 shall be utilized to report pursuit incidents by divisions within the Department of Public Safety that have not adopted the TraCS computer software application.
- J. *Rolling Road Block*- A technique where two (2) or three (3) police vehicles will attempt to bring the driver to a safe, controlled stop by surrounding the suspect vehicle from the front, to the side, and to the rear.

#### **IV. Procedure**

##### **A. Initiating a motor vehicle pursuit**

###### **1. General guidelines**

- a) A pursuit is justified when, in the officer's judgment, the officer believes the risk to the public is greater without an apprehension when compared to the risk of the pursuit.
- b) An officer's decision to pursue, not to pursue, or terminate a pursuit is discretionary.
- c) Departmental officers should remain alert to another agency's pursuit and position themselves to provide assistance. An officer in position should offer assistance to the pursuing agency. If other agencies become involved in Department of Public Safety pursuits they should be advised of the circumstances as soon as possible.

- d) Inter-State Pursuits<sup>1</sup>- Departmental officers will notify DPS Interoperability Communications Center when a pursuit appears to be going in the direction of a state line. If the suspect vehicle crosses a state line, the officer shall consider his/her authority for “fresh pursuit” into that state:
- (1) Departmental officers clearly have the authority and may pursue a felon or a person reasonably suspected of committing a felony from Iowa into all neighboring states
  - (2) Misdemeanor pursuits are only permitted into the neighboring states of South Dakota and Illinois. (See Footnote 1 on previous page)
  - (3) Officers should, when feasible, obtain prior supervisory approval to continue pursuits across state lines.
  - (4) At the first available opportunity, the Departmental officer will yield the primary and backup pursuit positions to law enforcement officials from that state, maintaining a presence in the pursuit.
  - (5) See V.A.3 below for handling arrests in neighboring states.
- e) If an out of state agency engaged in a motor vehicle pursuit crosses the state line into Iowa, Departmental officers will assist as requested, as provided by the “Iowa Uniform Fresh Pursuit Law” (*Iowa Code, Chapter 806*) and Departmental policy.

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<sup>1</sup>Guidance for Iowa DPS officers regarding “fresh pursuits” into neighboring states (Source: Iowa Attorney General’s Office 3/22/2007):

- b) Wisconsin: May pursue into the state and arrest "on the grounds that the person is believed to have committed a felony in such other state" W.S.A. 976.04
- c) Minnesota\*: May pursue and arrest if entering into the state "in fresh pursuit, and continues within this state in such fresh pursuit, of a person in order to arrest the person on the ground that the person is believed to have committed a felony" M.S.A. 626.65
- d) South Dakota: May pursue and arrest if entering into the state "in fresh pursuit, and continues within this state in such fresh pursuit, of a person in order to arrest the person on the ground that the person is believed to have committed a misdemeanor in such other state"; also, may pursue if entering into the state "in fresh pursuit, and continues within this state in such fresh pursuit, of a person in order to arrest the person on the ground that the person is believed to have committed a felony in such other state" SD ST 23A-3-9 & 23A-3-10.
- e) Nebraska: May pursue and arrest if "in such fresh pursuit, of a person, in order to arrest him on the ground that he is believed to have committed a felony in such other state" Neb.Rev.St. § 29-416.
- f) Missouri\*\*: May pursue and arrest "on the ground that such person is believed to have committed a felony....." 544.155 RSMo 2000.
- g) Illinois: May pursue and arrest "in fresh pursuit of a person in order to arrest him on the ground that he has committed an offense in the other State" 725 ILCS 5/107.

\*Minnesota permits pursuit for misdemeanors if reciprocal authority is granted by the other state. However, as Iowa does not grant that authority, Iowa officers may not pursue and arrest for simple misdemeanors.

\*\*Missouri permits pursuit for OWI/DWI if reciprocal authority is granted by the other state. However, as Iowa does not grant that authority, Iowa officers may not pursue and arrest for OWI/DUI in Missouri (unless it is felony OWI.)

2. Considerations
  - a) Seriousness of the offense(s).
  - b) Area in which the pursuit is occurring.
  - c) Time of Day
  - d) The current volume of vehicle and pedestrian traffic.
  - e) Capability of the officer's vehicle.
  - f) Current weather and road surface conditions.
  - g) Available assistance.
  - h) Speed of the vehicle being pursued
  - i) Probability of subsequent apprehension of the pursued person.
  - j) Radio coverage and communications interoperability between assisting units
  - k) Presence of other persons in the suspect's vehicle and in the officer's vehicle.
3. Officers driving non-pursuit rated vehicles shall carefully evaluate all considerations as outlined in IV.A.2 before initiating or continuing a pursuit.
4. Vehicles transporting prisoners, witnesses, suspects, ride along observers or complainants shall not engage in a pursuit.

## B. Responsibilities

### 1. Initiating Officer

- a) If a pursuit is initiated, the officer will notify the coordinating DPS Communications Center of the pursuit and provide the following information:
  - (1) Speed, location, and direction of the pursuit.
  - (2) Description of the pursued vehicle, license plate number, and a description of the occupants, if observed.
  - (3) Reason the pursuit is continuing, including the original offense.
- b) The pursuing officer will activate the vehicles' emergency lights and siren throughout the pursuit. This would not preclude the officer from silencing the siren momentarily to operate or hear radio traffic.
- c) If the officer is unable to comply with both **a)** and **b)** above, pursuit should only be continued if the officer believes serious imminent harm to the public will occur without apprehension.
- d) The pursuing officer bears the operational authority for the pursuit unless relieved by a supervisor. This authority pertains to field operation of the pursuit only and is subordinate to the command of a supervisor at all times.
- e) The pursuing officer will continue to provide updated information to the communications center throughout the pursuit except as shown below when a back-up officer is available to assume communication responsibility.
- f) If the pursuing officer is driving an unmarked or high center of gravity vehicle, the officer will allow a marked vehicle to become the primary pursuing officer as soon as this can be completed safely.

### 2. Back-up (secondary) Officer

- a) Departmental officers should refrain from becoming involved in a “caravan of vehicles” involving over three (3) DPS vehicles during a pursuit. Department officers should not actively engage in the pursuit if there are already four (4) vehicles from other agencies actively involved in the pursuit. However, other officers in the area of the pursuit, and not directly involved, should remain alert to the progress and location.
- b) The primary back-up officer, upon joining the pursuit, shall immediately notify the coordinating communications center of their identity. The back-up officer should immediately assume radio communications, allowing the primary pursuing officer to devote full attention to pursuit driving. The primary back-up officer will notify the communications center as soon as the pursuit is terminated. This should include the location and status of the pursuing officer and subjects involved in the pursuit.
- c) The back-up officer should maintain a safe distance behind the pursuing officer, but close enough to render assistance, if and when needed. A “safe” distance is the officer’s decision, exercising officer discretion.
- d) If the pursuing officer’s vehicle becomes disabled, or loses position, the back-up officer will become the primary pursuing officer. If so, the back-up officer should immediately notify the communications center. If available, a 3<sup>rd</sup> DPS vehicle should become actively involved in the pursuit.
- e) Other officers in the area may assist by monitoring the pursuit from parallel roadways and thus be in position to assist in stopping the fleeing vehicle.

### 3. Communications Specialist

- a) Multi-Select/Patch the pursuing officer to the ISICS approved statewide pursuit talk group. [ISICS Statewide Pursuit Communications 1.4.0.](#)
- b) Advise all cars not involved in the pursuit to switch to another law talk group for routine traffic.
- c) Broadcast on Area Multi Group that a pursuit is currently active and which Statewide pursuit talk group the officer is using.
- d) Contact the appropriate supervisor as soon as reasonably possible to provide the supervisor the information available on the pursuit.
- e) Coordinate communications activities.
- f) Be responsible for receiving and recording information on the pursuit and the pursued vehicle, if applicable.
- g) Obtain driver’s license check on registered owner, vehicle registration, and wanted checks of the vehicle and suspect(s).
- h) Coordinate and dispatch back-up assistance and air support under the direction of the field supervisor, if applicable.
- i) Notify neighboring jurisdictions, where practical, when pursuit may extend into their jurisdiction.
- j) Upon termination of the pursuit, the DPS Interoperability Communications Center will conduct a general broadcast on the pursuit talk group that the pursuit is terminated.
- k) Upon termination of the pursuit, the Communications Specialist will take down the patch or unselect the multi group.

### 4. Supervisor

- a) It is the primary responsibility of the supervisor to coordinate the pursuit through effective

communication. It is not necessary that the supervisor be physically present, or directly involved in the pursuit.

- b) The supervisor upon being notified of a pursuit should verify the following:
  - (1) Ascertain the basis for the pursuit.
  - (2) Departmental policies are being followed.
  - (3) Aircraft assistance has been requested, if feasible.
  - (4) The proper talk group(s) is/are being utilized.
  - (5) All affected agencies and chain of command have been notified.
- c) The supervisor shall coordinate Departmental officers involved, including methods to stop the fleeing vehicle.
- d) The supervisor may reverse a pursuing officer's decision to pursue or continue the pursuit.
- e) If a pursuit is terminated by a supervisor, the pursuing officer/s shall disengage from the pursuit by deactivating all emergency lights and sirens and return to normal vehicle operations. Officers shall not re-engage in the pursuit unless authorized by the supervisor.
- f) If property damage, or a personal injury accident, or the use of deadly force occurs during the pursuit, a supervisor should proceed to the pursuit termination scene.
- g) Should a supervisor initiate a pursuit, the supervisor shall relinquish the pursuit to another officer as soon as reasonably practical and assume a supervisory role.

#### 5. Air Support Unit

- a) When an Air Support Unit responds to a pursuit, the Air Unit shall notify the coordinating communications center that visual contact is made with suspect vehicle.
  - (1) Aircraft shall be given radio priority to relay speed, direction, potential hazards, and possible apprehension sites to ground units and supervisors.
  - (2) Aircraft Unit should assume control and coordination over the pursuit if possible from the Ground Unit calling the pursuit.
  - (3) The primary and secondary Ground Units should consider the Air Unit's assistance when determining whether to continue or terminate pursuit.
- b) Pursuit Supervisor should advise Air and Ground Units of capacity in which they are expected to assist. In absence of a supervisor, Pilot may determine and communicate roles in pursuit to ground Units.
  - (1) Pursuit Supervisor may direct Air and Ground Units to continue or terminate pursuit.
    - a) Fleeing subjects who pose an immediate public safety threat if not apprehended, i.e. armed/forcible felony, may require Ground Units continued use of emergency equipment while being directed to target via Air Unit.
    - b) Ground Units terminated from a pursuit that are being redirected to a stopped target shall operate patrol vehicles in accordance with (22-02.01- Responding to Calls for Service.)
  - (2) Pilot calling the pursuit may at any time terminate ground units based upon observations of fleeing vehicle or approaching hazards.
- c) Flight Safety parameters remain within the purview of the pilot in charge.

(1) Aircraft will fly at a safe altitude determined by policy and maintain a sufficient distance to avoid alerting fleeing suspects.

a) 45-02.47 - Duties, Responsibilities, Qualifications, Selection Process, & Procedures of ISP Air Wing- Trooper Pilots.

(2) Air Unit at any time, at Pilot's discretion, can disengage from the pursuit.

#### C. Termination of the Pursuit

1. The pursuing officer may decide at any time to discontinue the pursuit as the considerations may change during the pursuit.
2. Like the decision to pursue, the decision on how or when to stop the violator is discretionary with the pursuing officer and/or supervisor. Any tactic contemplated should take into consideration all the factors surrounding the incident, including the safety of the public, officers, and the pursued.
3. In the event the violator's identity is established to the point where later apprehension can be accomplished and where there is no immediate threat to the safety of the public or police officers, the pursuit shall be terminated.
4. In the event a pursued vehicle travels the wrong way on a fully controlled access roadway such as an interstate, freeway or by-pass, officers shall not follow. This does not prohibit pursuit on the adjacent roadway where the Officer is driving with the flow of traffic.
5. In the event a vehicle being pursued travels the wrong way on a divided roadway or on a one way street other than described in section C.(4) above, officers should not follow unless extreme emergency circumstances dictate otherwise.

#### V. Procedures/Responsibilities after a Pursuit is Concluded

##### A. Initiating and Participating Officers

1. If the officer that initiated the pursuit is not present when the pursued violator is apprehended, the officer will go to the scene of the apprehension, unless otherwise directed by a supervisor. It will be this officer's responsibility to complete *DPS Form 33 or the TraCS Pursuit Report* form. (Anytime the Communication Center is notified or a criminal charge would have been warranted, the initiating officer will complete the *DPS Form 33 or the TraCS Pursuit Report* form.)
2. The officer who initiated the pursuit and all participating officers will file written reports (arrest/incident) with their immediate supervisors within five (5) days following the incident, unless the pursuit resulted in death, serious injury or serious property damage, in which case the reports shall be filed within two (2) days.
3. If the violation is a felony and the pursuit concluded out of state, the violator is to be taken before a magistrate of the county in which the arrest was made, without unnecessary delay, to determine the legality of the arrest and to set bond or hold for extradition.

##### B. Assisting officers

All officers who participated in the pursuit, but were not directly involved in the apprehension, will immediately return to normal duties following the pursuit, unless otherwise directed by a supervisor.

##### C. Supervisor

1. If a death, serious injury, or serious property damage occurs in a pursuit, or if the



pursued vehicle was rammed or struck by an officer's vehicle, the supervisory officer originally notified of the pursuit will be notified and will, as soon as possible through the chain of command, notify the Commissioner/designee.

2. For a pursuit not resulting in death, personal injury, or property damage, the officers involved in the pursuit will file an incident report within five (5) days following the incident. In addition to normal arrest/incident report, the DPS Form 33, or TraCs *Pursuit Report form*, will be completed by the officer who initiated the pursuit. These reports will be reviewed by the supervisor on duty at the time the incident occurred and/or the officer's immediate supervisor.
3. If the initiating officer is not physically able to complete the required reports, the supervisor will assure these reports are completed.
4. The supervisor will review the reports for timeliness, completeness, content and overall review of compliance with policy.
5. If there appears to be a rule violation, a complaint shall be forwarded to the Professional Standards Bureau.
6. The TraCs Pursuit form upon being end-shifted, will be automatically forwarded to the Professional Standards Bureau for documentation and tracking. The remaining reports will be filed according to the normal procedure.

#### D. Pursuit Review

If a pursuit involves significant property damage, personal injury, death, violation of this policy, or other major safety concerns, command staff and the lead driving instructors shall review the pursuit. The review will include all incident reports, accident reports, damage reports, videos, CFS and radio recordings associated with the pursuit. If during the review, it is determined that a training issue exists, the lead driving instructors shall provide appropriate training to the officers involved.

#### E. Annual Reporting

The TraCS pursuit information will be automatically forwarded to the Iowa State Patrol to be utilized to conduct an annual documented analysis, providing a report to the Division Directors and Commissioner. This information will be utilized to identify training needs and/or policy modifications.

1. The absence of pursuit reports does not remove the requirement of reviewing the policies, procedures and practices associated with the reporting process.
2. The annual analysis shall include a review of pursuit policies and reporting procedures.
  - a) This analysis shall be completed and forwarded to the Commissioner for review by March 15<sup>th</sup>, of the following year; with a completion date of March 31<sup>st</sup>.
3. This information shall be utilized to identify training needs and/or policy modifications.

## VI. Use of Forcible Stopping Techniques and Roadblocks

- A. All forcible stopping techniques and maneuvers are intentional applications of force which are intended to terminate or re-direct a pursuit. When any technique succeeds in terminating the pursuit, a seizure has occurred and the use of force will be analyzed under the Fourth Amendment reasonableness standard and Departmental policy (See DOM 01-03.01, Use of Force).
- B. Precision Intervention Technique (P.I.T.) - The following guidelines should be considered

when executing the Precision Intervention Technique (P.I.T.):

1. The P.I.T. shall only be utilized by officers trained in this technique.
  2. Speed of the violators' vehicle should not exceed 35 MPH.
  3. Area chosen for the P.I.T. should be large enough to allow the violator's vehicle and the officer's vehicle to come to rest without striking other vehicles, fixed objects or other obstacles, and should not continue off the roadway unless suitable for safe vehicle operation.
  4. Sufficient back-up officers are available at the time of the P.I.T. to prevent the violator's vehicle from escaping after initially coming to rest.
  5. P.I.T. shall not be utilized during a vehicular pursuit involving a motorcycle.
  6. The execution of a P.I.T. during a vehicular pursuit involving a vehicle with a high center of gravity should be carefully evaluated by the officer prior to execution.
  7. The execution of a P.I.T. during a vehicular pursuit involving a vehicle with a short wheel base should be carefully evaluated by the officer prior to execution.
  8. A P.I.T. should not be utilized during a vehicular pursuit involving a vehicle with **both** a high center of gravity and short wheel base.
  9. A P.I.T. should not be utilized on a pursued vehicle that has deflated tires.
  10. A P.I.T. should not be performed by an officer driving a "High Center of Gravity" patrol vehicle
- C. Intentional vehicle contact, other than the P.I.T., is an option available to all Departmental officers. However, it shall only be used in situations where justification can be clearly documented in the appropriate *Pursuit Report*, and should be done with the concurrence of a supervisor, when feasible. Conditions specified in IV.A.2 and IV.A.3 above should be taken into consideration prior to initiating this maneuver.
- D. Use of Road Spike Devices (Stop Sticks)
1. Road spike devices placed across the roadway are to be used when officers are attempting to end a pursuit. They are an effective tool designed to stop a vehicle by deflating the tires. They are designed to be deployed across the roadway so that when a vehicle passes over them the hollow spikes penetrate into the tire's rubber belt. The tires are then deflated at a controlled rate, resulting in a safer and somewhat effective immobilization of the vehicle. Remember that most vehicles will still operate on the rims.
  2. These devices may be used in conjunction with a stationary roadblock to slow the violator prior to striking the road spike devices. Notice of the intent, where, to use the spikes should be communicated to all officers involved in the pursuit prior to laying them across the roadway. **DO NOT use the spikes for stopping a motorcycle.**
  3. The spike strip should not be used in locations where specific geographic configurations increase the risk of injury to any person, i.e., alongside rivers or embankments.
  4. The use of spike strips on a two- way roadway should be carefully evaluated. Officers should evaluate the volume of traffic and the opportunity to stop on-coming traffic prior to the deployment of the stop sticks.
  5. When the fleeing vehicle approaches, the officer will deploy the spike strip onto the roadway surface and then step away from the spike strip in case the device moves when the violator's vehicle passes over it. The officer should make every effort to avoid

having a non-violator drive over the spike. If this is not possible, the device may still be activated at the discretion of the officer, taking into consideration 1 through 4 above.

**[NOTE:** The officer should consider officer safety in selecting the position to activate the spike strips. A safe position behind a solid object should be used. **Patrol vehicles are not adequate cover.**]

#### E. Use of Roadblocks

1. Roadblocks for stopping fleeing violators may be used by officers as outlined in this policy.
2. A roadblock is a deliberate obstruction of traffic on a highway at one or more selected points installed for a specific purpose. It does not necessarily mean a complete stoppage of traffic or a complete blockage of the roadway.
3. There are several types of roadblocks that may be used. Selection of the appropriate roadblock and circumstances for use is at the discretion of the officer/supervisor. This is a decision the pursuing officer and/or the supervisor must make, depending upon the circumstances of each pursuit.
4. Types of Roadblocks
  - a) Fusees or Traffic Cones
    - (1) Fusees or traffic cones may be placed across a roadway in an effort to stop or funnel the fleeing vehicle onto the shoulder to stop.
    - (2) The Patrol car should be off the roadway with the emergency lights activated and in a reasonably safe position ready to assume immediate pursuit assistance, if necessary. Officers should place themselves in a position of safety which also affords them the opportunity to make an apprehension if a violator does terminate the pursuit at the roadblock.
  - b) Stationary Roadblocks
    - (1) This is a partial blockage of the roadway using an unoccupied patrol car with emergency lights activated. The roadblock will not be barricaded or occupied by privately owned vehicles. The roadblock will be constructed in such a manner to leave a route through the area and designed so that it will be necessary to proceed slowly.
    - (2) A supervisor may consider a complete roadway blockage if the fleeing vehicle/driver has previously caused death or will likely cause death if the pursuit is allowed to continue.
    - (3) Stationary roadblocks should be located in an area which provides a reasonably safe stopping distance to avoid hazards to officers and the public.
    - (4) Officers should place themselves in a position of safety. The officers should be in a position that affords them the opportunity to make an apprehension if the violator does terminate the pursuit at the roadblock.
  - c) Rolling Roadblocks
    - (1) This is a partial blockage of the roadway by moving patrol cars into position for the purpose of slowing or stopping the fleeing suspect. This involves the use of at least two or three patrol cars, one in front, one to the side, and one to the rear. The patrol cars then gradually slow to a stop, forcing the violator to stop.
    - (2) A rolling roadblock is appropriate when it reasonably appears there is imminent

danger to life and property if the vehicle is not stopped at the earliest possible time.

- (3) The time of day, volume of traffic, suspect vehicle actions/type, type of roadway, and environment should be considered prior to executing the maneuver.
- (4) The primary pursuing officer bears operational authority of the rolling roadblock.
- (5) When practicable, officers should seek approval from a supervisor, prior to initiating a rolling roadblock.
- (6) Any officer may abort the maneuver at any time for any reason.

## **VII. Alternative to Motor Vehicle Pursuit**

- A. Vehicular pursuit of a fleeing suspect can present danger to the lives of the public, officers, and suspects involved in the pursuit. This policy is to assist Officers in the safe performance of their duties and to regulate the manner in which motor vehicle pursuits are undertaken. General guidelines and considerations for such decisions can be located in IV. Procedure.
- B. Common Alternatives
  1. Pre-event Termination- For instances the violator or target vehicle flees prior to Officer's ability to safely maneuver into position to signal a vehicle stop.
  2. Pursuit Termination- Supervisory or Officer Decision to discontinue.
  3. Investigative- Identify the suspect and apprehend later if possible.
  4. Scenario/Intelligence based Termination- For instances such as Suspect's identity is known, pursuit danger is greater than the danger posed to the public if suspect is not immediately apprehended, and other known considerations such as seriousness of offense.

## **VIII. Training**

- A. The Precision Driving/Vehicle Operations training in the DPS Academy will meet or exceed the standards set forth by the Iowa Law Enforcement Academy.
- B. All instruction given to peace officer members of the Department is given by instructors certified by the Iowa Law Enforcement Academy in this area of expertise.
- C. In-service training requirements will consist of classroom study biennially and hands-on practical training every fourth year. This training will address the use of roadblocks and other forcible stopping techniques. The hands-on training will consist of instruction in areas identified by Command Staff as problem areas. These problem areas will be determined by review of vehicle collision and vehicle damage reports.