



# GENERAL ORDER

## OAK BROOK POLICE DEPARTMENT

### OAK BROOK, ILLINOIS

Title: PURSUIT OF MOTOR VEHICLES		Number: OPR-303
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#### 303.1 Policy

It is the policy of the Oak Brook Police Department to apprehend violators of the law whenever it is feasible under existing conditions. However, the overriding responsibility of the department is to protect human life. When the risks to public safety outweigh the seriousness of the offense, Officers should refrain or disengage from the pursuit of motor vehicles.

#### 303.2 Purpose

The purpose of this policy is to establish the department's policy regarding vehicle pursuits.

#### 303.3 Definitions

Marked Police Vehicle: Any police vehicle that is identifiable by color scheme, department seal, and/or police lettering, has visible emergency lights mounted on or within the vehicle, and is equipped with a siren.

Unmarked Police Vehicle: Any police vehicle that has no distinctive identifiable marking and may have portable emergency light (s) and siren.

##### Emergency Equipment:

- a. Emergency lights, for the purposes of this General Order, are defined as red and/or blue flashing, strobe, rotating or oscillating lights.
- b. Vehicle mounted siren system.

Fleeing Vehicle: A motor vehicle operated by a person who is attempting to avoid apprehension by Police Officers.

ISPERN: Illinois State Police Emergency Radio Network.

Police Officer: A Peace Officer as defined by Illinois Statutes, ILCS Section 5/2-13.

Primary Unit: The police vehicle that initiates a pursuit or any vehicle that assumes control of the pursuit as the first vehicle immediately behind the fleeing vehicle.

Pursuit: An event involving one or more on-duty Officers operating a police vehicle utilizing the vehicles emergency equipment in an attempt to apprehend a suspect in a fleeing vehicle who, after having been given a visual and an audible signal by an Officer directing the driver to bring the vehicle to a stop, willfully fails or refuses to obey such direction, increases the speed, extinguishes the lights, or otherwise flees or attempts to elude the Officer.

Secondary Unit: Any police vehicle which becomes involved as a back-up to the primary unit.

Supervisor: An Officer who, by virtue of rank or assignment, is responsible for the direction or supervision of the activities of other Officers, i.e., Sergeant, Commander, "Officer-in Charge", etc.

Great Bodily Harm: Serious physical injury that creates a substantial risk of death, causes serious permanent disability or disfigurement or results in long term loss or impairment of the function of anybody member or organ.

#### 303.4 Pursuit Regulations

Only sworn full-time Officers shall initiate a pursuit. Sworn Officers shall not engage in a vehicular pursuit unless the officer has an articulable reason to believe that the vehicle being pursued is occupied by an individual who has clearly demonstrated through their actions prior to the pursuit, that they will endanger human life or inflict great bodily harm to another unless arrested without delay.

Fleeing alone, minor traffic violations or property crimes (whether misdemeanor or felony) do not constitute an articulable reason for initiating a pursuit.

Officers shall not travel in the wrong direction on a limited access highway to initiate, continue or assist in a pursuit.

The decision to initiate or continue a pursuit requires weighing the public safety need to immediately apprehend the violator against the degree of risk to which Officers and others are exposed as a result of the pursuit. Officers who initiate or continue pursuits should consider the following elements:

- a. Nature of the offense.
- b. Speed of the vehicle.
- c. Time of day.
- d. Traffic and pedestrian conditions.
- e. Roadway and weather conditions.
- f. Frequency of intersecting streets.
- g. The type and condition of their police vehicle.
- h. Number of vehicles involved.

41.2.2a

- i. Presence of school zones.
- j. Possibility of identifying offender at a later time.
- k. Likelihood of successful apprehension.
- l. Length of the pursuit.
- m. Ability to maintain visual contact with the fleeing vehicle.
- n. Availability of supervisor oversight.
- o. Condition of fleeing vehicle.
- p. Number of occupants in fleeing vehicle.

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### 303.5 Primary Unit Responsibilities

The primary unit will broadcast the pursuit of any fleeing vehicle and will provide as much of the following information as possible:

- a. The reason for the pursuit
- b. Location and direction of travel
- c. Description of fleeing vehicle
  - 1. Make, model and color
  - 2. License number
  - 3. Number and description of suspects
- d. Approximate speed of the pursuit

The decision to broadcast the pursuit on ISPERN should be based on the location and direction of travel of the fleeing vehicle.

The pursuit must be broadcast on ISPERN if the fleeing vehicle leaves the jurisdictional boundaries of the Village.

The pursuing Officer must broadcast their intent to switch to ISPERN prior to doing so.

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### 303.6 Secondary Unit Responsibilities

The secondary unit must broadcast notification of its involvement in the pursuit and ensure that notification is acknowledged.

The secondary unit should be prepared to:

- a. Broadcast information regarding the status of the pursuit.
- b. Assist in the custodial arrest of the fleeing offender(s).
- c. Render aid should the fleeing vehicle be involved in or cause a traffic crash.

Nothing in this General Order shall be construed as to absolve the secondary unit of its responsibility to adhere to the procedures and guidelines of this order.

41.2.2d

### 303.7 Other Unit Responsibilities

Other units actively engaged in the pursuit must broadcast notification of their involvement and ensure that notification is acknowledged.

Other units must be prepared to assist in fulfilling the responsibilities of the secondary unit.

Available police units not directly involved in the pursuit are expected to monitor radio transmissions and position themselves so as to be of possible assistance to the primary unit.

Nothing in this General Order shall be construed as to absolve other units of their responsibility to adhere to the procedures and guidelines of this order.

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### 303.8 Supervisors Responsibilities

When a pursuit is in progress the Supervisor has the following responsibilities:

- a. Monitor and evaluate the circumstances and conditions surrounding the pursuit.
- b. Determine whether the circumstances justify the continuation of the pursuit.
- c. Monitor and control the number of units assisting in the pursuit.
- d. Order a pursuit terminated if:
  1. The suspect's identity is established to the point where later apprehension is likely and failure to immediately apprehend the suspect creates no immediate threat to public safety.
  2. It is determined from available information known at the time that the hazards involved in further pursuit do not justify continuation.
- e. When termination of a pursuit occurs, the Supervisor shall ensure notification of that termination is broadcast on the appropriate radio channel.

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### 303.9 Telecommunications Responsibilities

When an Officer is involved in a pursuit, they will ensure that the DuComm Telecommunicator is advised before changing radio frequency to ISPERN.

The Telecommunicator responsibilities are outlined in DuComm Written Directive 11.02.00 for Pursuits.

### 303.10 Pursuit Guidelines

The following procedures provide department members with guidelines to follow when engaged in a pursuit:

- a. To initiate a pursuit, Officers will activate the vehicles emergency lights and siren.
- b. Upon approaching an intersection controlled by traffic signals, signs or at any other location at which there is an increased likelihood of a crash, the driver of any pursuit vehicle shall reduce the vehicles speed and, if necessary, come to a complete stop so as to avoid a crash with another vehicle or pedestrian. Officers shall insure the way is clear before proceeding through the intersection or otherwise increasing speed.

- c. No police vehicle will overtake or pass the primary unit unless directed to do so by the primary unit or the Supervisor.
- d. Officers will not engage in a motor vehicle pursuit if the department vehicle is occupied by an individual who is not a department employee.
- e. Officers will not initiate or become involved in pursuits unless they are in clearly marked police vehicles.
- f. Officers operating four wheel drive vehicles may participate in a pursuit but must cognizant of the vehicles potential to tip while turning at high rates of speed.
- g. Officers are not to use a police vehicle to pursue a suspect fleeing on foot if the suspect is fleeing in a location designed for pedestrian traffic.
- h. The number of police vehicles involved in the pursuit will be determined by:
  - 1. The seriousness of the offense
  - 2. Presence of weapons
  - 3. Number of occupants in the fleeing vehicle
- i. Officers will not discharge a firearm from a moving vehicle, or at a moving vehicle or its' occupants unless:
  - 1. The suspect is using deadly force and it is a necessary measure of self defense or defense of another.
  - 2. The totality of the circumstances, as reasonably known to the Officer, justifies the use of deadly force and are so compelling that the Officer reasonably believes that the risk of injury to the Officer or another person outweighs the risk of an Officer not firing from or at a moving vehicle.
- q. Seat belts will be worn at all times during a pursuit.

41.2.2h

### 303.11 Inter-jurisdictional Pursuits

When a pursuit has been initiated by a law enforcement agency of another jurisdiction, the initiating unit and jurisdiction will be responsible for the conduct of the pursuit. Department vehicle operators will not become actively involved in the pursuit unless prior approval is obtained from the Supervisor.

This department's pursuit policy and procedures shall govern the conduct of any of our Officers engaged in, assisting with or considering engaging in the pursuit, regardless of where the pursuit begins or travels through. Unless otherwise directed by the Supervisor, this departments units will limit their participation to the following, when appropriate:

- a. Station themselves at major intersections to protect the public from the pursuit.
- b. Take any action that may minimize the danger of injury.
- c. Provide geographical assistance or other pertinent information.
- d. Provide assistance once the fleeing vehicle is stopped.

41.2.3

### 303.12 Roadblocks or Forcible Stops

The deliberate striking of a pursued vehicle or the use of a department or other vehicle(s) as a roadway barricade is prohibited.

Stop sticks may be used by Officers that have completed a department approved training course.

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### 303.13 Stop Sticks

To become certified to deploy stop sticks, Officer's must:

- a. Complete the department approved training course conducted by a certified instructor.
- b. Pass a written test with a score of 90% or greater.
- c. Complete a practical familiarization course.

41.2.3a

Stop sticks may be used when:

- a. The Officer has an articulable reason to believe the occupant(s) of a fleeing vehicle has committed or attempted to commit a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates they will endanger human life or inflict great bodily harm unless apprehended without delay.
- b. The Officer is directed to do so by the Shift Supervisor or requests and receives permission to do so from the Shift Supervisor.

Stop sticks are only to be used on motor vehicles, trucks, etc. They are not to be used on motorcycles, all-terrain vehicles (ATV's) etc.

The stop sticks work best when used on a paved surface roadway.

41.2.3b

Vehicle placement:

- a. The patrol vehicle will be placed on the side of the roadway, facing the direction of the pursuit with all emergency lights activated. If time or circumstances do not permit the above placement of the patrol vehicle, it may be positioned facing the upcoming pursuit.
- b. The patrol vehicle will not be occupied.
- c. When possible a second patrol vehicle may be placed on the opposite side of the roadway, with all emergency lights activated.

41.2.3b

Officer positioning:

- a. The Officer should be 10 to 20 feet in front of the patrol vehicle when deploying the stop sticks. If the patrol vehicle is facing towards the pursuit the Officer should then position themselves 10 to 20 feet to the rear of the vehicle.

41.2.3b

Deployment of the stop sticks:

- a. The stop sticks will be pre-loaded in the black nylon sleeve with the cord reel attached in the storage position inside the trunk.
- b. If possible notify pursuing vehicles that the stop sticks are being deployed.

- c. Remove the stop stick unit along with the attached cord reel from the trunk and close the trunk, time permitting. The trunk should be closed so as to not block the visibility of the emergency lights.
- d. Time permitting place the stop sticks perpendicular to the roadway on the shoulder and un-reel the cord across the roadway to a position of safety. Do not attach the reel to yourself or wrap the line around your hand. If time does not permit the above, toss the stop sticks in front of the suspect vehicle.
- e. Time permitting the Officer should pull the stop sticks into position after the last vehicle prior to the suspect's vehicle has driven over the cord.
- f. Immediately after the suspect's vehicle has run over the stop sticks, if possible, the Officer should pull the stop sticks out of the way of following police vehicles.
- g. After the successful use of the stop sticks the Stop Stick Deployment Form will be completed online at <http://www.stopstick.com/home/pursuit-reporting> from the [www.stopstick.com](http://www.stopstick.com) website.

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### 303.14 Termination of the Pursuit

The pursuing Officer has the prerogative to terminate a pursuit at anytime if in their judgment the risks outweigh the seriousness of the offense or if lives are being unduly threatened by the pursuit.

When an Officer terminates a pursuit or is directed to terminate the pursuit, the Officer will immediately notify telecommunications and ISPERN of the termination and the last direction of travel of the fleeing vehicle.

When a pursuit is ordered to be terminated, all Officers involved in the pursuit will immediately terminate the pursuit and:

- a. Acknowledge the order via radio.
- b. Extinguish emergency lights and siren.
- c. Comply with the Illinois Vehicle Code
- d. Change direction of travel and return to the jurisdictional boundaries of the Village.

If a pursuit is terminated within the jurisdictional boundaries of the Village, Officers must immediately comply with the Illinois Vehicle Code but may continue to follow the path of the fleeing vehicle until that vehicle leaves the jurisdictional boundaries of the Village in an effort to:

- a. Apprehend the occupants should they voluntarily stop.
- b. Render aid should the vehicle be involved in a traffic crash.

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### 303.15 Reporting

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All pursuits will be documented regardless of the results (i.e., termination, apprehension, etc.) including the Pursuit Driving Report Form (Attachment A) and Stop Stick Deployment Form (if applicable-online at <http://www.stopstick.com/home/pursuit-reporting>). All crashes will be investigated and reported as required by the department. A copy of all police reports

concerning a pursuit will be forwarded to the Chief of Police, through the chain of command for the purpose of evaluation, review and conducting an annual analysis by the Patrol Division Commander to determine:

- a. Policy compliance
- b. Operational needs
- c. Training needs

The primary unit will be responsible for filling out the Pursuit Driving Report Form (Attachment A).

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The Supervisor will ensure the completion of all applicable reports to include the:

- a. Incident Report.
- b. Pursuit Driving Report.
- c. Stop Stick Pursuit Form.

The Records Section will be responsible for returning the Pursuit Driving Report Form to the State of Illinois.

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### 303.16 Administrative Review

A memo including all pertinent information and copies of all reports pertaining to the pursuit will be submitted by the participating Officer(s) to the Patrol Division Commander, through the Shift Supervisor, before the end of the tour of duty.

An Administrative Review of the pursuit will be conducted at the direction of the Chief of Police.

### 303.17 Issuing Authority

This General Order will supersede any directives or understandings in conflict.

By order of:

  
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James R. Kruger Sr., Chief of Police

Revisions		
3-26-2013	303.3	Revised definition of Supervisor by changing Lieutenant to Commander.
3-26-2013	303.13	Corrected "cars trucks" to "trucks."
5-29-2013	303.16	Changed "Critique" to "Administrative Review."
5-18-2017	303.9	Elimination of most this section with referral to the applicable DuComm Policy.
5-18-2017	303.13	Added completion of Stop Stick Deployment Form online.