



WICHITA POLICE DEPARTMENT

POLICY MANUAL



POLICY 605

EMERGENCY VEHICLE OPERATIONS

I. PURPOSE

The purpose of this policy is to establish guidelines for sworn employees of the Wichita Police Department to follow when operating a departmental vehicle in an emergency response or a pursuit situation.

II. POLICY

Emergency vehicle operations present hazards and risks that can be life threatening and should be conducted only in accordance with the provisions of applicable law and Wichita Police Department policy. While it is the duty and responsibility of department personnel to apprehend offenders, officers should use discretion in emergency vehicle operations. Officers should also continually use discretion in evaluating the benefit of immediate apprehension compared to the risk of property damage or personal injury to the pursuing officers and the general public. Ultimately, each emergency response and/or pursuit will be judged upon the reasonableness of participants' actions. The Department will make every effort to provide continuing training regarding this policy.

III. PROCEDURES

A. Authorized Emergency Vehicles

1. Only vehicles equipped with emergency lights and an authorized siren will be authorized as emergency vehicles.
2. Vehicles not equipped with emergency equipment as provided in Section B1 will not be operated in an emergency manner. Should an officer become aware that a vehicle's equipment is defective it will not be operated as an emergency vehicle and shall be taken for repair.

B. Authority To Operate As An Emergency Vehicle

1. The Wichita Police Department permits authorized emergency vehicles to be operated in an emergency manner [10-39, with lights and siren]:
 - a. In response to a call designated 10-39, where the protection or preservation of life is a consideration, and/or;
 - b. During the immediate pursuit of an actual or suspected violator of the law;
 - c. When specifically authorized in emergency situations.

2. The following are emergency situations where the use of a 10-39 response [with lights and siren] is authorized:
 - a. Calls designated as Officer In Trouble;
 - b. Pursuit of a violator where the momentary use of either/or both emergency lights and siren are necessary to alert other traffic, and/or to command the operator in violation to stop;
 - c. Pursuit of a violator wherein the violator refuses to stop and the continuing use of both emergency lights and siren are necessary to warn others of hazardous conditions;
 - d. An officer knows or has reasonable suspicion to believe the fleeing suspect is committing, has committed or attempted to commit a violent criminal act as defined herein;
 - e. Violent Criminal Acts (Homicides, Rape in progress, Aggravated Assaults in progress, Robberies in progress and incidents in which individuals are in an active physical altercation);
 - f. Burglary in progress with suspect(s) on scene;
 - g. Vehicle collisions with injuries or fatalities; and
 - h. Active incidents involving a person with a gun making threats towards individuals or when shots have been fired.

3. Considerations for emergency responses(10-39) and pursuits (10-32):
 - a. The decision to initiate an emergency response or pursuit shall lie primarily with the officer after considering the elements of this policy. These considerations shall include, but are not limited to, the crime for which the suspect is wanted, the need to apprehend immediately, traffic/pedestrian density and volume, weather/road conditions, time of day, type of area, knowledge of the offenders identity and danger to community if not immediately apprehended, alternate means of apprehension, existence of possible innocent third party inside fleeing vehicle, and the risk the pursuit poses to the community.
 - b. The officer and supervisor should continually assess the risks associated with an emergency response or pursuit (time of day, traffic, and weather conditions and distance to call).
 - c. Supervisors may authorize the use of an emergency response or pursuit not listed in this policy when necessary.

C. Operation of Emergency Vehicles

1. Authorized operators include only on-duty commissioned members of the Department.
2. All members of the Department who operate a motor vehicle must possess a valid Kansas Motor Vehicle Driver's License.

3. Manner of operation:
 - a. Emergency lights and siren will be used at all times while operating 10-39.
 - b. Hold 10-39 responses to the essential minimum, and end a 10-39 response at the earliest feasible time.
 - c. The driver of an authorized emergency vehicle may proceed past a red light, stop signal or stop sign, but only after slowing down as may be necessary for safe operation and when emergency lights and siren are used.
 - d. The driver of an authorized emergency vehicle, when emergency lights and siren are used, may exceed the maximum speed limits so long as the driver does not endanger life or property.
 - e. The driver of an authorized emergency vehicle, when emergency lights and siren are used, may disregard regulations governing direction of movement or turning in specified directions.
 - f. No authority exists to drive contrary to traffic regulations if lights and sirens are not being utilized.
 - g. An officer will not escort a private vehicle 10-39 without approval from the Field Services Deputy Chief or designee.
 - h. The above provisions shall not relieve any officer driving an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor do these provisions protect the officer from the consequences of reckless disregard for the safety of others.

D. Requirements of Officer Involved:

1. The primary officer has discretion to discontinue a pursuit.
2. Any officer that initiates a pursuit should immediately notify the dispatcher with the following critical information:
 - a. Unit number
 - b. Location, direction of travel, and speed
 - c. Reason for pursuit
 - d. Description of vehicle, occupant(s), and suspect identity if known
 - e. Other information necessary to justify the pursuit
3. Except as modified below, no more than three vehicles should be involved in a pursuit: the pursuing unit, one (1) support unit, and a supervisor. In absence of a supervisor actively involved in the pursuit, only two (2) vehicles are allowed. If possible, the controlling supervisor should not be involved in the actual pursuit. A unit attempting to deploy StarChase shall be permitted to replace one (1) unit in the pursuit.

4. The pursuing officer may request, and the controlling supervisor may approve, additional units to join the pursuit if it is reasonably believed the number of officers in the primary and secondary units will not be sufficient to safely effect the arrest of the suspect(s).
5. Vehicles with prisoners, witnesses, suspects, complainants, or non-police personnel aboard should not become engaged in pursuits.
6. If visual contact is lost, other than momentarily, or if unfavorable weather, road, traffic, or vehicle conditions exist, the pursuit shall be discontinued.

E. Requirements of Supervisors Involved

1. During pursuits, the controlling supervisor should be the supervisor who assumes control of the pursuit. If the controlling supervisor becomes actively involved in the pursuit, they should request another supervisor take over command of the pursuit.
2. The controlling supervisor should obtain as much information as feasible to help determine why the vehicle is fleeing.
3. Supervisors should monitor the pursuit to ensure only those officers authorized participate.
4. The controlling supervisor or higher ranking officer may order a pursuit discontinued when known circumstances or facts do not justify continuing the pursuit.
5. Anytime a police vehicle has an accident while running 10-39 the Field Supervisor shall evaluate the need to initiate an administrative investigation under WPD Regulation 5.212 which is separate and distinct from the Accident Review Board.

F. Requirements of the Dispatcher

1. The dispatcher will transmit all available information pertinent to the pursuit to other police units.
2. The dispatcher will immediately identify the appropriate field supervisor to designate as the controlling supervisor
3. The dispatcher will advise pursuit vehicles of any known or potential hazards in the path of the pursuit such as accidents, street closures, etc.
4. Dispatchers will attempt to run a registration query on the suspect tag if time allows.

5. If it becomes evident the pursuit might cross into another dispatch area having different radio frequency, the originating dispatcher will ensure the appropriate dispatcher is aware of the chase and officers in the area are advised. The pursuit will then be simulcast on both channels. Officers involved in the pursuit will remain on the channel where it originated. This dispatcher will then activate the “Alert Tone” to warn officers emergency radio traffic will be forthcoming.

G. Authorized Pursuit Tactics

1. StarChase
 - a. Definitions
 - i. StarChase - StarChase is a system installed on a designated Wichita Police vehicle capable of deploying GPS-equipped projectiles at a vehicle prior to or during a pursuit.
 - ii. StarChase Tag – A device deployed from an air pressure system on an equipped Department vehicle. The device affixes to the vehicle in front of it and can be tracked by a Department StarChase monitor.
 - b. To maintain clarity in radio communications, the StarChase system and device shall be identified as “StarChase”. Officers shall avoid radio traffic which would lead a listener to believe that the officer is shooting at the pursued vehicle when deploying StarChase. The terms of “tagged” or “deployed” shall be used.
 - c. StarChase equipment will only be operated by officers who have completed training in the use of the system. StarChase equipped vehicles shall not be issued to officers not trained on the StarChase system except as approved by a supervisor due to exigent circumstances.
 - d. Except as specified below, officers shall use appropriate judgment regarding affixing a StarChase tag upon a pursued vehicle. Prior supervisor approval shall not be required to deploy a StarChase tag, however, a supervisor may direct the deployment of a StarChase equipped vehicle in a pursuit.
 - e. All safety considerations related to the deployment of a StarChase tag rest solely with the officer operating the StarChase system. The following decisions are specifically included:
 - i. Whether the officer can safely maneuver close enough to the suspect vehicle to come within effective targeting range;
 - ii. Whether the officer can safely pass other vehicles involved in the pursuit;

- iii. Whether any circumstance would indicate the device would not function as intended (e.g., weather conditions, suspect vehicle weaving, etc).
- f. Officers driving StarChase-equipped vehicles who have been trained in the use of the StarChase system are authorized to respond 10-39 to join a pursuit for the purpose of attempting to deploy the device.
- g. Unless otherwise directed by a supervisor, the StarChase-equipped vehicle will join the pursuit to the rear of the authorized pursuing vehicles until cleared to pass.
- h. Once a StarChase-equipped vehicle joins a pursuit, it becomes an authorized unit in the pursuit and will replace one (1) actively-pursuing unit.
- i. StarChase-equipped vehicles may pass other pursuing vehicles only when it is deemed safe and only after being granted permission by a supervisor to initiate passing into deployment position. Officers will clearly announce their intentions to pass once permission has been obtained, and will only do so after the pursuing vehicle they intend to pass has acknowledged their intention. Officers driving the StarChase-equipped vehicle should identify which side of the overtaken vehicle they will pass.
- j. Officers are authorized to tag vehicles without a pursuit having been initiated if the officer reasonably believes the vehicle will attempt to elude. Examples of situations in which such tagging would be authorized include but are not limited to: attempts to stop stolen vehicles, vehicles involved in or wanted for felony crimes.
- k. Once the StarChase tag has been successfully deployed, the pursuit supervisor shall determine if further direct pursuit is warranted. If the decision is made to terminate the pursuit, officers shall be authorized to remain in the area, but shall not directly follow the pursued vehicle and shall cease operating as an emergency vehicle.
- l. Officers will maintain communications with the 911 dispatcher or StarChase Monitor for speed/direction/location updates of the suspect vehicle.
- m. One WPD officer or supervisor may be designated as StarChase Monitor. This officer or supervisor shall remain stationary while directing units as the StarChase monitor. The StarChase monitor shall be responsible for providing updates via radio traffic on the suspect vehicle's location and speeds, as well as for assigning perimeter positions for units in the area.

- n. Tactical considerations - StarChase tags will not normally be deployed in the following situations unless the suspect poses a substantial risk to officers or the public:
 - i. During heavy rain;
 - ii. While driving on exceptionally rough terrain;
 - iii. When the pursued vehicle is a motorcycle or other non-enclosed all-terrain vehicle;
 - iv. When pedestrians are between or in close proximity to the suspect vehicle and the StarChase-equipped vehicle.
 - v. Officers will attempt to recover all GPS projectiles which are deployed. These will be turned in to the designated officer or supervisor within their Bureau.
 - vi. The designated supervisor will return the used projectile to the StarChase Administrator to be recycled, along with an email detailing the deployment of the GPS Projectile.

2. Stop Sticks

- a. Officers shall not interrupt established emergency radio traffic to ask permission for deployment. Authorization for the pursuit by the controlling supervisor implies permission to deploy Stop Sticks. The use of Stop Sticks is viewed as a controlled method to terminate a pursuit.
- b. Stop Sticks should only be deployed by officers who have been trained in their deployment and shall be used in accordance with the training.
- c. If possible, officers deploying Stop Sticks shall immediately advise dispatch and pursuing units of the deployment location.
- d. Patrol Vehicle Placement:
 - i. The patrol vehicle shall be parked in a position that does not interfere with the path of the violator. The deployment location shall not be considered a roadblock (see Policy 607).
 - ii. An officer deploying stop sticks should be prepared to use barriers, such as guardrails, abutments, bridges, or overpasses, to provided protection during deployment.
 - iii. The Patrol vehicle may be used to provide limited cover as a last resort. Officer(s) must take a position that will not put them in harm's way if the patrol vehicle is struck. Patrol vehicles do not provide adequate safety for officers in the area of a fleeing vehicle.

- e. Officer Positioning
 - i. The officer should identify potential escape routes for ~~their~~ safety when deploying stop sticks. (Alley, side road, etc.)
 - ii. Deployment locations should have adequate visibility in all directions to enable the officers deploying the “Stop Stick” device to observe and react to the pursuit and other traffic.
- f. Deployment of “Stop Sticks”
 - i. The “Stop Sticks” will be pre-loaded in the black nylon sleeve with the cord reel attached in the storage position inside the trunk or hatch of designated Wichita Police vehicles.
 - ii. Officers certified and trained in the use of “Stop Sticks” may respond to a location ahead of the projected path of the pursuit and set up a deployment location. If possible, immediately advise dispatch and pursuing units of the deployment location. The deployment shall only be done in accordance with this policy.
 - iii. Officers **shall not** overtake or attempt to overtake (pass or attempt to pass) any suspect vehicle to deploy the “Stop Sticks” device. The “Stop Stick” tire deflation device **shall not** be thrown or dropped out of moving police vehicles.
 - iv. Remove the “Stop Stick” unit along with the attached cord reel from the patrol vehicle.
 - v. Close the trunk if time permits. The trunk should be closed so emergency lights are visible and not blocked.
 - vi. Officers should deploy stop sticks from a place of safety by throwing them across the road, using a sidearm throw.
 - vii. **Do not** attach the reel to yourself or wrap the line around your hand. This can lead to serious injury.
 - viii. The deploying officer should pull the Stop Sticks into position, allowing passing traffic to drive over the stop stick cord. After the last vehicle has passed over the cord, and just prior to the suspect vehicle’s approach, the deploying officer should pull the stop sticks into the path of the suspect vehicle. Officers should make every reasonable effort to avoid other vehicles in the area.

- ix. Immediately after the suspect has driven over, or passed, the “Stop Sticks”, the officer should make every effort to pull the device out of the way of the pursuing police units.
 - x. Officers deploying “Stop Sticks” **should not** use them in locations in which the geographical configuration would increase the risk of injury to the suspect or others. This would include roadways bounded by steep descending or ascending embankments, curves, bridges, or other locations where the safety of proceeding or opposing traffic cannot be reasonably assured.
 - xi. Stop Sticks are only to be used on motor vehicles, cars, trucks, etc. They **are not** to be used on motorcycles, mopeds, or a vehicle with less than 4 wheels unless the use of deadly force can be justified.
 - xii. “Stop Sticks” **should not** be used on vehicles transporting hazardous materials. Utilizing tire deflation devices on these types of vehicles involve additional risks, requiring further consideration prior to deployment.
- g. After Deployment of “Stop Sticks”
- i. After the successful use of “Stop Sticks”, a supervisor, designated to maintain them in their respective patrol bureau, will complete the Stop Stick Pursuit Reporting Form. They will also be responsible for processing the necessary paperwork to ensure replacement of the “Stop Sticks”.
- h. Maintenance
- i. A supervisor in each Patrol Bureaus will be designated by their respective bureau commander to maintain, inventory, and replace “Stop Sticks”.

H. General Pursuit Termination Guidelines

1. A vehicle pursuit will be terminated:
 - a. Immediately, when ordered by a supervisor.
 - b. If visual contact is lost other than momentarily, or if unfavorable weather, road, traffic, or vehicle conditions warrant.
 - c. When there is a clear and unreasonable danger to the officer or the public.

2. Action to take when a pursuit is terminated prior to apprehension:
 - a. Termination will be broadcast to the dispatcher
 - b. Officers will turn off emergency equipment and drive according to city ordinance and state law.
 - c. Officers involved will promptly acknowledge the order to terminate the pursuit.

I. Reporting Requirements

1. At the conclusion of each pursuit, officers will:
 - a. Obtain an incident number if the pursuit was unrelated to any other incident, and prepare an Incident Report classified as “Evading Police” [Code 2305]. This report will be prepared regardless of whether the suspect escaped or was arrested.
 - b. Give Case Desk personnel the “Evading Arrest” code when cutting the case if the pursuit was related to another incident in addition to the code and classification of the original incident and these codes will be documented on the Incident Report.
 - c. Enter the incident into Blue Team under “Vehicle Pursuit”, completing all required information, and forward this incident to an immediate supervisor for approval.
2. The Incident Report will fully describe the details of the pursuit and the actions taken by the officers involved. Information contained in the Incident Report will be used by detectives to develop a case against an offender who may have escaped. This information may result in the suspect being arrested at a later time.

J. Prohibited Practices

1. Pursuit vehicles should not pass another pursuit vehicle without a supervisor’s permission unless to deploy StarChase, which shall then be permitted to replace one (1) unit in the pursuit.
2. No officer should intentionally make vehicle-to-vehicle contact without controlling supervisor’s permission.
3. Officers will not shoot a vehicle with the intent of disabling the vehicle. Any discharge of a firearm must be in compliance with use of force regulations.
4. Roadblocks will not be established without a supervisor’s approval [see policy 607]

5. Pursuit vehicle should not pursue a vehicle the wrong way on a controlled access highway.

K. Inter-Jurisdictional Pursuit

1. Leaving our jurisdiction:
 - a. The pursuing officer shall notify the dispatcher, before leaving their jurisdiction.
 - b. The primary pursuit vehicle shall remain the primary vehicle in other jurisdictions when possible.
 - c. Upon being notified the pursuit will be entering another agency's jurisdiction, the dispatcher shall forward all critical information to that agency.
2. Entering our jurisdiction (or not limited by WPD) a supervisor will:
 - a. Obtain the critical information from the dispatcher
 - b. Determine if the pursuit is within policy and if not, prohibit WPD involvement in the immediate pursuit.
 - c. Provide the appropriate direction to officers.

L. Evaluation, Critique, and Review Procedures

1. Through the Early Intervention System the appropriate Bureau Commander should review every pursuit, which is initiated by their personnel.
2. All pursuit cases involving serious injury or death will be reviewed by an entity outside of the Wichita Police Department (i.e.—District Attorney's office, Kansas Highway Patrol, etc.)
3. The Field Services Division Commander will meet with Staff to review all pursuit data collected during the year and make appropriate recommendations. The following will be reviewed:
 - a. Information regarding suspect drivers including age, sex, race, driving records, etc.
 - b. Departmental tenure for involved officers
 - c. All other information noted on the departmental chase form.