



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE:	CHAPTER: 4 - Field Operations	PAGE: 1 of 16	NUMBER: 4.01.02
SUBJECT:	VEHICLE PURSUITS		
CHIEF:			

Substantive changes are italicized

PURPOSE: To establish guidelines for pursuit driving as required by the Ohio Revised Code, Section 2935.031 Motor Vehicle Pursuit Policy. This policy is not all inclusive, but is designed to provide direction and clarity.

POLICY: *It is the policy of the Cleveland Division of Police* to regulate the conduct of vehicle pursuits while balancing the need to carry out its law enforcement mission against the duty to protect the general public. The Division of Police shall proactively and vigorously enforce criminal and traffic laws. The Division of Police acknowledges the dangers associated with vehicle pursuits. Unless specifically approved by the controlling supervisor, no more than two police motor vehicles shall engage in a motor vehicle pursuit.

Officers shall err on the side of caution and interpret this policy in the more restrictive manner if, for any reason, this directive does not offer clear guidance for a specific set of circumstances.

Officers shall comply with the following sections of the Ohio Revised Code:

- 4511.03 Emergency vehicles at red signal or stop sign
- 4511.041 Exceptions to traffic rules for emergency or public safety vehicle responding to emergency call
- 4511.24 Speed limits not applicable to emergency or public safety vehicle
- 4511.45 Right-of-way of public safety or coroner's vehicle
- 4513.21 Horns, sirens, and warning devices

Ohio Revised Code Section 4511.014 establishes certain exceptions for public safety vehicles operating with both emergency lights and siren, but "does not relieve the driver...from the duty to drive with **DUE REGARD** for the safety of all persons and property upon the highway.

DEFINITIONS:

Armed and Dangerous - A person who has committed or attempted to commit any offense involving the unlawful discharge, display, possession, or use of a firearm or explosive device in such a manner as to provide an officer reason to believe that the person presents an immediate threat to the public.

Authorized Emergency Vehicle - A properly equipped vehicle with red and/or blue mounted lights and siren owned and operated by or for a government agency.

"Clear the Air" - a phrase used by Communications Control Section (CCS) personnel or police officers to signify a vehicle pursuit is in progress and that only communications related to that pursuit should be

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broadcast. It shall not be construed as meaning only the zone car or officer involved in the pursuit may broadcast. Other information related to the pursuit shall be broadcast (e.g., officers responding, officers taking proactive measures to assist, supervisors granting or denying permission, supervisors managing zone cars to best resolve the pursuit). The phrase “clear the air” is not an official order but rather a prudent suggestion to units. Other critical incidents may make it necessary for units to broadcast information at the same time a pursuit is taking place.

Controlling Supervisor - the supervisor assigned to the sector the pursuit is initiated in that assumes all the responsibilities associated with the management of a pursuit (including the pursuit initiation, continuation, and termination). The controlling supervisor is responsible for the investigations (i.e., use of force, member injury, damage to city property, etc.) created as a result of the pursuit, excluding investigation conducted by the supervisor of the controlling supervisor, Force Investigation Team (FIT), or *Pursuit Investigation Team (PIT)*. If the supervisor of the sector in which the pursuit began is handling an urgent and more pressing matter (i.e., barricaded suspect, officer involved shooting) that requires their full time and attention, then another sector supervisor or available higher ranking officer shall take control of the management of the pursuit. A specialized unit supervisor may request from the sector supervisor to be the controlling supervisor if their unit is the Primary Pursuit Unit.

Parallel Pursuit - the tactic of a police vehicle mirroring, on adjacent streets, the direction and speed of vehicles actively involved in an authorized pursuit. Parallel Pursuit does not include following or trailing a vehicle pursuit.

Pursuit Perimeter - the zone the pursuit is occurring in. The pursuit perimeter is fluid and changes as the pursuit moves.

Primary Pursuit Unit - the first unit immediately behind the fleeing offender. When the Aviation Unit joins a pursuit they shall be the primary pursuit unit.

Radio Supervisor - the supervisor assigned to CCS that has the responsibility to ensure relevant information is related to the controlling supervisor, and surrounding District supervisors. The radio supervisor shall be the sergeant assigned to CCS or the chief dispatcher if a sergeant is unavailable.

Secondary Pursuit Unit - the unit authorized to join the pursuit, behind the primary pursuit unit.

Self-Dispatch - a term used to describe the action of officers taking it upon themselves to respond to a scene or incident without being requested by CCS and not informing CCS of the response to assist. Self-dispatching does not allow CCS and/or supervisors to know the true number of units and/or officers on a scene or involved in an incident.

Vehicular Pursuit - when there is an active attempt by an officer in an authorized emergency vehicle to apprehend a suspect in a vehicle, and the driver refuses to submit to the detention by taking intentional actions to evade apprehension.

Vehicular Pursuit Termination - when the pursuing vehicle advises CCS they are discontinuing the pursuit or when ordered to do so by a supervisor, and does so by returning to normal vehicular operations, deactivating emergency lights and sirens, and changes direction away from the suspect's last know direction.

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Violent Felony – Officers have **probable cause** to believe that the suspect committed a crime in which the force attempted or used against a person was deadly or likely to cause serious physical harm as defined by the Ohio Revised Code. The crimes include murder, manslaughter, aggravated robbery, rape, sexual battery, arson, kidnapping, aggravated burglary, felonious assault with a deadly weapon, and felonious assault resulting in serious physical harm. An officer having to move from the path of a fleeing vehicle or incidental contact between the fleeing vehicle and a police vehicle does not constitute a violent felony for purposes of this order. Given the totality of the circumstances, the controlling supervisor shall determine if the pursued vehicle committed a violent felony for the purposes of this order.

PROCEDURES:

I. Initiation Criteria

A. Officers may initiate a vehicle pursuit when **ALL** of the following criteria are met:

1. The suspect operating the vehicle or occupants within the vehicle refuses to stop at the officer's direction and flees apprehension for a **VIOLENT FELONY**;
2. The officer has probable cause to believe that the suspect operating the vehicle or occupants within the vehicle are **ARMED AND DANGEROUS**;
3. **THE IMMEDIATE DANGER OF THE PURSUIT IS LESS THAN THE IMMEDIATE OR POTENTIAL DANGER TO THE PUBLIC IF THE SUSPECT REMAINS AT LARGE**; and
4. The officer is operating an authorized emergency vehicle with **LIGHTS AND SIRENS ACTIVATED DURING THE PURSUIT, AND THE VEHICLES GPS TRACKING SOFTWARE IS FULLY FUNCTIONING**.

B. The act of fleeing in and of itself is not sufficient cause to engage or continue to engage the fleeing vehicle in a pursuit.

C. When initiating and/or continuing a pursuit, officers shall continually take into consideration other factors such as:

1. Weather, time of day, lighting and visibility, volume of vehicular and pedestrian traffic, road conditions, population density, geographic location, and proximity to certain areas (i.e., schools, parks, playgrounds, and venues associated with crowds) during those times when pedestrians are reasonably perceived to be active.
2. Officer familiarity with the area, capability of the pursuit vehicle, *capabilities and type (e.g. motorcycle, ATV) of suspect vehicle, additional passengers in the suspect vehicle.*
3. *Known information regarding the use of firearms, threat of force or other unusual hazard or consideration.*

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- D. Any member knowing or suspecting that a pursuit is not in compliance with this order shall immediately notify the controlling supervisor.

II. Officer Responsibilities

- A. Primary Pursuit Unit Officers initiating a pursuit shall:

1. Immediately notify CCS that a pursuit is underway, and provide:
 - a. The reason for the pursuit.
 - b. Direction of travel.
 - c. Description of the vehicle.
 - d. License plate number.
 - e. Number of occupants.
 - f. Speeds involved.
 - g. *There are indications that the fleeing suspects are armed/dangerous.*
2. Be aware that acknowledgment from CCS of an officer's engagement in a pursuit does **NOT** constitute permission to continue. *A supervisor must be notified to monitor, shall acknowledge that they are monitoring and to make a determination and notification for an officer to continue or to terminate the pursuit.*
3. Immediately switch to the main communication channel of the district of occurrence if operating on another channel (e.g., tactical channel, traffic, special events).
4. *Continuously broadcast updates to CCS and the controlling supervisor concerning traffic conditions and information to allow the controlling supervisor to assess whether the danger of the pursuit is less than the immediate or potential danger to the public if the pursuit continues or should be terminated. The primary pursuit unit may request the secondary pursuit unit broadcast updates to focus their attention on the fleeing suspects.*
5. *If driving an unmarked unit, a unit that is not equipped with a light bar, or a motorcycle, become the secondary unit when a marked unit with a light bar and siren is available to take over as the primary pursuit unit.*
 - a. *The use of specially equipped motorcycles may be approved by the Chief of Police for use by the Traffic Unit to address "off road" vehicle incidents.*
6. If the Aviation Unit becomes the primary pursuit unit:

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- a. Cease further ground pursuit.
- b. Return to normal, non-emergency vehicle operation.
- c. Await further instructions from the controlling supervisor.

B. Secondary Pursuit Unit Officers shall:

1. *Immediately notify CCS and the controlling supervisor that they are with the Primary Pursuit Unit.*
2. *Assume responsibility for the transmission of all relevant pursuit information to CCS and the controlling supervisor, if requested by the Primary Pursuit Unit.*
3. *Provide backup for the primary unit during the pursuit and arrest process.*

C. Pursuing Officers shall:

1. *Remain on the channel of the district the pursuit began for the duration of the pursuit.*
2. *Notify CCS when a pursuit appears to be, or actually is leaving the City of Cleveland and ensure the controlling supervisor is aware.*

D. Officers shall immediately terminate a pursuit if:

1. The level of danger to life outweighs the need for immediate apprehension. Examples include but are not limited to the pursued driver:
 - a. Intentionally driving left of center and/or against the flow of oncoming traffic.
 - b. Speeds far in excess of safe limits relative to road and traffic conditions.
 - c. Blatant disregard for the safety of other vehicles or pedestrians.
2. **Ordered to do so by a supervisor.** Officers **shall not** follow a suspect vehicle after a pursuit has been terminated.
3. Contact with CCS or the controlling supervisor involved in the pursuit is lost.
4. The distance between the pursuing vehicle and the pursued vehicle is so great that apprehension is unlikely and continuing the pursuit creates an unreasonable risk to the public and officers.
5. When a pursuit is terminated by the pursuing officers or by an order from a supervisor, the pursuing officers shall in this order:

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- a. Slow down to normal vehicle operation.
 - b. Turn off all emergency equipment (lights and sirens).
 - c. Confirm the pursuit is terminated by notifying CCS and the controlling supervisor.
 - d. Change direction away from the offender's last known direction.
- E. Officers shall not:
1. Initiate pursuits between the hours of 2pm-5pm Monday through Friday during the CMSD school year.
 2. Self-dispatch.
 3. Engage in a vehicle pursuit if the suspect's identity is known, the suspect can be apprehended later, and delayed apprehension does not significantly increase the risk to the community. If this information becomes known during a vehicle pursuit, officers shall immediately terminate the pursuit.
 4. Engage in a pursuit in a police vehicle that contains witnesses, suspects, complainants, ride-alongs, or other non-police personnel.
 5. Pass the primary pursuit unit if acting as a secondary pursuit unit, unless the tactical advantage has clearly moved to a secondary pursuit unit due to a lapse in pursuit by the primary pursuit unit. All pursuit units shall maintain an assured clear distance from each other and the pursued vehicle.
 6. Attempt to employ any procedure that involves physical contact between the pursuing vehicle and the pursued vehicle unless approved by the controlling supervisor.
 7. Continue the pursuit as the primary pursuit unit when operating a motorcycle, *unless otherwise authorized by the Chief of Police*, or unmarked unit if a marked unit with a light bar and siren is available to take the position of the primary pursuit unit.
 8. Join a pursuit in an unmarked unit unless equipped with emergency red or blue lights and siren unless it is to save or preserve the lives of innocent persons.
 9. Engage in a parallel pursuit without permission from the controlling supervisor. Following a pursuit on parallel streets is considered an active engagement in a pursuit and is prohibited for vehicles that are not the primary pursuit unit, the secondary pursuit unit, or additional units approved by the controlling supervisor.
- F. Any unit that judges the pursuit has concluded or that an emergency response from additional units is no longer needed shall notify the controlling supervisor or the scene

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supervisor. The controlling supervisor or the scene supervisor shall then determine if additional units should continue to respond or disregard.

- G. Officers *with a Wearable Camera System or In-Car Cameras (Camera systems)* that has participated in any aspect of the pursuit shall immediately place the Camera systems in event mode or activate the video recording device and *after the pursuit has concluded*, advise the controlling supervisor of any captured recordings. This provision shall also apply to the airborne units. The existence of any video and/or audio recordings of the pursuit is considered evidence subject to discovery.

III. Controlling Supervisor Responsibilities

- A. *Supervisors at the rank of captain or above shall not be the controlling supervisor but shall monitor vehicle pursuits involving officers under their command.*
- B. Any supervisor of a higher rank than the controlling supervisor may terminate a pursuit.
- C. The controlling supervisor shall:
 - 1. Immediately inform CCS of their call sign, indicate they are the controlling supervisor, and that they are monitoring the pursuit.
 - 2. *Continually monitor the pursuit and if at any time the pursuit is not in compliance with this directive, immediately terminate the pursuit. Controlling supervisors shall obtain confirmation from the pursuing unit(s) that the pursuit has been terminated.*
 - 3. Not be directly involved in the pursuit. *The controlling supervisor shall not operate a motor vehicle when actively managing a pursuit.*
 - a. If operating motor vehicle, the controlling supervisor shall, when feasible, park their vehicle in a safe location from which to actively manage the pursuit.
 - 4. Make a reasonable effort to have simultaneous access to the Automated Vehicle Locator (AVL) system, telephone or cell phone, and two radios with which to manage the pursuit.
 - 5. Permit not more than two police vehicles to directly engage in a pursuit, except under unusual and well-articulated circumstances.
 - 6. Remain in command regardless of the area the pursuit enters *to include a pursuit that enters another jurisdiction.*
 - 7. Place other available vehicular units in the pursuit perimeter when needed.
 - 8. Request assistance from other supervisors when needed to help manage the pursuit.
 - 9. Control the pursuit by:

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- a. *Continuously reassessing all factors involved in the pursuit including speed, time, traffic, road and lighting conditions; and re-evaluate the risks to safety to determine whether the pursuit should continue.*
 - b. Monitoring and directing units into or out of the pursuit or the pursuit perimeter.
 - c. Rotating units into and out of the pursuit perimeter to conduct the pursuit in a manner as advantageous to the involved officers as possible. Rotation can occur but is not limited to the following reasons:
 - i. Replacing one officer units with two officer units.
 - ii. When an officer with better driving ability or equipment is available.
 - iii. A pursuing officer exhibits suspected diminished critical decision making skills as evidenced by radio transmissions becoming less coherent from changes in voice pitch, volume, or tone *or a lack of communication as evidenced by disregarding a supervisor's orders.*
 - d. Referencing the AVL system when available to determine:
 - i. The number of police vehicles involved in the pursuit.
 - ii. The presence of self-dispatched officers in the pursuit and the pursuit perimeter.
 - iii. Speed, direction, and possible destination of the pursuit.
 - e. Assigning support and back-up units.
 - f. Approving or ordering alternative tactics.
 - g. Determining the need for any pursuit unit to engage in a parallel pursuit and grant permission to engage in such a strategy where the totality of circumstances warrants the use of such a strategy.
 - h. Coordinating with the Aviation Unit. When available, the Aviation Unit shall become the primary pursuit unit and shall assist the controlling supervisor in directing the secondary units as needed.
10. Be accountable for continuing a pursuit if circumstances indicate that the pursuit should have been terminated as analyzed from the perspective of an objectively reasonable supervisor possessing the same information and faced with the same circumstances as the controlling supervisor. Objective reasonableness is not analyzed with hindsight but will take into account, where appropriate, the fact that vehicle pursuits involve rapid decision making in tense, uncertain, and rapidly evolving situations.

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11. Complete the *Vehicle Pursuit* entry in the Division's tracking software for every pursuit initiated, including those that are terminated without arrest or accident.
12. When the pursuit is concluded:
 - a. Obtain a copy of any recordings of a pursuit.
 - i. If a copy cannot immediately be obtained, the controlling supervisor shall take custody of whatever storage medium (memory card, flash drive, DVD) was used by the recording device (including the recording device itself if necessary [cell phone, digital audio recorder]).
 - ii. When a copy is available or has been created, the original storage medium may be returned to the recording device. The transferred data shall be recorded onto a portable digital storage medium (i.e., memory card, flash drive, DVD), given an *incident number* and entered into evidence according to established procedures.
 - b. Note any recordings on the Vehicle Pursuit entry.
13. When an accident has resulted from a pursuit, whether or not a city vehicle is damaged, notify AIU via CCS to respond. If AIU is unavailable the supervisor shall:
 - a. Have a basic patrol car of the district in which the accident occurred complete the reports.
 - b. Notify the Crime Scene and Records Unit via CCS to take photographs.
14. If a fatality or hospital confining injury has occurred as a result of a pursuit, or if directed by the Chief or designee, notify PIT via CCS to respond. The controlling supervisor shall ensure officers:
 - a. Request Emergency Medical Services (EMS)
 - b. Render aid to injured parties until professional medical providers arrive
 - c. Preserve the accident scene.
 - d. Collect evidence subject to loss, destruction, or alteration.
 - e. Detain witnesses until identified or interviewed by PIT.
15. Use the replay feature of the AVL system to review the pursuit and complete an AVL playback request form *as described in General Police Order (GPO) 7.02.06 Automated Vehicle Locator System for a copy of the pursuit.*

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16. Conduct an after pursuit debriefing and review with all the officers involved as soon as possible after the pursuit. Note in the Vehicle Pursuit entry that the debriefing and review occurred and any corrective actions taken. The purpose of this review is to:
 - a. Reinforce positive actions taken by the officers during the pursuit.
 - b. Evaluate the involved officers' compliance with this order and any verbal counseling (described in GPO 1.07.06 *Disciplinary Guidance*) to correct any violations discovered that do not rise to the level of the formal *corrective action* process.

IV. Other Supervisor Responsibilities

A. Non-controlling supervisors shall:

1. Provide support to the controlling supervisor by tactically placing police units within the pursuit perimeter when a pursuit enters their sector or the area their units are operating by blocking major intersections or being in the area to assist with a foot pursuit, but not involved in the pursuit.
2. Notify the controlling supervisor of any support provided.
3. *When the pursuit ends, take control of the scene until the controlling supervisor arrives on scene. If unable to respond due to other immediate responsibilities, direct CCS to request another supervisor respond to the location of the pursuit's end.*
4. When receiving information from CCS of a pursuit in an adjoining district, monitor that pursuit via that pursuing district's radio channel and by AVL, if available, in the event that the pursuit enters their sector. Adjoining district sector supervisors shall advise the controlling supervisor of any issues or factors in their district that would assist the controlling supervisor if the pursuit were to enter the adjoining district.

V. CCS Responsibilities

A. CCS is an essential and integral part of monitoring and controlling a vehicle pursuit. CCS dispatchers shall:

1. Immediately notify the CCS supervisor or Chief Dispatcher when:
 - a. A pursuit has been initiated in their district.
 - b. *A supervisor of the district a pursuit initiated in does not acknowledge that they are monitoring.*
 - c. When it becomes evident through radio traffic and/or AVL that:

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- i. Officers are self-dispatching into the pursuit or pursuit perimeter.
 - ii. *Police vehicles in their district are paralleling a pursuit in another district.*
- d. When they become aware that radio traffic about a single pursuit is being broadcast on multiple channels.
2. Monitor the AVL system and provide relevant information to the controlling supervisor.
3. Determine the availability of the Aviation Unit. If available, CCS shall immediately inform the Aviation Unit of the pursuit and who is the controlling supervisor.
4. While monitoring a pursuit in their district, convey pursuit information to other dispatchers assigned to the adjoining districts. The dispatchers of the adjoining districts shall notify their respective sector supervisors, giving appropriate details as needed, that a vehicular pursuit is occurring in a neighboring district.
5. When a pursuit, approved by the controlling supervisor, appears to be or is leaving the City of Cleveland and entering the neighboring jurisdiction, notify neighboring jurisdictions.

B. CCS supervisors shall:

1. Ensure a sector supervisor of the district a pursuit initiated in has identified as the controlling supervisor.
2. Monitor the pursuit and ensure the relay of any pertinent information requested by the controlling supervisor.
3. Provide assistance to the dispatcher(s) when needed.
4. Ensure a controlling supervisor is managing the pursuit and is notified of the following information as appropriate:
 - a. Any code one prior priorities occurring in the same or adjacent areas.
 - b. The number and speed of police vehicles that appear to be involved in the pursuit as shown on AVL and CAD screens.
 - c. Any signs of officers self-dispatching themselves into the pursuit or pursuit perimeter.
 - d. Emergency activity of any other public safety vehicles in the area, if known.
 - e. Any outside agencies involved in the pursuit.

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- f. Any road hazards or closures in the area.
 - g. Any significant movement of police vehicles entering the area of pursuit, and any police vehicles not directly involved in the pursuit or other code one assignments that are traveling at an excessive speed.
 - h. *Any signs that officers are continuing to pursue the vehicle after the pursuit was terminated.*
- 5. Note in the Chief's Items of Interest all vehicle pursuits and provide detailed information about any related deaths, injuries, or property damage.
- C. In all instances, the controlling supervisor shall be the final authority and shall be solely responsible for the management of a vehicular pursuit regardless of what information may or may not be made available by CCS.

VI. Aviation Unit Responsibilities

- A. The Aviation Unit shall:
 - 1. Become the primary pursuit unit as soon engaging in the pursuit.
 - 2. Work closely with the controlling supervisor to:
 - a. Determine if ground pursuit is still needed or ensure that zone cars have terminated the pursuit.
 - b. Coordinate movements of zone cars in the pursuit and pursuit perimeter.
 - c. Provide relevant information related to the pursuit such as vehicular or pedestrian traffic within the pursuit perimeter.
 - 3. Advise the controlling supervisor of the suspect's location, direction of travel, and direct the ground units toward the suspect's location if the suspect stops the vehicle.
- B. Ground units shall be aware that when multiple suspects abandon a vehicle, the Aviation Unit shall focus on the driver and relay appropriate information. However, an armed vehicle occupant shall take precedence over an unarmed driver.
- C. The Aviation Unit may continue to monitor a fleeing vehicle and broadcast updated information after the controlling supervisor has terminated the pursuit. Based on information provided by the Aviation Unit, including if the pursued vehicle has been parked or abandoned, the controlling supervisor may have officers respond to the location of the stopped vehicle.
- D. The command and control of the Aviation Unit will remain within the unit's Standard Operating Procedures.

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VII. Alternative Tactics

A. Officers shall:

1. Only use roadblocks when authorized by a controlling supervisor.
2. Only use roadblocks that allow the suspect vehicle to proceed slowly through an open route.
3. **Not** use occupied or private vehicles as a barricade or roadblock.

B. Officer initiated intentional vehicle to vehicle contact requires approval from the controlling supervisor and shall be considered a use of force under the guidelines described in the Division's Use of Force policy (Refer to GPO 2.01.03 Use of Force - General) .

C. *Any alternative intervention technique not addressed in this policy is expressly prohibited.*

VIII. Protocol with Outside Agencies

A. The controlling supervisor shall *remain in charge of the pursuit* and immediately notify CCS that a pursuit is about to enter another jurisdiction and whether assistance is needed.

B. When another agency has a pursuit entering Cleveland, *the initiating agency will remain in charge of the pursuit*. The sector supervisor shall monitor via CCS and determine if Cleveland police vehicles shall be permitted to join the pursuit. This policy goes into effect whenever Cleveland police vehicles are involved in or are assisting with another agency's pursuit.

C. Division of Police personnel may engage in pursuits initiated by outside agencies only to the extent that they meet the standards of engagement as articulated in this GPO.

D. Officers shall not join a pursuit, initiated by another law enforcement agency, unless both of the following apply:

1. Assistance is requested by the agency.
2. Permission is granted by their unit supervisor or a sector supervisor.

E. CCS shall coordinate communications between the Division and outside agencies ensuring relevant information is exchanged, regardless of which agency initiated the pursuit or is assisting. Relevant information shall include:

1. Reason for the pursuit.
2. Location and direction of the pursuit.
3. Vehicle and occupant description.

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4. The deployment of tire deflation devices or other law enforcement actions.

- F. The coordination of any resulting criminal investigation shall be the responsibility of the initiating agency. The handling of accidents will generally be the responsibility of the agency in whose jurisdiction the accident occurs.
- G. Any involved agency may request a debriefing or review of another involved agency for the purposes of its own investigation or critique.
- H. In the event that a pursuit initiated by an outside agency is lost or terminated and the vehicle/suspect is still at large, if a Cleveland police officer locates the vehicle/suspect, the officer shall contact CCS to determine if the originating agency wants to reinstate the pursuit. If the agency does not, then Cleveland police shall not become involved in a fresh pursuit unless there are reasons as outlined in Section I of this GPO.
- I. If the outside agency reinstates the pursuit, that agency shall become the primary agency and the incident will be viewed as a new pursuit.

IX. Investigation and Administrative Review of Pursuits

- A. *The controlling supervisor of a pursuit shall complete a Vehicle Pursuit entry in the Division's tracking software for every pursuit initiated including those that are terminated, without arrest or accident.*
- B. *Pursuits that do not result ~~in~~ in property damage or injury require only the completion of the Vehicle Pursuit entry in the Division tracking software. The entry shall be forwarded to the Inspection Unit via the Division's tracking software, who shall complete a report on a determination as to the member's adherence to the Division directives.*
- C. All pursuits that result in accidents where property damage, injury, or death occur shall be the subject of an investigation. The investigation shall be conducted by the superior officer of the controlling supervisor who monitored the pursuit unless being investigated by PIT. If that supervisor was also involved in the pursuit, it shall be investigated by the superior officer next in that chain of command.
 - 1. *Within five tours of duty of the pursuit, the investigating supervisor shall complete and document his/her investigation within the Vehicle Pursuit entry. Any extension to this deadline must be authorized by a commander via email. The investigating supervisor shall:*
 - a. Ensure that the investigation includes a review of the dispatch recordings, available AVL data, Camera systems captured media, and any other audio or video recordings of the pursuit prior to finalizing and submitting any findings.
 - b. Produce an investigative package *within the Division tracking software* that will include:

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- i. The supervisor's description of the incident, including a precise description of the evidence that either justifies or fails to justify the officers' conduct based on the supervisor's independent review of the facts and circumstances of the incident. The package shall also include as applicable: documentation of all evidence that was gathered, including names, phone numbers, and addresses of witnesses to the incident, copies of incident reports, AIU reports, officer injury reports, and any audio or video recordings of the pursuit.
 - ii. The investigating supervisor's evaluation of the vehicle pursuit, based on the supervisor's review of the evidence gathered, including a determination of whether the officers' actions appear to be within policy *and consistent with state and federal law and an assessment of the incident for policy, training, tactical or equipment concerns.*
2. *Supervisors shall forward their completed Vehicle Pursuit Investigation, via the Division's tracking software, through their chain of command to the District/Unit Commander.*
3. Each supervisor in the chain of command shall, *within three (3) tours of duty* of receipt of the package, review and assess the actions taken by the members involved and determine if those actions were appropriate and in compliance with Division directives. Supervisors deviating from the *three tours of duty* requirement shall submit a Form-1 explaining the reason for the delay and request an extension.
4. Each reviewing superior officer shall endorse the investigative package with their determination as to whether members followed Division directives.
5. *Upon endorsement by the respective Commander, the package shall be routed via the tracking software to the Inspection Unit for an administrative review, copying the appropriate Deputy Chief.*
 - a. The Inspection Unit shall:
 - i. Review the supervisor's investigative package.
 - ii. Conduct any additional investigation as required.
 - iii. Complete a report including a determination as to the member's adherence [to](#) the Division directives.
 - b. The administrative review package shall be attached to the supervisor's investigative tracking software entry and *forwarded* to the Chief's Office. Upon review by the Chief's Office, the investigative packages shall be returned to the Inspection Unit and maintained in the *Division's tracking software*.

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- D. PIT shall be called to any scene involving a fatality or hospital confining injury and shall complete the criminal and administrative investigations (Refer to GPO 4.01.03 Pursuit Investigation Team). Upon review by the Chief's Office, the PIT investigative package shall be forwarded to the Inspection Unit for filing.

X. Pursuit Data Analysis and Reporting

- A. *All pursuit data entered into the Division tracking software shall be analyzed annually and a report of the analysis completed by the Bureau of Compliance. The Bureau of Compliance shall make the annual reports publicly available on the Division's website.*

XI. Training

- A. The Division shall provide officers with vehicle pursuit policy, practices and driving techniques training that is adequate in quality, quantity, type, and scope.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.

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