

DEKALB POLICE DEPARTMENT

Subject: **Pursuit Procedures & Stop Stick Use**

Policy #: **304.2**

Effective Since: 8-21-03

Originally Issued As: General Order # 18 of 12-1-96

Revision Effective: 1-1-19

FTO Training Task: # 3, # 4, # 22, # 28

Reference Material: ILCS, State Training Board Pursuit Policy, IACP Research Papers

ILEAP Standards Covered: OPR.01.10

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PURPOSE: In order to provide pursuit procedures that are consistent with law enforcements' responsibility for protecting life and property, the following procedures provide guidelines for initiating, conducting, and participating in a pursuit.

POLICY: It is the policy of the department to initiate, conduct, and participate in pursuits only when reasonably necessary and with due regard to the safety of everyone involved. The overriding responsibility is to protect human life and property. When the risks to human life and/or property outweigh the benefits of capture, officers will refrain or disengage from pursuits.

DEFINITIONS:

PURSUIT DRIVING - An active attempt by a law enforcement officer operating a police motor vehicle and simultaneously utilizing all emergency equipment, to apprehend one or more occupants of another moving vehicle, when the driver of the fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing speed, ignoring the officer, or attempting to elude the officer.

ROUTINE VEHICLE APPREHENSION - The action of an officer seeking to stop a vehicle that is not willfully and/or apparently evading the officer or failing to respond to officers' directions.

PRIMARY UNIT - The police unit in closest proximity to the fleeing vehicle with primary responsibility for conducting or terminating the pursuit.

SECONDARY UNIT - The police unit acting as the immediate backup to the primary unit.

CARAVANNING - The practice of a large number of police vehicles pursuing a vehicle.

PARALLELING - Driving a police vehicle on a street parallel to a street on which the pursuit is occurring. Paralleling involves monitoring radio traffic and geographical positioning but not pursuit.

STATIONARY ROADBLOCK - The intentional, physical blocking of a road in order to affect the apprehension of a suspect vehicle.

MOVING ROADBLOCK - The use of two or more police vehicles to slow a suspect vehicle down, by having one police vehicle in front of, and one beside or behind the suspect vehicle adjusting speed downward.

MARKED POLICE VEHICLE - Any police vehicle that is identifiable by color scheme, red and/or blue lights in window or on top, equipped with a siren, and has the department seal and/or Police or Sheriff lettering.

I. **PROCEDURES:**

A. **Routine Vehicle Apprehension**

1. Officers intending to make vehicle stops shall try to be as close as possible to the violator's vehicle before activating emergency equipment, thus eliminating the violator's temptation to attempt evasion.
2. The emergency equipment (red/blue lights) must be activated not only to signal the violator to stop, but also to protect the officers and others.

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3. Routine vehicle apprehensions may require driving in excess of posted limit. In such situations, the officer has the duty to drive in compliance with department policy and state law regarding emergency driving. See Policy 304.1, Police Vehicle Operation.
4. Any vehicle that does not stop when signaled within the first minute will be deemed to be fleeing or avoiding apprehension.

B. Initiating the Pursuit

1. A vehicle pursuit may be initiated when an officer has probable cause to believe the suspect has committed, is committing, or is about to commit a forcible felony, and the suspect, if allowed to escape, may present a danger to human life or cause serious injury.
2. Vehicles shall not be pursued solely for minor traffic, property crime, misdemeanor, or non-forceable felonies, unless there is an imminent threat to life or great bodily harm to the public if the subject is not apprehended. [ILEAP OPR.01.10(k)]
3. Due regard for the safety of all persons shall be exercised.
4. No pursuits will be conducted with a police vehicle in which an individual who is not a sworn law enforcement officer is either the driver or a passenger.
5. Prior to initiating or continuing any pursuit, the officer must be aware of and evaluate possible factors which would, in addition to the above, prohibit the pursuit. These factors include, but are not limited to:
 - a. Weather/road conditions
 - b. Traffic conditions
 - c. Pedestrian traffic
 - d. Nature of crime/offense
 - e. Speed of the pursuit
 - f. Likelihood of apprehension
 - g. Capability of police vehicles involved
 - h. Pursuing officer's knowledge of the geographical area of the pursuit.[ILEAP OPR.01.10(a)]
6. The pursuing officer shall be spaced appropriately and drive to allow for ample reaction time and distance.

- C. **Number of Police Units Participating** - The pursuit shall require a minimum of the initial unit and a secondary unit. Additional units may participate when circumstance warrant, such as the potential engagement of an armed or violent offender. There shall be no unnecessary caravanning of law enforcement vehicles. Supervisors may specifically request or call off additional units depending on the circumstances of the pursuit. All other units will remain aware of the direction and progress of the pursuit but shall not actively participate.

- D. **Type of Police Units Participating** - Only marked police vehicles shall actively participate in pursuits. Unmarked police vehicles **shall not** actively continue in pursuits unless the driver or occupants of the pursued vehicle present a clear, direct threat to human life. As soon as a marked police vehicle becomes available, the marked unit will be the primary unit. The unmarked police vehicle will then terminate active involvement in the pursuit unless needed as the secondary unit or needed to perform duties of a backup unit. Motorcycle units, the prisoner transport vehicle, nor the UTV will be used in pursuits.

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- E. **Primary Unit** - The primary unit is responsible for the conduct of the pursuit and in determining whether to continue or discontinue the pursuit unless otherwise directed by a supervisor. The decision to initiate or continue a pursuit **REQUIRES** weighing the public safety need to immediately apprehend the suspect against the degree of risk to which officers and other are exposed as the result of a pursuit. In many circumstances, the safety of the public will dictate that no pursuit be initiated or continued. [ILEAP OPR.01.10(b)]

- F. **Secondary Units** - A secondary unit may follow the pursuit. This unit shall be spaced appropriately and drive to allow for ample reaction time and distance. This unit shall activate and use emergency equipment.

The secondary unit, upon joining the pursuit, shall immediately notify the Communication Center of its identity. If the primary unit is a one officer unit, the secondary unit should assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

If the primary unit becomes disabled, the secondary unit will become the primary unit. The Communication Center will advise the shift supervisor, as well as other units that a new secondary unit is needed, and the next unit in the pursuit will be designated as the secondary unit. [ILEAP OPR.01.10(c)]

- G. **Backup Units** - Backup units not actively engaged in the pursuit may be assigned at the direction of the respective jurisdiction's supervisor. Backup units may provide traffic control at intersections, paralleling, placing "Stop Sticks" on the roadway, or perform other tasks regarding the pursuit.

- H. **Driving Procedures** - Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is an increased likelihood of a collision, the driver of any pursuit vehicle shall reduce the vehicle's speed to avoid a collision with another vehicle, object, or pedestrian. Officers shall ensure that the way is clear before proceeding through an intersection or otherwise increasing speed. Pursuing officers are always expected to maintain control of their vehicles.

H. **Supervisor's Responsibilities**

1. The shift supervisor will monitor all pursuits to ensure compliance with this directive by police and telecommunications personnel.
2. The shift supervisor is responsible for ordering the termination of a pursuit, when deemed necessary to prevent undue risk to the safety of the officer(s), the violator, or the public, or anytime he believes the pursuit should be terminated, based upon the facts and information available.
3. Upon being notified of the pursuit, the shift supervisor shall verify the

following:

- a. Reason for pursuit.
- b. No more than the required or necessary units are involved in the pursuit
- c. Proper radio frequency is being used.
- d. Affected police agencies are being notified.
4. The shift supervisor will continue to coordinate pursuit and approve or order alternative tactics and maintain control until the pursuit is terminated; this

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includes coordinating the assignment of the primary, secondary, and backup units.

5. The shift supervisor will ensure proper direction to patrol units not involved in the pursuit, unless the shift supervisor is the primary pursuing unit, or the shift supervisor deems it necessary to participate in the pursuit, in which case another supervisor or designated officer may assume command until the supervisor is available.
6. When termination of pursuit occurs, the shift supervisor will ensure that all participating agencies are notified.

[ILEAP OPR.01.10(e)]

I. Radio Use

1. Upon the initiation of a pursuit, the pursuing officer shall immediately notify telecommunications of the following information if available:
 - a. That there is a pursuit in progress.
 - b. Advise location and direction of travel.
 - c. Give description of vehicle.
 - d. Give reason for pursuit.
 - e. Give estimated speed of fleeing vehicle.
 - f. Give number of occupants.
 - g. Give roadway or traffic conditions.
 - h. Identify other officers or agencies involved.
 - i. Seek permission from supervisor to follow vehicle if leaving the jurisdiction.
 2. Pursuing officers shall update telecommunications frequently as to the progression of the pursuit. The primary unit provides updates until the secondary unit assumes radio traffic.
 3. Pursuing officers should keep windows rolled up and operate siren manually when possible, so that others can hear radio transmissions clearly.
 4. A telecommunicator shall perform the following duties:
 - a. Receive and record all incoming information.
 - b. Request status if pursuing officers fail to make frequent contact.
 - c. Notify neighboring jurisdictions of pursuits approaching their jurisdiction.
 - d. Perform relevant records and motor vehicle checks.
- [ILEAP OPR.01.10(d)]
5. After five (5) minutes of pursuit, or upon entering another jurisdiction, all communications from pursuing vehicles will be over the Illinois State Police Emergency Radio Network (ISPERN). ISPERN calls for the use of plain English except for basic State Police Ten Codes to avoid confusion among participating agencies. The primary pursuit vehicle shall dispatch the following information:
 - a. Complete description of vehicle being pursued,
 - b. Direction of travel, and
 - c. Reason for pursuit.

II. TACTICS:

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- A. **Offensive Tactics** : In the course of pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle or ramming shall be prohibited, unless such actions are specifically authorized by the shift supervisor. Such actions may be authorized **only when** the use of deadly force would be authorized pursuant to 720 ILCS 5/7-5 and under these conditions:
1. There is sufficient legal justification for the use of deadly force.
 2. Authorization has been obtained from a supervisor, if feasible.
 3. The officer has been trained in the application of the selected technique.
- B. **Use of Roadblocks in Pursuit** : The use of a stationary roadblock must be authorized by the shift supervisor.
1. Roadblocks will be used only as a last resort and only when reasonable attempts to stop the offender have failed and the need to conclude the pursuit is imperative.
 2. Roadblocks shall not be employed when it is apparent that innocent persons will be endangered.
 3. Once a roadblock has been established and a vehicle has been stationed as part of a roadblock, no one shall remain in or behind the vehicle for safety reasons.
 - a. The police vehicle(s) will display emergency lights when engaged in a roadblock and flares will be set when appropriate and time permits.
 - b. Units establishing a roadblock will leave adequate space for the offender to stop prior to reaching the roadblock, and whenever possible, an escape route for the pursued vehicle, utilizing Stop Sticks in that route when possible.
 - c. Units establishing a roadblock will notify the pursuing unit(s) of the location of the roadblock on the primary radio frequency utilized during the pursuit.
 - d. Privately owned vehicles will not be used to establish a roadblock, except as a last resort and when the need to terminate the pursuit is imperative and all other attempts to terminate have failed.

[ILEAP OPR.01.10(f)]
- C. **Moving Roadblocks** : The use of a moving roadblock must be authorized by the shift supervisor. A moving roadblock involves a police vehicle traveling in front of and in the same direction as the fleeing vehicle and using the police vehicle to slow down the speed or restrict the travel of the fleeing vehicle. This technique is intended to be used in low-speed pursuits usually involving an impaired driver. This technique, if specifically intended to initiate or cause a collision with the fleeing vehicle, will only be used if the use of deadly force would have been allowed, by law, to stop the offender(s) operating the vehicle.
- D. **Use of Firearms**
1. Officers shall not discharge a firearm at or from a moving vehicle, except as the ultimate measure of self-defense or the defense of another, when the offender is employing deadly force. Departmental policy regarding deadly force shall be strictly followed.
 2. Firing strictly to disable an occupied or moving vehicle is prohibited.
- F. **Use of Stop Sticks**

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1. Stop Sticks will only be deployed with shift supervisor's authority. Supervisors should ensure that Stop Sticks are being used in a pursuit situation consistent with this policy and are being deployed in a suitable location.
2. Stop Sticks should only be deployed by officers who have received training in their use.
3. Stop Sticks may only be deployed in cases that meet the definition of pursuit in this policy.
4. Optimum performance of Stop Sticks is achieved on paved and dry surfaces. This does not preclude use on other surfaces.
5. The three-foot Stops Sticks may be used for stopping a pursuit where the pursued vehicle exceeds ten miles an hour.
6. The "Mini Stop Stick" is for stationary situations only.
7. During the deployment of Stop Sticks, if possible, the squad(s) should be placed in a position conducive to channeling the pursued vehicle toward the Stop Sticks. The deploying officer should also consider his own safety, the safety of citizens, and the protection of the squad car.
8. In situations where the officer has time, the Stop Sticks should be assembled and positioned with the nylon cord attached in order to pull the Stop Sticks across the path of the pursued vehicle at the appropriate time. No portion of the nylon cord shall be wrapped around any part of the deploying officer's body. Upon deployment, the officer should get as far away from the projected path of the pursued vehicle as possible, while still being able to pull the Stop Sticks into the path of the pursued vehicle. After deployment, the officer should not touch or be near the nylon cord.
9. If the officer does not have enough time to assemble and deploy the Stop Sticks and the nylon cord, the Stop Sticks may be tossed into the path of the pursued vehicle.
10. If possible, the deploying officer will inform all units involved in the pursuit when and where the Stop Sticks are deployed. Pursuing officers should be aware of and look for deployed Stop Sticks or a single deployed Stop Stick.
11. The deploying officer should remove the deployed Stop Sticks as soon as it is safe to do so.

F. Use of Mini Stop Sticks on a stationary vehicle

1. Stop Sticks will only be deployed with shift supervisor's authority.
2. Mini Stop Sticks may be used to prevent a vehicle from being moved by a suspect attempting to flee a scene.
3. Mini Stop Sticks may be used to prevent movement of a vehicle which is or the officer has probable cause to believe will be evidence.
4. Mini Stop Sticks are bi-directional. Place the white side down.

G. Unauthorized Use of Stop Sticks

1. Stop Sticks SHALL NOT be used to stop a motorcycle or other vehicle with less than four wheels.
2. Stop Sticks SHALL NOT be used as a hand weapon.

H. Stop Stick Reporting

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1. The Stop Sticks report form should be filled out and given to the shift commander.
2. Any use of Stop Sticks shall be documented in the case report. There will be an administrative review of any Stop Stick use.

I. Stop Stick Care and Maintenance

1. Stop Sticks are only water resistant. They are not waterproof.
2. If Stop Sticks are deployed but not used dry them off and return them to proper storage.
3. Stop Sticks should not be exposed to direct sunlight for extended periods of time.

J. Warnings Regarding Stop Stick Use

1. Do not bend Stop Sticks.
2. Do not push spike tip through housing walls.
3. Do not pick up interconnected three-foot Stop Sticks. Disconnect the individual Stop Sticks while they are on the ground before picking them up.

III. DISCONTINUING PURSUITS :

- A. The decision to abandon pursuit may be the most appropriate course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit. A pursuit **shall** be terminated under **any** of the following circumstances:
1. If, in the opinion of the pursuing officer or shift commander, there is a clear and unreasonable danger, to the officer and/or other users of the highway, created by the pursuit, that outweighs the necessity for immediate apprehension.
 2. The suspect's identity has been established to the point that later apprehension can be accomplished and there is no longer any need for immediate apprehension.
 3. The prevailing traffic, roadway and environmental conditions indicate the futility of continuing a pursuit.
 4. The pursued vehicle's location is no longer certain due to the distance involved, or the officers losing visual contact with the suspected for an extended period of time.
 5. When the pursuing officer believes that his vehicle is mechanically unsafe to continue a pursuit run.
 6. The shift supervisor or other command officer shall terminate a pursuit in the absence of adequate information from the primary or secondary unit, or other under circumstances listed in the policy.
 7. When termination of pursuit occurs, the shift supervisor will ensure that all participating agencies are notified.
- [ILEAP OPR.01.10(i)]

IV. INTRA-JURISDICTIONAL OR INTER-JURISDICTIONAL PURSUITS

- A. The Communication Center shall, as soon as possible, notify outside agencies if this department is in a pursuit in their jurisdiction, including NIU whose jurisdiction is within the city limits.

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- B. The telecommunicator will specify that the call is either a request for assistance, or merely a courtesy notification with no participation desired.
- C. Officers should advise by radio any specific requests of other agencies and be aware of any information being broadcasted about other agency's activities.
- D. Officers may request that other agencies not join the pursuit if not needed.
- E. When entering another's agency's jurisdiction, officers should be aware that other agencies may be directing traffic at intersections, may be joining the pursuit, or may not be assisting at all.
- F. Other agencies should be notified if the pursuit ends or is being terminated.
- G. Officers shall not become involved in another agency's pursuit unless specifically authorized by the originating agency, and the officer's own shift supervisor.
- H. Officers are required to abide the procedures of this policy, regardless of requests by other agencies.

[ILEAP OPR.01.10(g) and (h)]

V. **REPORTING**

- A. All pursuits will be documented completely on a case report.
- B. The primary officer should complete the Illinois Law Enforcement Training and Standards Board "Pursuit Driving Report" (located on the ILETSB website) and submit it by mail to the Board. The Board compiles, analyzes, publishes, and distributes to law enforcement agencies the data gleaned from these reports. Link: http://www.ptb.illinois.gov/media/1217/pursuit_driving_form_fillin.pdf
- C. Supervisors are required to brief the Patrol Division Commander of the pursuit.
- D. The Patrol Division Commander will conduct an administrative review of each pursuit, for the purpose of ensuring policy compliance, evaluating operational procedures, and considering any policy, procedure, or training needs or changes. [ILEAP OPR.01.10(j)]

Policy originally issued 8-21-03; this revision becomes effective on 1-1-19 by authority of the Chief of Police.

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.

ANNEX A FOLLOWS - ILETSB PURSUIT DRIVING REPORT

ANNEX A - ILETSB PURSUIT DRIVING REPORT

LINK TO FILLABLE DOCUMENT ONLINE:

http://www.ptb.illinois.gov/media/1217/pursuit_driving_form_fillin.pdf

1. Report to be completed by primary unit officer.
2. More than one condition per category can be cited.

PURSUIT DRIVING REPORT

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Officer: _____

Date of Incident: _____

Time of Incident: _____

Agency: _____

ISPERN Number _____

Agency: _____

Report Number: _____

1. Officer Information

Yrs of Service _____

Age _____

Sex _____

Full Time _____

Part Time _____

2. Initiating Event

___ Minor traffic law violation

___ Suspected DUI

___ Reckless driving

___ Suspected stolen vehicle

___ Outstanding Misdemeanor Warrant

___ Felony Property Crime Warrant

___ Felony Violent Crime Warrant

___ Suspected criminal activity

___ Wanted by another agency

___ Felony Crime

___ Misdemeanor crime

___ Firearm Use by Offender in Crime or Escape

___ Other (explain) _____

3. Supervisor Notification

___ By Officer

___ By Dispatcher

___ Other _____

4. Duration of Pursuit in Minutes

Minutes _____

5. Contraband Found

___ Yes

___ No

6. Weather Conditions

___ Rain

___ Snow

___ Sleet/Hail

___ Fog/Smog/Haze

___ Other (describe) _____

7. Locale

___ Urban

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☐ Residential/Suburban

☐ Rural

8. Road Type

☐ Two-lane

☐ Four-lane

☐ Expressway/Interstate

☐ Toll Road

☐ Unpaved, any width

9. Your Pursuit Vehicle was:

☐ Marked

☐ Semi-Marked

☐ Unmarked

☐ Other

10. Number of Police Units Involved

Your agency _____

Other agency _____

Air support _____

11. Other Agencies Involved

☐ Number of other agencies _____

12. Distance of Pursuit

☐ Under 1/2 mile

☐ 1/2 - 1 mile

☐ 1 - 2 miles

☐ 2 - 3 miles

☐ 3 - 4 miles

☐ 4 - 5 miles

☐ Other (enter miles) _____

13. Suspect Vehicle Type

☐ Car

☐ Truck

☐ Van

☐ Motorcycle

☐ Other (describe) _____

14. Number of Passengers in Suspect Vehicle

☐ Enter Number _____

15. Fleeing on Foot (if Attempted)

☐ Driver Apprehended

☐ Number of Passenger(s) Apprehended _____

16. Highest Speed of Suspect(s) Vehicle

☐ Highest Speed _____

17. Highest Speed of your Police Unit

☐ Highest Speed _____

18. Crash Information

☐ None

☐ Property Damage

☐ Private

☐ Public

Type: _____

Vehicle Damage:

☐ Suspect(s) Number _____

☐ Citizen(s) Number _____

☐ Your/Departmental Number _____

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___ Personal Injury

___ You

___ Suspect

___ Citizen(s) Number _____

___ Passenger(s) Number _____

___ Fatality

___ Subject

___ Citizen

___ Passenger(s)

___ 10505SR Crash Report Number

19. Reason for Pursuit Termination

___ Suspect Surrendered/stopped

___ Suspect fled on foot

___ Suspect vehicle disabled

___ Your vehicle disabled

___ You voluntarily terminated pursuit

___ Crash involving suspect vehicle and citizen

___ Crash involving suspect vehicle and police vehicle

___ Crash involving suspect vehicle only

___ Crash involving police vehicle only

___ Forcible stop technique (see #22)

___ Terminated by supervisor

___ Lost sight of vehicle

___ Other (explain) _____

20. Crashes during pursuit not resulting in pursuit termination:

___ Number of crashes involving suspect vehicle and police vehicle

___ Number of crashes involving suspect vehicle and citizen

___ Number of crashes involving suspect vehicle and a moving citizen's vehicle

___ Number of crashes involving suspect vehicle and a parked citizen's vehicle

___ Number of crashes involving suspect vehicle and fixed property

___ Number of crashes involving police vehicle and a moving citizen's vehicle

___ Number of crashes involving police vehicle and a parked citizen's vehicle

___ Number of crashes involving police vehicle and fixed property

21. Stop Technique (if used)

___ Stationary roadblock

___ Rolling roadblock (boxing in)

___ Ramming

___ Heading Off

___ Other (describe) _____

22. Suspect Arrest Information

Driver:

D.O.B. _____

Sex _____

Valid Driver's License

___ Yes ___ No

License at time of incident

State Number _____

Passenger(s): _____

D.O.B. _____

Race _____

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Sex _____

23. Event Violations

Initiating Event(s) _____

Event Violation(s) _____

Charges (cite to Criminal Code)

24. Was Follow-up Conducted Where Driver is not apprehended?

☐ Yes

☐ No

Submit Police Pursuit Report Form To:

Illinois Law Enforcement Training and Standards Board

4500 South Sixth Street Rd., Room 173

Springfield, IL 62703-6617

217-782-4540