

42. PURSUITS

(December 2005)

I. POLICY

When officers operate vehicles in pursuits, their primary concern shall be the preservation of life. Officers must not disregard safety with the single-minded goal of apprehension.

Officers must maintain a balance between the need to apprehend the violator and the risks of potential danger to themselves and citizens. The identification and apprehension of the violator are secondary concerns during a vehicle pursuit.

Officers are granted special privileges under State law while operating emergency vehicles with their emergency equipment activated. They are not relieved of the responsibility of driving with due regard for the safety of all persons, and are not protected from the consequences of failing to exercise reasonable care under these circumstances.

The driver of an emergency vehicle, with emergency lights and siren activated, may proceed through a red or stop signal, a stop sign or yield sign, but only after slowing down or stopping to ensure that the intersection may be safely entered.

Nothing in this directive shall be construed to release the operator of a Departmental vehicle from civil or criminal liability for failure to use reasonable care in the operation of an emergency vehicle.

Pursuits within the County

Officers may only engage in vehicle pursuits in the County if probable cause exists to believe that the fleeing suspect is

committing, has committed, or attempted to commit one of the following:

- ❑ Any felony involving the use or threat of physical force or violence against a person
- ❑ A hit-and-run traffic accident resulting in death or serious injury

Pursuits Outside the County & Across State Lines

A vehicle pursuit may only be continued into neighboring Maryland counties, the District of Columbia, or outside the State of Maryland, if probable cause exists to believe that:

- ❑ The fleeing suspect is committing, has committed, or attempted to commit any felony involving the use or threat of physical force or violence against a person.

Vehicle pursuits shall be conducted in strict compliance with Maryland statutes and Departmental directives.

II. CHECKLIST (N/A)

III. DEFINITIONS

Emergency Equipment: Emergency lights and siren

Emergency Vehicle: A vehicle equipped with audible and visual emergency equipment as defined in Sections 11-118 and 21-106 of the Maryland Transportation Article (Maryland Vehicle Law)

Federal Removal: A document authorizing the transfer of custody of an individual from a local jurisdiction to a federal agency (United State's Code)

Fresh Pursuit: A pursuit initiated in another County or State (including the District of Columbia) by any duly organized State, County, or municipal law enforcement officer. Fresh pursuit shall not necessarily imply instant pursuit, but pursuit without unreasonable delay (Maryland Code)

Primary Pursuit Unit: The emergency vehicle that initiated the pursuit or the emergency vehicle closest to the suspect; could change during the pursuit

Secondary Pursuit Unit: Any emergency vehicle authorized to be involved in a vehicle pursuit and that is not the primary unit

Supervisor: In this section, a supervisor is an officer the rank of Sergeant or above; a Corporal who is in an acting position of Sergeant is also considered a supervisor

Shift Commander: The senior supervisor responsible for the operation of a shift, usually a Lieutenant or Acting Lieutenant

Vehicle Pursuit: An active attempt by a police officer in an emergency vehicle to apprehend a motorist who exhibits a clear intention to avoid apprehension by:

- ❑ High-speed driving
- ❑ Evasive tactics, such as making unexpected movements

IV. FORMS

- ❑ Commander's Information Report (PGC Form #1545)
- ❑ Incident Report (PGC Form #3529)
- ❑ Pursuit Critique Report (PGC Form #4445)

V. PROCEDURES

1. Decision to Pursue

The decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger created by the pursuit is less than the immediate or potential danger to the public if the suspect remains at large.

Good judgment in weighing these risks is essential. The seriousness of the offense involved does not lessen the officer's liability and duty to fellow officers. Officers must drive with due regard for the safety of all persons.

The decision to initiate or continue a pursuit can only be justified by the facts or information known at the time. Facts unknown to those involved, no matter how compelling, cannot be considered later in determining whether the pursuit was justified under this policy.

The decision to initiate a vehicle pursuit shall be at the discretion of the individual officer in accordance with the stated requirements in section **I. POLICY** above, and in consideration of the following factors:

- ❑ Type and speed of vehicle being pursued
- ❑ Performance capabilities of the pursuit vehicle
- ❑ Traffic conditions
- ❑ Amount of pedestrian traffic in the area
- ❑ Weather conditions and condition of the road surface
- ❑ Characteristics of the roadway and the officer's familiarity with the roadway
- ❑ Pursuit location, such as a busy business district or a heavily populated residential neighborhood
- ❑ Time of day or night

VOLUME II, CHAPTER 42. PURSUITS

- ❑ Nature of the offense
- ❑ Known circumstances that could lead to a situation in which the pursuing officer might lose control of the police vehicle
- ❑ Whether the identity of the offender is known

Occasionally, motorists do not react normally to police presence due to physical or mental impairments, including but not limited to, driving while intoxicated or under the influence of alcohol or drugs and certain medical conditions. Such persons may not stop upon observing a police signal. Following a motorist in such situations is not a vehicle pursuit, but requires notification and approval from the officer's supervisor.

After supervisory approval, the officer may only follow the motorist if the motorist obeys all traffic laws (excluding failing to stop). Once the motorist attempts to elude the officer by violating traffic laws, the officer shall cease any further attempts to stop the motorist, unless the criteria for an authorized vehicle pursuit exists.

Closing in and stopping a motorist that is not attempting to flee and stops on police signal is not a vehicle pursuit.

2. Pursuit Driver's Responsibilities

(Transportation Article 21-405)

Under no circumstances will officers pursue at a speed so great as to render their vehicles uncontrollable, thereby endangering the lives of themselves or others.

Officers participating in a vehicle pursuit shall not proceed through intersections or against the direction of traffic signals or traffic control devices without first slowing or stopping. They shall ensure that they are

in a clear position to see that no vehicles or pedestrians will be encountered.

Emergency Equipment

No Departmental vehicle shall be used to initiate or participate in any vehicle pursuit unless it is equipped with emergency lights and siren. Emergency lights and siren shall be used throughout the pursuit. If more than one officer is involved in a pursuit, they should use different siren tones from each other.

In addition to emergency lights and siren, officers driving unmarked Departmental vehicles involved in pursuits shall use high beam or flashing headlights throughout their involvement.

To diminish the likelihood of a pursuit, officers intending to stop a vehicle will attempt to be close to the suspect vehicle before activating emergency signal devices.

3. Supervisor's Duties

Upon notification of a pursuit, the supervisor shall:

- ❑ Acknowledge via the radio that they are monitoring the pursuit
- ❑ Authorize or prohibit the continuation of the pursuit after obtaining all relevant information such as:
 - ❑ Seriousness of the offense that led to the pursuit
 - ❑ Reasonable expectation that the suspects(s) can be later identified for apprehension
 - ❑ Whether the suspect(s) would be of further danger to the community

VOLUME II, CHAPTER 42. PURSUITS

- ❑ Ensure that affected agencies are notified
- ❑ Determine the number of secondary pursuit units needed by considering:
 - ❑ Manpower needed to safely affect the arrest
 - ❑ Number of suspects in the vehicle
 - ❑ Possession and types of weapons
 - ❑ Requests by pursuit units for additional units
 - ❑ Violence exhibited by the suspect(s)
- ❑ Determine the need for aerial support and advise PSC
- ❑ Determine the need for the RoadSpike™ tire deflation device
- ❑ Ensure only the authorized units are involved in the pursuit
- ❑ Ensure the pursuit is conducted within Departmental guidelines
- ❑ If applicable, ensure the guidelines established in section **16. Vehicle/Foot Pursuits Into Prince George's County From Other Jurisdictions** below are also followed
- ❑ Monitor and continuously assess the progress of the pursuit
- ❑ Consider the following factors in determining whether the pursuit will continue:
 - ❑ Speed, road, weather conditions, and hour of the day
 - ❑ Pedestrian and vehicular traffic

The supervisor shall assert control of the pursuit by:

- ❑ Monitoring and directing specific units into or out of the pursuit
- ❑ Re-designating primary, secondary, or other back-up unit responsibilities
- ❑ Approving or ordering alternative tactics
- ❑ Terminating the pursuit in accordance with Departmental policy

Only a supervisor may authorize units in the direct vicinity of a pursuit to respond priority to the area of the pursuit. Incoming units must exercise extraordinary caution when approaching the vicinity of the pursuit.

The supervisor that approves a pursuit shall be responsible for the entire pursuit until its conclusion. The supervisor approving the pursuit shall be responsible for completing all reports associated with the pursuit.

4. Pursuit Procedures Outside the County & Across State Lines

Officers and supervisors shall critically evaluate the necessity of pursuing outside the State of Maryland or the County. They must be aware that officers will be less familiar with roadways, traffic conditions, and other hazards, and that radio reception will be less reliable.

Officers and supervisors shall be cognizant of the provisions in this section, and of section **12. Termination of Pursuit** below, when evaluating the propriety of continuing the pursuit in the County, into a neighboring Maryland County, the District of Columbia, or Virginia.

In non-felony situations, officers will transmit a description of the suspect and the vehicle, the charges, and the direction of travel to Public Safety Communications (PSC). PSC will immediately relay the information to the police jurisdiction involved.

No more than three vehicles shall be involved in a pursuit into a neighboring Maryland County, the District of Columbia, or Virginia, unless authorized by a supervisor. Officers shall notify the dispatcher of their intention to leave the

VOLUME II, CHAPTER 42. PURSUITS

County or State. PSC dispatchers shall notify the entered jurisdiction's police agency and keep them informed of the pursuit's status. Dispatchers shall notify the approving supervisor of the entered jurisdiction's involvement in the vehicle pursuit.

Pursuit units leaving the County or State will become secondary units when the neighboring jurisdiction enters the pursuit. Pursuits will be terminated as sufficient units of the entered jurisdiction join the pursuit.

Termination of the pursuit should be considered when officers of the entered jurisdiction are not available to take over the pursuit.

If officers of the entered jurisdiction successfully stop the suspect, the approving supervisor will direct necessary officers to respond to that location in a non-priority status.

If apprehension is made by Prince George's County Police officers in a neighboring Maryland County, officers may affect an arrest and return the suspect to Prince George's County without further legal process. However, if an officer of the neighboring jurisdiction requests that the suspect be processed at the neighboring jurisdiction's facilities before return, the arresting officer shall comply.

5. Radio Transmissions During Pursuit

Following evaluation of the circumstances and initiation of a vehicle pursuit, officers shall broadcast the following on "A" mode:

- ❑ Advise the dispatcher of the pursuit. The dispatcher shall immediately notify the sector supervisor and request authorization for the continuation of the pursuit
- ❑ Location/direction of travel
- ❑ Vehicle license number (including state), color, make, and model
- ❑ Probable cause for pursuit, including any other laws violated
- ❑ Information regarding number of occupants and weapons involved, if known

Failure to transmit the above information as soon as possible may be cause for a supervisor to terminate the pursuit.

The primary pursuit officer shall maintain a clear narrative of the pursuit, providing speed and location to the dispatcher. They shall broadcast compass direction, hundred block numbers, and cross streets as necessary to describe the progress of the pursuit.

When officers become involved in vehicle pursuits as secondary units, they shall notify the dispatcher and limit radio transmissions to those essential to the pursuit or to acknowledge an inquiry. In certain cases, they may handle communications for the primary unit. Other back-up units will not advise their location or other information unless deemed necessary for apprehension efforts.

6. Uses & Restrictions for Certain Departmental Vehicles

An unmarked Departmental vehicle may be the primary pursuit unit, but only if equipped with emergency lights and siren.

Officers operating Departmental two-wheeled vehicles shall not engage in a

VOLUME II, CHAPTER 42. PURSUITS

vehicle pursuit, unless their lack of involvement poses a significant threat to the safety of the public or other officers.

The above-listed vehicles may pursue until a marked cruiser assumes the primary pursuit role, after which they will become secondary units. Officers driving specialized vehicles will cease active pursuit when sufficient marked cruisers become secondary units.

Unmarked or marked Departmental vehicles that are not equipped with lights and siren shall not engage in pursuits.

Departmental vehicles occupied by civilians will not be used in pursuits unless the situation mandates an immediate pursuit and the circumstances prevent disembarking passengers.

7. PSC Responsibilities

PSC dispatchers shall provide all practical assistance to officers involved in a vehicle pursuit in accordance with the PSC Standard Operating Procedures.

The dispatcher shall immediately notify the supervisor and request authorization for the continuation of any vehicle pursuit. If the supervisor is not available, the shift commander shall be contacted for approval. If the supervisor and the shift commander are not available, a supervisor or a shift commander from another District shall be contacted for approval. If the dispatcher cannot contact a supervisor or a shift commander, the pursuit will be terminated.

When pursuits involve officers from more than one district, PSC shall coordinate the appropriate channel to broadcast the pursuit.

8. Pursuit Tactics

Except for supervisory approval, no more than one primary and two secondary units will participate in any vehicle pursuit. Any pursuit unit may request the sector supervisor to approve the use of additional units if the supervisor believes such assistance is necessary. Additional units shall be limited to the assistance needed for officer safety.

All units in pursuits, including the primary pursuit unit, shall space themselves at a distance that will ensure adequate reaction and braking time in the event any leading vehicle stops, slows, or turns.

Officers and supervisors involved in a vehicle pursuit must continually assess the pursuit and consider alternatives. Alternative strategies may include, but are not limited to, tire deflation, aircraft observation, and termination of the pursuit.

9. Aviation Section

Once the supervisor has determined the need for aerial support, the supervisor will notify PSC.

When an aviation unit arrives and direct radio contact is established with PSC, it becomes the primary pursuit unit. The primary pursuit ground unit and the secondary ground unit shall then restrict radio communications, decrease speed, and follow at a safe distance.

Aviation units will be given radio priority to relay speed, direction of travel, potential hazards, and possible apprehension sites to patrol units and supervisors.

VOLUME II, CHAPTER 42. PURSUITS

When the patrol supervisor determines the ground pursuit is to be terminated, the supervisor shall notify the aviation unit to:

- ❑ Continue observation of the suspect vehicle, or
- ❑ Abandon further efforts

The decision to terminate aviation unit assistance is the patrol supervisor's responsibility and will be dictated by the circumstances.

When a ground pursuit is terminated and continued assistance is requested from an aviation unit, the observer will continue to broadcast the direction of travel and other pertinent information. Uniformed patrol units will proceed in a non-emergency mode. They shall parallel the movement of the suspect vehicle, and position themselves for apprehension once the vehicle has stopped.

When necessary, the aviation unit will assist in establishing a perimeter and maintain observation until the suspect has been apprehended or a supervisor verifies that the perimeter has been secured.

The use of the searchlight or the forward-looking infrared detector (FLIR) will be at the observer's discretion.

10. RoadSpike™

An alternative to stopping a vehicle being pursued is the use of RoadSpike™, a retractable spike barrier strip. This is the only tire-deflation device authorized for use by the Department.

The RoadSpike™ may also be deployed in certain situations with supervisory approval, in which a pursuit would not otherwise be authorized. These situations include serious

traffic violations or motor vehicle offenses that create a continuing threat or danger to the public or other police officers, such as:

- ❑ Stolen autos that fail to stop
- ❑ Reckless/negligent driving
- ❑ Known armed individuals that fail to stop
- ❑ Tactical situations such as barricades, civil disturbances, or warrant services
- ❑ DWI

This list is not inclusive.

The Community Policing Institute (CPI) shall maintain a training program regarding the use of the RoadSpike™. Only officers that have received both classroom and practical training in the use of the device may deploy it.

The RoadSpike™ shall not be used in situations involving two- or three-wheeled motorcycles or four-wheel all-terrain vehicles. The RoadSpike™ will not be deployed on exit ramps, merge lanes, or turn lanes.

The exact location, to include lane number of the deployment, will be communicated to PSC.

All uses of the RoadSpike™ shall be documented on a Commander's Information Report and faxed to the CPI prior to the end of duty.

11. Prohibited Tactics

The following pursuit tactics are prohibited:

- ❑ Deliberate contact between vehicles
- ❑ Forcing the pursued vehicle into parked cars, ditches, or any other obstacle
- ❑ Pulling up alongside the pursued vehicle while it is in motion

VOLUME II, CHAPTER 42. PURSUITS

- ❑ Caravanning: the following and direct participation in a pursuit by Departmental vehicles other than the primary pursuit unit and secondary pursuit units
- ❑ Passing: there shall be no attempt by officers to pass the primary pursuit unit unless the passing officer receives specific permission from the primary pursuing officer or a supervisor. Primary and secondary units shall not drive parallel to each other during a pursuit, except during an authorized pass
- ❑ Heading Off (Forced Stopping): maneuvering a Departmental vehicle into the path of the pursued vehicle in an attempt to force it to stop
- ❑ Roadblock: any method of restriction (including partial restriction) or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to affect the apprehension of an actual or suspected violator in a motor vehicle
 - ❑ Sobriety checkpoints and road closures due to special events, accidents, weather or traffic conditions are not affected
- ❑ Boxing In (Rolling Roadblock): a deliberate technique by two or more Departmental vehicles to force a pursued vehicle in a specific direction, or to force a pursued vehicle to stop or reduce speed by the maneuvering of Departmental vehicles in front of, behind, or beside a pursued vehicle
 - ❑ This does not prohibit “takedowns” by SOD or other covert units who use this technique in non-pursuit situations to box in and apprehend criminal suspects

12. Termination of Pursuit

All involved officers and supervisors have a responsibility to closely monitor the

progress of each pursuit. Officers and supervisors must constantly weigh the need for apprehension against the dangers created by the pursuit.

When approving supervisor orders termination of a pursuit, all pursuing officers shall do so immediately and verbally acknowledge the termination via the radio.

The officer or supervisor shall immediately terminate the vehicle pursuit when:

- ❑ Further pursuit will be futile
- ❑ There is an equipment failure involving:
 - ❑ An emergency signal device
 - ❑ A radio
 - ❑ The brakes
 - ❑ The steering
 - ❑ Other essential mechanical equipment
 - ❑ Damage to a Departmental vehicle which creates a driving hazard
- ❑ When the pursuit causes a clear and unreasonable danger to the officer, fleeing motorist, or other persons and the danger is greater than the value of apprehending the suspect
- ❑ A clear danger exists when speeds dangerously exceed the normal flow of traffic, or when vehicular or pedestrian traffic necessitates dangerous maneuvering that exceeds the performance capabilities of the vehicle or driver

Factors to be considered in determining whether the pursuit will continue are:

- ❑ Speed, road, weather conditions, and hour of the day
- ❑ Pedestrian and vehicular traffic
- ❑ Seriousness of the offense that led to the pursuit

VOLUME II, CHAPTER 42. PURSUITS

- ❑ Reasonable expectation that violators can later be identified for apprehension
- ❑ Whether the suspect would be of further danger to the community
- ❑ The officer is unfamiliar with the area or is unable to accurately notify PSC of their location and the direction in which the pursuit is proceeding
- ❑ The pursuing officer knows or has reason to believe the fleeing vehicle is being operated by an individual who is driving in such an unsafe manner that it is obvious that they do not have the physical or mental capabilities to deal with the dangers involved

13. Apprehension

Safety is critical when the suspect's vehicle is stopped. Therefore, officers shall maintain self-control and strict operational discipline consistent with their training and officer safety practices. Officers should maintain cover and concealment and use safe arrest methods.

14. Assisting Other Agencies with Pursuits

These incidents will be handled in accordance with provisions of section I. **POLICY** above, and section 16. **Vehicle/Foot Pursuits Into Prince George's County from Other Jurisdictions** below. Officers and supervisors will also consider the factors in section 12. **Termination of Pursuit** above, when evaluating the necessity of participating in pursuits initiated by other agencies.

15. Post-Pursuit Requirements

Evaluation of officer performance and feedback are essential to maintaining and improving the way officers perform their

duties. Pursuit reviews are also used to ensure compliance with Departmental policy and procedures. To accomplish this, each pursuit will be documented on a Pursuit Critique Report.

The shift commander of the initiating officer shall fax a copy of the report to the Office of Professional Responsibility prior to the end of the watch. If the report is incomplete, the shift commander shall forward the partially completed report with a notation that the report is incomplete.

The shift commander shall, within 96 hours, hold a pursuit critique to evaluate the pursuit and comment on the following areas:

- ❑ Tactical considerations
- ❑ Training/safety considerations
- ❑ Possible alternatives
- ❑ Adequacy of Departmental policy on vehicular pursuit
- ❑ Adherence to Departmental policy
- ❑ Proper use of the in-car camera

After the critique meeting, the shift commander shall complete the Pursuit Critique Report. The report will contain the details of the pursuit and the use of the RoadSpike™ and/or Aviation Unit, if applicable.

The pursuing officer's supervisor will also review the report and provide feedback in either written or verbal format. The supervisor's comments will be included with that of the shift commander.

The shift commander shall submit the written critique of the pursuit, through the chain of command, to the Chief, Patrol Services Bureau, within 7 calendar days of the pursuit. The Chief, Patrol Services Bureau shall forward a copy of the

VOLUME II, CHAPTER 42. PURSUITS

completed report to the Office of Professional Responsibility and the CPI.

The Chief, Patrol Services Bureau, shall complete an annual analysis of vehicle pursuits.

16. Vehicle/Foot Pursuits into Prince George's County from Other Jurisdictions

When officers from other jurisdictions pursue a suspect into Prince George's County, PGPD officers will only join the pursuit if:

- ❑ The pursuing jurisdiction notifies the Department of the offense for which the suspect is wanted
- ❑ The offense meets criteria for pursuits within the boundaries of Prince George's County as specified in section **I. POLICY**, above

If these guidelines are met, the Department shall assist officers from other jurisdictions that enter the County in fresh pursuit of a suspect. Assistance includes, but is not limited to, transporting prisoners, investigative support, evidence processing, and providing equipment.

Officers and supervisors will also consider the factors in section **12. Termination of Pursuit** above, when evaluating the necessity of participating in pursuits initiated by other agencies.

The agency initiating the pursuit is responsible for the arrest and coordination of all reports, citations, and criminal charges.

Confirmation of Probable Cause

PGPD officers are not required to confirm probable cause or examine all facts of a case

before rendering general assistance to officers from other jurisdictions. They shall initially rely upon a good faith expectation that the other officer is acting properly unless circumstances suggest otherwise.

Before any PGPD officer transports a prisoner, accepts custody of a prisoner, or makes an arrest, the facts of the case shall be examined and the probable cause confirmed by a supervisor.

If the supervisor doubts the probable cause or finds the outside officer's actions improper, the supervisor shall ensure that no transfer of prisoner custody occurs and that the prisoner is not transported by a PGPD officer. Obtaining an alternative means of transport is the outside officer's responsibility.

If probable cause is judged insufficient or the outside officer's actions are deemed improper, the outside officer shall be allowed the use of Departmental facilities, including cells and processing equipment, to expedite the prisoner's presentment to a commissioner. However, a PGPD desk officer shall not accept custody of the prisoner. The desk officer shall limit their control over the prisoner to the extent necessary to ensure the safety and security of all persons within the processing facility.

17. Arrests Emanating from Pursuits into the County

When a PGPD officer assists an officer from another State or the District of Columbia with a fresh pursuit arrest, the PGPD officer shall request a supervisor to respond to the scene.

The supervisor shall interview the officer from the outside State or the District of

VOLUME II, CHAPTER 42. PURSUITS

Columbia to determine whether the suspect committed a crime in the County.

Pursuits with Crimes Committed in the County

If the supervisor determines a crime has been committed in the County they shall assign a PGPD officer to charge the suspect.

All reports shall be titled with the appropriate criminal violation, such as "THEFT," "TRAFFIC ARREST," etc. and "FRESH PURSUIT INCIDENT."

If the outside agency is MPDC, the supervisor shall determine if MPDC officer intends to file charges for crimes occurring in the District of Columbia.

The supervisor shall advise the MPDC officer that if the suspect is to be held for the crimes committed in the District, a teletype message must be sent to the PGPD teletype section authorizing the federal removal. This allows DOC to hold the suspect once they have been charged for the crimes committed in the County. A copy of the official teletype shall be given to a DOC officer working at the Regional Processing Center where the suspect is processed.

If the officer is from an outside state the supervisor shall determine if the officer plans to file charges in their home jurisdiction.

The supervisor shall advise the out-of-state officer that if that if the suspect is to be held for crimes committed in their jurisdiction, a teletype message must be sent to the PGPD teletype section stating the suspect will be extradited for a warrant issued in that state. This allows DOC to hold the suspect once they have been charged for the crimes committed in the County. A copy of the

official teletype shall be given to a DOC officer at the Regional Processing Center where the suspect is processed.

Pursuits With Crimes Not Committed in the County

If the officer is from MPDC, a PGPD supervisor will interview the MPDC officer to determine if criminal charges are going to be pursued for felonies committed in the District of Columbia.

Before accepting custody, the supervisor shall ensure:

- ❑ The MPDC officer on the scene contacts the U.S. Attorney's Office to request that a federal removal be authorized
- ❑ That an initial teletype message is sent to the teletype section of the Department. This initial teletype authorizes detention of the suspect until the official teletype authorizing the federal removal is received. The initial teletype must contain:
 - ❑ The name of the authorizing U.S. Attorney
 - ❑ The name, DOB, sex, and race of the suspect
 - ❑ A notation that an official teletype authorizing FEDERAL REMOVAL will be forthcoming

The Teletype Section shall fax the initial teletype to the Regional Processing Facility in Upper Marlboro. A PGPD officer shall then transport the suspect to DOC, Upper Marlboro and transfer custody to DOC pending federal removal to the District of Columbia. Upon receiving the official teletype, the Teletype Section shall fax a copy to DOC, Upper Marlboro.

The MPDC officer may return to the District of Columbia to complete the necessary

VOLUME II, CHAPTER 42. PURSUITS

paperwork for the issuance of a federal removal.

If an initial teletype is not received within a reasonable amount of time, the PGPD supervisor shall notify the MPDC officer that the suspect will be released. The decision to release the suspect may be based upon available manpower, seriousness of the crime, and calls for service.

If the officer is from another state, a PGPD supervisor will interview the officer to determine if criminal charges are going to be pursued for felonies committed in their jurisdiction. Based on their interview, the supervisor shall determine if there are reasonable grounds to believe a felony occurred in the out-of-state officer's jurisdiction.

If the supervisor believes there are reasonable grounds, he or she shall assign an officer to transport the suspect to DOC, Upper Marlboro. The officer shall remain until the PGPD Teletype Section has faxed the teletype from out-of-state officer's jurisdiction that authorizes extradition.

The out-of-state officer may return to their jurisdiction to complete the necessary paperwork for the issuance of the extradition.

If the teletype is not received within a reasonable amount of time, the PGPD officer shall notify his supervisor that the teletype has not been sent. The supervisor shall contact the out-of-state officer to determine whether the suspect will continue to be held. The decision to release the suspect may be based upon available manpower, seriousness of the crime, and calls for service.

In each instance the PGPD officer shall complete an Incident Report and place "34" in the SPECIAL STUDIES block. The report shall be titled, "FRESH PURSUIT INCIDENT," and shall include the following:

- ❑ The out-of-state or MPDC officer's name, I.D. number, and agency phone number
- ❑ Names, addresses, and phone numbers of all victims, witnesses, and suspects
- ❑ Description of the actions of the out-of-state or MPDC officer and the assistance of the PGPD officers, indicating whether any transfer of the prisoner custody occurred

A Commander's Information Report shall also be completed in all MPDC fresh pursuit actions. A supervisor shall fax both reports to the Chief, Patrol Services Bureau, prior to the end of their watch.

PGPD officers that assist outside officers with fresh pursuit actions shall request that the outside officer or agency forward copies of the other agency's incident reports and arrest reports to the PGPD Records Section.

Federal Agencies

Supervisors shall respond to fresh pursuits into the County involving federal agencies. The supervisor will confer with the ranking federal officer on the scene to determine appropriate jurisdictional and charging protocol. The supervisor shall ensure that a Commander's Information Report is completed detailing the incident. The supervisor shall fax a copy of the CIR to the Chief, Patrol Services Bureau, prior to the end of the supervisor's watch.

**VI. GOVERNING
LEGISLATION &
REFERENCE**

This General Order addresses:

- ❑ Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.5, 26.1.1, 41.1.4, 41.2.2, 41.2.3, 61.3.4, 81.2.5, 81.2.6, 81.2.10, 81.3.4

Governing Legislation:

- ❑ Transportation Article, Sections 21-106 & 21-405
- ❑ United State's Code 28USC1446