

 ORIGINAL

**TOWN COUNCIL  
TOWN OF DAYTON, INDIANA**

**RESOLUTION NO. 2023-2**

**A RESOLUTION ADOPTING AND APPROVING THE UNIFORM STATEWIDE  
POLICY ON MINIMUM STANDARDS FOR VEHICLE PURSUITS**

**WHEREAS**, Indiana Code § 36-1-3-4 provides a municipality all powers necessary to conduct its affairs, even if not expressly granted by statute;

**WHEREAS**, the Town of Dayton, Indiana (hereinafter the “Town”) maintains a police department to provide police protection services to the Town;

**WHEREAS**, the Law Enforcement Training Board (hereinafter the “LETB”) adopts statewide minimum standards for vehicle pursuits pursuant to Indiana Code § 5-2-1-9;

**WHEREAS**, the LETB adopted a revised Uniform Statewide Policy on Minimum Standards for Vehicle Pursuits on November 7, 2022, to become effective on January 1, 2023;

**WHEREAS**, the Town Council of the Town of Dayton, Indiana (hereinafter, the “Council”) finds it is necessary, prudent, and in the best interest of the Town to adopt and approve the Uniform Statewide Policy on Minimum Standards for Vehicle Pursuits as approved by the LETB on November 7, 2022.

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Dayton, Indiana that:

1. The Uniform Statewide Policy on Minimum Standards for Vehicle Pursuits as revised by the LETB on November 7, 2022, is hereby approved and adopted by the Town.
2. The Uniform Statewide Policy on Minimum Standards for Vehicle Pursuits as revised by the LETB on November 7, 2022, is hereby incorporated by reference and attached to this resolution as Schedule A.
3. The Town Council directs the Town Marshal and the police department under his guidance to follow these standards and incorporate them into the Town’s police protection services.
4. This policy shall be adopted and approved in addition to the Town’s current pursuit policy and shall supplement the current policy and shall not replace it.
5. This resolution shall be effective as of the date of its adoption.

Approved and adopted on January 17<sup>th</sup>, 2023.

  
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APPROVED BY:  
TOWN COUNCIL  
TOWN OF DAYTON, INDIANA

By: Jim Managero President

By: Switzer Member

By: [Signature] Member

By: Mark Deery Member

By: Mike J. Fradgore Member

ATTEST:  
[Signature]  
Town Clerk-Treasurer



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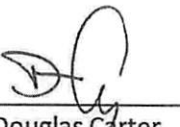
# SCHEDULE A

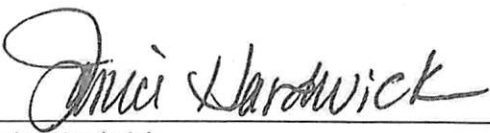
A Resolution to Establish a  
Uniform Statewide Policy  
on Minimum Standards for Vehicle Pursuits  
R2022-13

Be it resolved by the Law Enforcement Training Board that:

1. The Law Enforcement Training Board ("LETB") adopts statewide minimum standards for vehicle pursuits pursuant to IC 5-2-1-9.
2. The LETB hereby establishes the effective date of the attached LETB Uniform Statewide Policy on Vehicle Pursuits as January 1, 2023.
3. The LETB Uniform Statewide Policy on Vehicle Pursuits must be incorporated into the policies, procedures, rules, and/or general orders of all Indiana law enforcement agencies, offices, and departments no later than January 1, 2023.
4. The Indiana Law Enforcement Academy ("ILEA") shall create a program to educate Indiana law enforcement officers on the LETB Uniform Statewide Policy on Vehicle Pursuits prior to the effective date of January 1, 2023.
5. ILEA shall submit the LETB Uniform Statewide Policy on Vehicle Pursuits to CALEA and ILEAC on behalf of all Indiana law enforcement agencies, offices, and departments.

Passed and adopted on this 7<sup>th</sup> day of November, 2022.

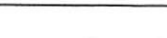
  
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Douglas Carter  
Chairman  
Law Enforcement Training Board

ATTEST:   
\_\_\_\_\_  
Janice Hardwick  
Secretary







	<b><i>LETB UNIFORM STATEWIDE POLICY</i></b>	Agency Policy/General Order Number:
	Subject: Vehicle Pursuits – Minimum Standards	
	Effective: <b>January 1, 2023</b>	Revised: <b>November 7, 2022</b>

## **I. PURPOSE**

Establish uniform statewide minimum standards for vehicle pursuits consistent with state and federal law.

## **II. POLICY**

Indiana law enforcement agencies, departments and offices shall adopt this uniform statewide policy and incorporate it into the policies, procedures, rules, or general orders of the agency, department or office. This policy is to be used in conjunction with all relevant general orders, policies, procedures, regulations, and rules of the agency, department or office.

Law enforcement officers operating an authorized emergency vehicle shall operate the vehicle in a safe, lawful and prudent manner regardless of the employee's duty status. No officer shall fail to use due regard while operating or using an authorized emergency vehicle.

## **III. DEFINITIONS**

- A. Authorized emergency vehicle – Vehicles operated by a police agency, department or office, or the Department of Corrections, that are designated and used as an authorized emergency vehicle in accordance with IC 9-21-20 and properly equipped with red and blue signal lamps and/or a siren, whistle or bell as required/permitted by IC 9-19.
- B. Emergency Driving – In compliance with IC 9-21-1-8, the person who drives an authorized emergency vehicle when the vehicle is using audible or visual signals, as required by law and who is responding to an emergency call or fire, or who is in the pursuit of an actual or suspected violator of the law.
- C. Lawful Intervention Technique – A method by which law enforcement officers, including pursuing authorized emergency vehicles, cause, or attempt to cause, a fleeing motor vehicle to stop (see IC 9-21-1-0.5). The term includes a precision immobilization technique (PIT) maneuver.
- D. Paralleling - When officers, not directly involved in a pursuit or a failure to yield situation, are traveling in the same direction or on an intercept course with the intent to be in a position to assist. Officers paralleling a pursuit are considered part of the pursuit, regardless of their proximity to the pursuit. Paralleling must be done with due regard for the safety of all persons.

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- E. PIT (Precision Immobilization Technique) - A technique used by a trained law enforcement officer operating an authorized emergency vehicle to make contact at controlled speeds with the violator vehicle being pursued in order to push the rear of the violator vehicle to the point it spins causing the violator vehicle to stop.
- F. Primary Officer – The officer(s) in the lead police vehicle during a pursuit.
- G. Pursuit (Vehicle) - Pursuing or following a person who knowingly or intentionally flees from a law enforcement officer after an officer has been identified, by visible or audible means and ordered the person to stop with intent to detain, apprehend or arrest. This also includes any officer who is trailing the pursuit or attempting to enter the pursuit regardless of proximity to it.
- H. Termination (of a pursuit) – When an involved officer either voluntarily stops pursuing a vehicle, or is ordered to stop pursuing a vehicle, and complies with the procedures of termination in this uniform statewide policy.

#### **IV. PURSUIT DRIVING**

##### **A. General Requirements:**

1. Authorized personnel operating an authorized emergency vehicle shall engage emergency lights, and should engage the siren as appropriate, when participating in a pursuit. The Primary Officer in the pursuit shall engage emergency lights and siren.
2. Consideration for the risk to public safety is the primary concern when personnel initiate or assist in any vehicle pursuit. Officers shall use their discretion, within the guidelines of this procedure, when initiating or assisting in a pursuit. Involved officers and commanders shall continually evaluate the situation and should terminate the pursuit when the totality of the risks to the public's safety clearly outweighs the need for immediate apprehension.

##### **B. Legal Requirements:**

1. In compliance with IC 9-21-1-8, the person who drives an authorized emergency vehicle when the vehicle is using audible or visual signals, as required by law in the pursuit of an actual or suspected violator of the law, may:
  - a. Park or stand, notwithstanding other provisions of IC 9-21;
  - b. Proceed past a red or stop signal/stop sign, after slowing down as necessary for safe operation;
  - c. Exceed the maximum speed limits if the operator does not endanger life or property; or
  - d. Disregard regulations governing direction of movement or turning in specified directions.

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2. The foregoing privileges do not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor shall such privileges protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.
3. Personnel shall use due regard in all emergency/pursuit driving situations, as dictated by: roadway conditions; density of vehicular and/or pedestrian traffic; visibility; terrain; limitations of emergency equipment; and other relevant circumstances.

#### C. Vehicle Pursuits

1. A pursuit should not begin, nor should it be continued, when the need for immediate apprehension is very low and the totality of risk to public safety is very high.
2. Each officer shall consider the following prior to initiating, becoming involved, or continuing in a pursuit:
  - a. The violation the person is known to have committed, is wanted for or suspected of;
  - b. Imminent danger to the public based on the totality of the circumstances;
  - c. Time of day;
  - d. Officer's familiarity with the surroundings and population density;
  - e. Potential danger if the offender is not apprehended immediately;
  - f. Positive identification of the driver; and
  - g. Other considerations, including but not limited to: vehicle and pedestrian traffic conditions; road conditions, visibility, terrain; speed and capability of the pursued vehicle; and limitations of emergency equipment and vehicles.
  - h. All the above guidelines shall be continually evaluated throughout the duration of the pursuit.
  - i. If a pursuit is terminated or concludes with the apprehension of the vehicle/suspect, the procedures contained in section VIII. Termination of a Pursuit shall be adhered to.
3. If a marked authorized emergency vehicle joins the pursuit, officers operating motorcycles or unmarked vehicles shall relinquish the lead in a pursuit, when safe and feasible to do so, to the marked authorized emergency vehicle.

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D. Assisting Officers, Duties and Responsibilities:

1. Any officer paralleling a pursuit is considered part of the pursuit (regardless of proximity to it).
2. Officers deploying tire deflation devices (successful or not), setting up roadblocks or applying lawful intervention techniques shall report these to the primary officer for documentation.

E. Communications:

1. When a vehicle pursuit has been initiated, the appropriate dispatch center shall be notified by radio.
2. The dispatch center initially receiving notification and information related to the pursuit, shall consider the following:
  - a. Obtain, when safe and feasible to do so, the description of the suspect vehicle, suspect (if available), number of visible occupants, location, direction of travel and reason for the pursuit.
  - b. Immediately rebroadcasting to dispatch, applicable Mutual Aid talk groups and other frequencies as needed, the description and current location of the pursued vehicle, and route of travel (if known) and any additional information as needed.
  - c. Advise other units to hold all non-emergency radio transmissions.
  - d. Use discretion and brevity in all radio transmissions.
  - e. Upon termination of the pursuit and any subsequent related emergency, (e.g. vehicle crashes and foot pursuits) initiate a dispatch for resumption of routine radio traffic.

V. **USE OF FORCE**

A. Officers shall not:

1. Discharge a firearm at or from a vehicle except in situations where deadly force is allowed by law;
2. Use police vehicles as a weapon except in situations where deadly force is allowed by law.

VI. **LAWFUL INTERVENTION TECHNIQUES**

A. Roadblocks - roadblocks shall be setup as follows:

1. Emergency lighting shall be in operation on authorized emergency vehicles used as a stationary roadblock.

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2. Authorized emergency vehicles used as stationary roadblocks shall not be occupied.
3. Privately owned vehicles shall not be commandeered to be used as a roadblock.
4. Roadblocks shall be set up where it will afford clear visibility to traffic in all directions.
5. Remove all vehicles and people not associated with the roadblock from the area.
6. Roadblocks must be positioned in such a location and manner that the suspect can see the roadblock and have sufficient time and distance to come to a stop prior to the roadblock.
7. Rolling roadblocks are not recommended, but they may be used in circumstances where it is necessary to protect a third party. Non-police vehicles shall not be used to conduct a rolling roadblock.

B. Tire Deflation Devices (TDD)

1. Authorized law enforcement personnel preparing to use TDD shall:
  - a. Seek a proper place of cover/concealment from which to deploy the TDD;
  - b. If possible, deploy the TDD as per the manufacturer's specifications across the path of the target vehicle;
  - c. Take into consideration the totality of the circumstances in Section IV(C) prior to deploying TDD; and
  - d. After deployment (successful or not) the deploying officer shall be responsible for gathering and securing (out of the roadway) the deployed device.
2. Tire deflation devices should not be used as a hand weapon.

C. Precision Immobilization Technique (PIT)

1. An officer may employ the PIT maneuver against a pursued vehicle to terminate a pursuit or prevent a pursued vehicle from continued operation under the following conditions:
  - a. The officer has been trained and approved to conduct the PIT maneuver;
  - b. In the judgment of the officer, the fleeing vehicle must be stopped immediately to safeguard life or preserve public safety;
  - c. The officer takes into account the safety of the public, the occupants of

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the fleeing vehicle and the officer involved;

- d. The totality of the circumstances in Section IV(C); and
  - e. Is used in accordance with agency, department or office training guidelines.
- 2. Whenever possible, sufficient back-up officers should be available at the time the PIT maneuver is employed to prevent the violator (vehicle) from escaping after initially coming to rest.
  - 3. When used in accordance with agency, department or office training guidelines, the PIT maneuver shall be considered a non-deadly use of force.

## **VII. TERMINATION OF A PURSUIT**

### **A. Termination of a Pursuit:**

- 1. The decision to terminate a pursuit can be made by either the Primary Officer or any supervisor or command personnel of the primary pursuing agency, department or office, including a duty officer. Additionally, each agency, department or office with involved officers may make an independent determination to end their officers' participation in the pursuit.
- 2. The pursuit shall be terminated when the totality of the risk to the public's safety clearly outweighs the need for immediate apprehension.
- 3. If the pursuit is terminated through the implementation of a lawful intervention technique, the Primary Officer shall immediately notify the primary dispatch center and the supervisor or command personnel of the primary pursuing agency, department or office.
- 4. If the pursuit involves an injury or death, the Primary Officer shall immediately notify the primary dispatch center and the supervisor or command personnel of the primary pursuing agency, department or office.

### **B. Termination with apprehension - officers shall (if possible or practicable):**

- 1. Conduct a high-risk stop and should not rush the vehicle; and
- 2. Attempt to utilize an officer, other than the Primary Officer, to make the physical arrest or transport the suspect to jail.

### **C. Voluntary or ordered termination - officers shall immediately contact communications and advise:**

- 1. All emergency equipment (lights and siren) has been deactivated;

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2. Location where the pursuit was terminated;
3. The suspect's last known location, direction of travel; and
4. The officer's actions taken to terminate the pursuit (stationary, turned in the opposite direction, etc.).

#### **VIII. PURSUITS INTO OTHER STATES**

- A. Pursuits that cross state lines shall only be made in accordance with the policies of the pursuing agency and the laws of the state that is being entered.
- B. Upon apprehension, the pursued suspect(s) remain in the custody of the officer(s) of the other state until extradition is granted by the other state.

#### **IX. ANNUAL TRAINING**

This uniform statewide policy and any additional pursuit policies, procedures, regulations, and rules of the agency, department or office shall be reviewed annually during the mandatory in-service training adopted by the Law Enforcement Training Board.



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Dr  
ADP  
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