

Rules and Procedures

Rule 301

April 29, 2013

Rule 301 - PURSUIT DRIVING

Section 1. Introduction

The Boston Police Department places the highest value on the lives and safety of its officers and the public they serve. Ever mindful of the responsibility this entails, the Department acknowledges that every officer's duty to apprehend violators of the law will be tempered with the need to minimize the risk to officers and the public. It is the position of the Department that all law violators be apprehended whenever doing so can be accomplished without presenting an unwarranted risk of harm to the public or to the officer(s).

Section 2. Purpose

This rule is issued to establish guidelines and regulations for pursuit situations. It is effective immediately, superseding all previously issued rules, regulations, orders, and directives having to do with pursuits.

Generally, pursuit driving is not justified and is prohibited unless the occupants of the vehicle are known to be wanted for the commission or the attempted commission of a violent or life threatening felony or the vehicle is being operated in an erratic or dangerous manner which poses a threat of harm to the public if it is not stopped. The commission of any motor vehicle violation and/or operating a stolen motor vehicle, in themselves, are not sufficient to meet the above criteria.

The City of Boston is a highly congested urban area which generally precludes pursuit driving in a safe manner. Therefore, every effort shall be made to prevent a suspect vehicle from escalating a situation into one which requires a pursuit. Pursuit driving is only permitted in situations that represent a threat of harm to the public or the officers, if the suspect vehicle and/or occupants are not apprehended. The Department recognizes that it is better to allow a suspect to escape than to engage in a pursuit under conditions that unnecessarily jeopardize the safety of the public and the officer(s).

Section 3. Definitions:

For the purposes of this rule the following definitions will apply:

Sec. 3.1. BAPERN: Boston Area Police Emergency Radio Network. A system that allows the Boston Police Operations Division to communicate and coordinate all departments sharing BAPERN capability; these departments include various law enforcement agencies located in and

around the City of Boston. Most importantly, BAPERN provides the Boston Police Department with the capability necessary to continue to control a pursuit which extends into other jurisdictions.

Sec. 3.2. Discontinuing a Pursuit: An officer informing the Operations Division that the officer is no longer engaged in pursuing a suspect vehicle and turning off the police vehicle's emergency equipment (lights and siren) while simultaneously reducing the speed of the police vehicle to the posted speed, observing all motor vehicle and traffic laws, and disengaging from following the suspect vehicle.

Sec. 3.3. Authorized Police Emergency Vehicle: Includes Department cruisers, motorcycles, prisoner wagons, trucks, SUVs, Harbor Patrol water vessels, and any other mode of transportation recognized as a vehicle by the Massachusetts Registry of Motor Vehicles that are equipped with lights and sirens.

Sec. 3.4. Motor Vehicle Pursuit: A motor vehicle pursuit exists when an officer, in an Authorized Police Emergency Vehicle, with lights and sirens activated, actively attempts to apprehend occupants of a suspect vehicle in which the driver increases speed and/or takes evasive actions in an attempt to avoid apprehension.

Sec. 3.5. Primary Pursuit Unit: The first police unit that initiates a pursuit and continues as the first police vehicle in the pursuit.

Sec. 3.6. Secondary Pursuit Unit: The police unit that becomes involved as a backup to the Primary Pursuit Unit.

Section 4. Vehicle Surveillance Procedures:

Consistent with Department policy that a pursuit be avoided whenever possible, officers shall take the following steps whenever they have a suspect vehicle under surveillance that they seek to pull over:

1. Immediately notify the Operations Division that a suspect vehicle is under surveillance and report their call sign, the reason for the surveillance, the best possible description of the suspect vehicle and its occupants and its direction of travel and roadways being used;
2. Follow the suspect vehicle at a discreet and safe distance, constantly informing the Operations Division of the progress of the surveillance. Blue lights and siren shall not be utilized during the surveillance phase;
3. The Operations Division shall utilize all resources available to limit the mobility of the suspect vehicle before pursuit ensues. When possible, unmarked units should be summoned to take over the surveillance and follow the suspect vehicle until it stops and the suspect(s) can be approached on foot, or the suspect flees, and a pursuit ensues;

4. Blue lights and siren shall only be utilized after the suspect vehicle actively attempts to evade the police unit which is conducting the surveillance or accelerates and/or fails to stop after having been directed to do so.

Section 5. Pursuit Decision:

Sec. 5.1. Pursuit Situations: An officer shall refrain from engaging in a vehicle pursuit unless the officer reasonably believes that:

1. A felony involving serious bodily injury or death or a credible threat of serious bodily injury or death has been committed, or attempted, by an occupant of the vehicle, [According to Rule 303 Section 8, the suspects' vehicle is not considered a deadly weapon] OR
2. An occupant of the vehicle is suspected of being illegally in possession of a dangerous weapon, or in possession of a dangerous weapon used to threaten, injure or kill another person, OR
3. An occupant of the vehicle poses an on-going immediate threat of serious bodily harm or death to another person.

Sec. 5.2. Pursuit Decision Factors: Officers and supervisors should always keep in mind that the decision to pursue a suspect vehicle is revocable. In making the determination to pursue a suspect vehicle, factors to be considered shall include, but are not limited to:

1. severity of crime/offense believed to have been committed by one or more occupants of the vehicle;
2. the risks of the pursuit to the officer, the public, and the suspect(s) versus the necessity to apprehend the suspect(s) should the vehicle not be stopped;
3. alternatives to pursuit;
4. whether the identity of the occupant is known to the point where later apprehension is possible;
5. driving skills of the officer and the performance capabilities of the pursuit vehicle and the vehicle being pursued;
6. type of area (residential, commercial, school zone; and the volume, type, speed and direction of vehicle traffic);
7. population density (including volume of and pedestrian traffic);
8. type of police vehicle (unmarked cruiser, marked cruiser, motorcycle);
9. time of day;
10. road and weather conditions;

11. officer(s) familiarity with the area;
12. speeds involved;
13. quality of radio communications;
14. secondary pursuit unit and other support available in the area to contend with the number of occupants upon a stop.

Section 6. Transmitting Information:

Sec. 6.1. Operations Division Notification: Whenever the operator of a vehicle fails to stop after having been directed to do so and an officer engages in a motor vehicle pursuit, he/she must immediately notify the Operations Division of the pursuit and the following:

1. The officer's radio call sign
2. The officer's current location
3. The offense or reason for the pursuit
4. The best possible description of the pursued vehicle including year, make, color, license plate number
5. The number of occupants, and their identity if known, descriptions (including age and clothing if possible) in case of a bailout
6. The known or suspected presence of any weapons in the vehicle as well as other threats or hazards
7. The direction of travel, roadway being used, and speed of the pursuit
8. If the pursuit is about to enter another jurisdiction

Sec. 6.2. Updates to Operations Division: This information must be continually updated throughout the pursuit, but if/as a Secondary Pursuit Unit joins the pursuit and is sufficiently close to the Primary Pursuit Unit, the secondary unit shall assume responsibility for pursuit updates to the Operations Division.

Section 7. Pursuit Control and Coordination:

Sec. 7.1. Operations Dispatcher Responsibilities:

1. Upon receipt of a transmission from a unit indicating he/she is engaged in a pursuit, the dispatcher has the primary responsibility for coordinating the pursuit.
2. The dispatcher shall designate the initiating unit as the Primary Pursuit Unit, order the frequency cleared, determine the best available Secondary Pursuit Unit, and deploy that unit to join the pursuit.
3. The dispatcher shall notify the Patrol Supervisor of the district where the pursuit is taking place and the Operations Division Supervisor as soon as practicable.

4. In the event the Patrol Supervisor has engaged him/herself as Primary or Secondary Pursuit Unit, the dispatcher will contact the closest available supervisor to take control of the pursuit.
5. Once a Secondary Pursuit Unit has joined the pursuit, the dispatcher shall establish and use that unit as the point of communications for the pursuit, unless the Primary Pursuit is a two-officer unit. This allows the Primary Pursuit Unit officer to devote full attention to driving.
6. The dispatcher shall closely monitor the progress of the pursuit and promptly relay pertinent information relative to location, route, hazards, descriptions, etc. to other units and supervisors (and adjacent districts/jurisdictions that may be impacted).
7. The dispatcher shall request the closest available Canine Team be deployed in the direction of the pursuit to assist at the termination point should it result in a flee on foot.
8. The dispatcher shall coordinate any support requested by the Pursuit Units or supervisor(s).
9. If a pursuit is entering the city from another jurisdiction or district, the dispatcher shall gather and convey all pertinent information to the district Patrol Supervisor of the district receiving the pursuit.
10. The dispatcher shall make a notification via BAPERN when outside agencies become involved or the pursuit leaves the city of Boston.
11. The dispatcher will communicate the order to discontinue the pursuit and confirm that all pursuit participants acknowledge the termination upon receiving such direction from either the Primary Pursuit Unit, the patrol supervisor, the Operations Division Supervisor or any superior officer of the department.
12. The dispatcher shall broadcast lookout information relative to the suspect vehicle and/or its occupants if officers lose sight of the suspect vehicle or the occupants flee on foot.
13. The dispatcher, where possible, shall remind officers that pursuant to MGL Chapter 89, Section 7B, they must stop at all stop signs and red lights while engaged in pursuit driving.

Sec. 7.2. Operations Division Duty Supervisor's Responsibilities:

1. Upon notification of a pursuit, the Operations Division Duty Supervisor shall immediately familiarize him/herself with the details of the pursuit and ensure the management and control of the pursuit is assumed by the Patrol Supervisor.
2. If no justification for the pursuit is given by the initiating officer and the Patrol Supervisor has not yet assumed command of the pursuit, the Operations Division Duty Supervisor shall direct the discontinuance of the pursuit.
3. The Operations Division Duty Supervisor shall monitor the progress of the pursuit and in the event communications are lost with the Patrol Supervisor, temporarily assume responsibility for the management and control of the pursuit, including but not limited to making the decision to discontinue the pursuit when provisions of this directive call for such action.
4. The Operations Division Duty Supervisor shall ensure that the closest available Canine Team, whether BPD or other jurisdiction, be deployed in the direction of the pursuit to assist at the termination point should it result in a flee on foot. The Canine Team will be advised of the direction of the pursuit, information about the vehicle and occupant(s), threats and hazards, and weapons.
5. When a pursuit is about to enter another jurisdiction, the Operations Division Duty Supervisor shall ensure coordination with the other jurisdiction(s) and make the notification via a BAPERIN to the appropriate jurisdiction or agency.

Sec. 7.3. Primary Pursuit Unit Responsibilities:

1. Upon deciding to initiate a pursuit, and providing the dispatcher with the information called for in Section 6 (Transmitting Information), the Primary Pursuit Unit officer shall engage emergency lights and sirens.
2. The Primary Pursuit Unit shall maintain radio communications with the dispatcher conveying pursuit status information until that role can be assumed by the Secondary Pursuit Unit, unless the Primary Pursuit Unit is a two officer unit.
3. The Primary Pursuit Unit shall maintain a distance behind the suspect vehicle that keeps the suspect vehicle in sight but at a sufficiently safe distance to safeguard the officer(s) in the event the suspect vehicle takes dangerous evasive action or stops quickly.
4. If at any time the Primary Pursuit Unit loses sight of the suspect vehicle he/she shall discontinue the pursuit, but may continue to search the area without emergency equipment engaged in accordance with all traffic laws.

Sec. 7.4. Secondary Pursuit Unit Responsibilities:

1. The Secondary Pursuit Unit will join the pursuit, maintaining a safe distance behind the Primary Pursuit Unit, and shall engage emergency lights and sirens.
2. Once the Secondary Pursuit Unit is in place in the pursuit, that unit will assume the responsibility for radio transmissions relative to the pursuit from the Primary Pursuit Unit, unless the Primary Pursuit Unit is a two officer unit.
3. The Secondary Pursuit Unit shall assume the primary position if the Primary Pursuit Unit must drop out of the pursuit, but he/she will not pass the Primary Pursuit Unit unless requested to do so over the radio by the Primary Pursuit Unit.

Sec. 7.5. Patrol Supervisor's Responsibilities:

Once a Patrol Supervisor is assigned to a pursuit, he/she will be responsible for the management and control of the pursuit and post-incident management, unless relieved by a higher ranking officer via radio.

1. The Patrol Supervisor shall acknowledge acceptance of supervisory responsibility upon notice from the dispatcher that a pursuit has been initiated in the district. The supervisor may control the pursuit from a stationary point or drive toward the area of the pursuit utilizing emergency driving per Rule 302.
2. The Patrol Supervisor shall determine that the pursuit was initiated in accordance with the provisions of this Rule. Based on this determination and known circumstances, the supervisor shall either acknowledge his/her approval of the pursuit to the dispatcher or he/she shall order the pursuit discontinued.
3. The Patrol Supervisor shall continuously monitor radio transmissions relative to the pursuit, and assess risks brought on by the weather, visibility, pursuit speed, road conditions, vehicular and pedestrian traffic and other conditions to determine if the necessity of the pursuit continues to outweigh the risks to officers and the public and should be continued.
4. The Patrol Supervisor shall discontinue a pursuit if the pursuing officers are not adequately broadcasting sufficient information necessary to make informed decisions as to the continuance of the pursuit.
5. The Patrol Supervisor shall monitor the pursuit to ensure that only authorized units are participating in the pursuit.
6. The Patrol Supervisor shall determine the need for additional resources and coordinate support such as police units at the termination point of the pursuit to assist with arrests or a foot chase.
7. The Patrol Supervisor shall respond to the termination point of the pursuit, regardless of outcome to control police actions, provide supervision, support and guidance to pursuing officers, and to coordinate any search or follow-up of leads.
8. The Patrol Supervisor shall complete a Pursuit Report and submit it through the Duty Supervisor to the District Commander.

Sec. 7.6. All Pursuit Units – Requirements and Limitations:

Sec. 7.6.1 Applicable Statute: Officers shall conform to the provisions of Massachusetts General Law, chapter 89, Section 7B, and use the blue emergency lights and siren of their vehicle when engaged in a pursuit. Officers should be aware that the majority of Department motor vehicle accidents occur in intersections and with this in mind officers should use extreme caution while navigating through intersections. The applicable statute states:

“The driver of a vehicle of a fire, police, or recognized protective department, and the driver of an ambulance shall be subject to the provisions of any statute, rule, regulation, ordinance, or by-law relating to the operation or parking of vehicles, except that a driver of fire apparatus while going to a fire or responding to an alarm, or the driver of a vehicle of a police or a recognized protective department or the driver of an ambulance, in an emergency and while in performance of a public duty or while transporting a sick or injured person to a hospital or other destination where professional medical services are available, may drive such vehicle at a speed in excess of the applicable speed limit if he exercises caution and due regard under the circumstances for the safety of persons and property, and may drive such vehicle through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection if he first brings such vehicle to a full stop and then proceeds with caution and due regard for the safety of persons and property, unless otherwise directed by a police officer regulating traffic at such intersection.

The driver of any such approaching emergency vehicle shall comply with the provisions of section fourteen of chapter ninety when approaching a school bus which has stopped to allow passengers to alight or board from the same, and whose red lamps are flashing.”

Sec. 7.6.2. One-way Streets and Divided Highways: Officers shall take all necessary precaution to avoid operating a vehicle the wrong way on a divided roadway. This action is extremely dangerous and may result in tragedy. Nor should an officer pursue a vehicle the wrong way on a one-way street due to the risk of danger to the public and to the officer(s). If, however, facts and circumstances present themselves to require either action, the officer must be able to justify their actions and show that all possible safety for the public was taken into account.

Sec. 7.6.3. Use of Electronic Devices: Operators of pursuit vehicles shall not use MDT computers, cell phones or other hand-held electronic devices, excluding police radios, while engaging in a pursuit.

Sec. 7.6.4. Vehicle Defect: Pursuit units shall discontinue participation in a pursuit at any time when the officer becomes aware of a defect with his/her vehicle that could impact its safety and effectiveness as a pursuit vehicle.

Sec. 7.6.5. Unreasonable Speed: The Primary and Secondary Pursuit Units shall not, at any time, operate a Department vehicle at such a rate of speed or in such a manner as to cause the officer to lose control of a pursuit vehicle or otherwise endanger the public.

Sec. 7.6.6. Reckless and Hazardous Driving Maneuvers: Reckless and hazardous driving maneuvers by the suspect shall not be replicated by the pursuing officer.

Sec. 7.6.7. Vehicle Contact: Officers shall not use their police vehicle to deliberately make contact with a pursued vehicle.

Sec. 7.6.8. Vehicle Positioning: Officers shall not intentionally drive along side or in front of a pursued vehicle, unless authorized by a Patrol Supervisor.

Sec. 7.6.9. Roadblocks and Barricades: The use of roadblocks or the barricading of a roadway is justified and authorized only when the use of deadly force is justified, and it must be authorized by the Patrol Supervisor as a last resort to apprehend a suspected violent felon. Police vehicles used to barricade a roadway will have all emergency lights activated and they will be unoccupied and no one will be positioned behind them.

Sec. 7.6.10. Tire Deflation Devices: When it is operationally feasible and trained personnel are able to deploy tire deflation devices they may be used if authorized by Patrol Supervisor. Supervisors should be mindful of vehicle's speed when determining whether to utilize tire deflation devices. No officer shall attempt to overtake a pursued vehicle in an attempt to put down a tire deflation device. No such device will be used to stop a vehicle with fewer than four tires.

Sec. 7.6.11. Firearm Discharge Prohibition: Please see Rule 303, Section 8.

Section 8. Discontinuance of Pursuit:

Department members shall discontinue a pursuit when conditions make it unreasonable to continue and/or when ordered to do so by any Superior Officer of the Boston Police Department. The same factors which were considered prior to engaging in a pursuit shall be continuously considered in determining whether or not to discontinue a pursuit once it has begun. The officer operating the primary pursuit vehicle shall be prepared to articulate the facts justifying any decision to initiate, continue and/or discontinue a pursuit. If there is a

disagreement as to whether a pursuit should continue, the highest ranking officer shall make the determination. If there is a disagreement among supervisors of the same rank, the decision of the Operations Duty Supervisor shall prevail.

Sec. 8.1. Discontinuance Factors: Any number, or combination of factors may contribute to the unreasonableness of continuing a pursuit. Among them are the following:

1. The Primary Pursuit Unit loses sight of the suspect vehicle for more than 30 seconds.
2. The officer is failing to keep up with the suspect vehicle and/or it is too powerful to keep up with.
3. The pursuit enters a congested area making pursuit hazardous.
4. Visibility, weather, or road conditions have deteriorated.
5. The pursuit is entering a school zone with children near the roadway.

Sec. 8.2. Radio Notification: Each officer participating in a pursuit that has been discontinued shall acknowledge his/her discontinuance over the radio and give his/her location at the termination of the pursuit.

Sec. 8.3. Ceasing Suspect Pursuit: Pursuing officers shall not follow the suspect vehicle after the decision to discontinue the pursuit has been made.

Sec. 8.4. Reappearance of Suspect: In the event the suspect vehicle in a discontinued pursuit reappears, any decision to re-engage the pursuit will require the pursuing officer to justify a new pursuit. If the former pursuit was discontinued because of high risk factors, the officer must articulate how the risk has changed.

Sec. 8.5. Return to Regular Speed: Upon discontinuing a pursuit, officers shall immediately turn off their emergency lights and siren, return to posted speed limits.

Section 9. Pursuit Vehicle Considerations:

Sec. 9.1. Pursuit with Passengers Prohibited: Officers shall not engage in a pursuit when their vehicle is occupied by prisoners, suspects, complainants, witnesses or any other persons not on duty either as police officers for the City of Boston or for another law enforcement agency working with or assisting the Department. This restriction applies regardless of whether or not the passenger has signed a waiver of liability, i.e., "ride alongs."

If the non-police passenger is not a suspect or prisoner, at the officer's discretion and with the passenger's agreement, the passenger may be discharged at a safe and secure location. The dispatcher should be advised of the location and a non-pursuit unit should be dispatched to retrieve the passenger.

Sec. 9.2. Unmarked Units: Department policy shall be that only Authorized Police Emergency

Vehicles (as defined in this Rule) may lead a pursuit.

Whenever officers assigned to unmarked vehicles are following a suspect vehicle which then accelerates and/or fails to stop after having been directed to do so, the officers shall notify the Operations Division of the vehicle with which they are concerned, and after providing all information relevant to the suspect vehicle, may continue to follow such vehicle, but shall observe all motor vehicle laws until relieved by a marked unit. Upon being relieved by a marked response unit, the unmarked unit shall discontinue pursuit and follow at a safe distance.

Sec. 9.3. Personal Vehicles: Officers are strictly prohibited from using a personal or private motor vehicle to engage in a pursuit. An officer who witnesses the commission or attempted commission of a violent or life threatening felony or observes a vehicle being operated in an erratic or dangerous manner which poses a threat of harm to the public if it is not stopped shall, if they are in a personal or private motor vehicle, notify the Operations Division of the vehicle involved, its direction of travel and the crime involved. The officer may then, with the permission of the Operations Division, follow the vehicle but only if it is possible to do so in conformance to all traffic laws and without creating an undue risk of harm to the public or themselves.

Sec. 9.4. Motorcycle Units and other Vehicles: If a pursuit is initiated by a motorcycle unit, that unit may continue to pursue only until a marked cruiser assumes the role of Primary Pursuit Unit. If at any time, even the momentary risks associated with the pursuit become too great for motorcycle unit involvement, or if the motorcycle unit cannot be replaced within a reasonable time, the motorcycle unit shall discontinue the pursuit.

Emergency equipped Sport Utility Vehicles, pick-up and other trucks (marked or not) should be restricted from use as pursuit vehicles. Just as with motorcycles, when officers operating these vehicles initiate a stop that turns into a pursuit, they shall discontinue pursuit as soon as a marked cruiser assumes the role of Primary Pursuit Unit.

Section 10. Outside Law Enforcement Agencies Conducting a Pursuit in the City of Boston:

Sec. 10.1. Outside Law Enforcement Agency Notification to Boston Police Department: All federal, state and local law enforcement agencies conducting a pursuit in or about to enter the confines of the City of Boston, regardless of the primary jurisdiction of the roadway on which the pursuit is being conducted, are requested to notify the Boston Police Operations Division (preferably via BAPERN).

Upon notification, the Boston Police Department shall utilize BAPERN to coordinate and control all pursuits with the exception of those which may occur on the Southeast Expressway, Storrow Drive, or the Massachusetts Turnpike.

Sec. 10.2. Operations Division Notification: The agency conducting the pursuit will be requested to provide the Operations Division with the following information:

1. The identification of the unit in pursuit by call sign and the law enforcement agency to which it belongs;
2. The best possible description of the vehicle and its occupants;
3. The reason for the pursuit, especially the nature of the offense involved;
4. The direction of travel, an estimate of the speed of the suspect vehicle and the roadways being used.

Sec. 10.3. Radio Broadcast: When an outside agency pursuit enters the City of Boston, the relative information (the path of the pursuit, vehicle and occupant description) should be broadcast over the appropriate radio channel to inform officers in the proximity of the pursuit.

Sec. 10.4. Request for Information: The Operations Division Duty Supervisor shall initiate a request for relevant information immediately on being made aware of a pursuit conducted by an outside agency entering the City of Boston.

Sec. 10.5. Patrol Supervisor Notification. Upon being apprised of such pursuit, the Operations Division is to notify the Patrol Supervisor of the affected district and the Operations Division Duty Supervisor as soon as practicable.

The Patrol Supervisor of the affected district will acknowledge receipt of the information.

Sec. 10.6. Secondary Pursuit Unit: When a pursuit enters the City of Boston and there is only one pursuit unit from the other jurisdiction in pursuit, the Operations Duty Supervisor or the Patrol Supervisor may assign a Secondary Pursuit Unit. If the pursuit continues beyond the city, the Boston unit will discontinue the pursuit and the Primary Pursuit Unit will be notified, unless authorized by a supervisor to continue pursuit.

When a pursuit initiated in another jurisdiction enters the City of Boston, the role of Boston police officers in the actual pursuit will be limited to Secondary Pursuit Unit support. If the pursuing agency has two of its own units involved, Boston officers shall not pursue but rather shall monitor progress and respond to the pursuit termination point (if in the city) to assist with arrests. No other stop tactics (tire deflation, barricade) will be employed by Boston police officers.

Sec. 10.7. Pursuit Discontinuance: Any supervisor can discontinue a pursuit by Boston units participating in a pursuit initiated by an outside law enforcement agency.

While the Boston Police Department recognizes the statutory authority of outside law enforcement agencies to conduct fresh and continued pursuit into other jurisdictions (MGL Ch.

41, Sec. 98A), if the decision is made to terminate Boston Police participation in a pursuit, any outside agency which is involved in the pursuit shall be so advised of that decision and the reasons therefore.

Section 11. Pursuit into Other Jurisdictions:

Sec. 11.1. Operations Division Notification: When a pursued vehicle leaves the City of Boston the pursuing officers shall notify the Operations Division who shall transmit the information outlined in Section 3 via BAPERN to the police department having primary jurisdiction.

Sec. 11.2. Number of Units Determination: The Patrol Supervisor shall determine the number of units permitted to continue a pursuit into another jurisdiction. The Patrol Supervisor shall respond to the termination point of the pursuit.

Sec. 11.3. Pursuit of Felons Outside Jurisdiction: Boston police officers shall only pursue felons into other jurisdictions when the occupants of the vehicle are known to be wanted for the commission or attempted commission of a violent or life threatening felony.

Section 12. Pursuit Reports:

The Patrol Supervisor who monitored the pursuit shall respond to the termination point of the pursuit and make an assessment of the scene. During this assessment if the officer(s) that initiated the pursuit are assigned to and working in a capacity for a Division/Unit out of the chain of command of the Patrol Supervisor, the Patrol Supervisor shall make contact with a supervisor from that Division/Unit if available and request he/she respond to the scene, and responsibility for the Pursuit Report Form (BPD Form 1647, revised 3/89) shall then belong to that supervisor. Prior to the end of his/her tour of duty, the Pursuit Report Form shall be submitted by the appropriate supervisor to the Commander of the District or Unit where the officer(s) is assigned, to the Chief of the Bureau of Field Services and to the Superintendent-In-Chief. The Supervisor shall detail the reasons for and the circumstances of the pursuit in the Pursuit Report. The District/Unit Commander shall evaluate and, if necessary, obtain reports from all Police Officers involved as to their compliance with each and every section of this Rule. In order to justify decisions with respect to any type of driving conduct, the officer operating the vehicle must be able to articulate facts supporting his or her decision. Completed evaluations will subsequently be submitted to the Chief of the Bureau of Field Services and the Superintendent-in-Chief.

NOTE: Rule Number 301, promulgated September 1974, revised in February 1982; revised in September 1999.

Edward F. Davis
Police Commissioner

