

# ILLINOIS STATE POLICE DIRECTIVE

## OPS-003, VEHICLE PURSUITS AND FORCIBLE VEHICLE STOPS

<b>RESCINDS:</b> OPS-003, 2023-051, revised 01-03-2023.	<b>REVISED:</b> 12-12-2023 <b>2023-184</b>
<b>RELATED DOCUMENTS:</b> ENF-008, ENF-022, EQP-003, EQP-010, EQP-012, OPS-002, OPS-046, OPS-054, OPS-081	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b> 4.1.1, 4.1.2, 41.2.1, 41.2.2, 41.2.3, 41.3.1, 41.3.3, 41.3.7, 41.3.8, 46.1.4, 61.1.6, 61.3.4, 81.2.4, 81.2.5

### PREAMBLE

The primary mission of the Illinois State Police (ISP) is to promote public safety through education and enforcement. In the course of enforcement activities, it may be necessary to pursue and/or forcibly stop violent offenders in order to apprehend them, or use approved forcible stopping techniques against other, non-responsive drivers where reducing the danger to the public outweighs the potential risks to that driver. When a vehicle pursuit or forcible vehicle stop is necessary, the ISP will make use of available resources to minimize the threat to the public, department employee(s), and violator(s).

### I. POLICY

Recognizing the inherent risks associated with a vehicle pursuit and/or forcible vehicle stop, the ISP will:

- I.A. Provide Cadet, In-service, and remedial driving instruction through the Division of the Academy and Training (DAT) that includes crash avoidance methods, decision-making concepts, emergency response and precision driving, pursuit techniques, and forcible vehicle stop techniques, including roadblocks.
- I.B. Only initiate a pursuit on a vehicle when an officer can articulate a reason to believe that the occupant(s) of a fleeing vehicle:
  - I.B.1. Have committed or attempted a forcible felony involving the infliction or threatened infliction of bodily harm *except* the offense of Aggravated Vehicular Hijacking which is an authorized forcible felony only when the offense was reported as the vehicle being taken by an individual who carried on or about their person a dangerous weapon or firearm within 12 hours or less from the time when the officer encounters the vehicle.
  - I.B.2. Are attempting to escape by the use of a deadly weapon; and/or
  - I.B.3. Otherwise indicate they will endanger human life or inflict great bodily harm (e.g., wrong-way driving, striking other objects and vehicles, impaired/unresponsive driving, etc.) unless stopped without delay.
- I.C. Not initiate or become involved in pursuits for traffic offenses, non-violent property crimes, whether felony or misdemeanor, or when the suspect flees for unknown reasons.
- I.D. Continually assess the nature of the pursuit or need to conduct a forcible stop with respect to its relative danger and, whenever necessary, make the decision to terminate the pursuit.
- I.E. Only authorize the application of forcible vehicle stopping techniques consistent with the use of force continuum.
- I.F. Where appropriate, use approved techniques to forcibly stop other non-fleeing unresponsive drivers who are not being actively pursued for criminal apprehension but are driving in a manner that is immediately hazardous to other vehicles on the roadway.
- I.G. Review this directive annually.
- I.H. Ensure that all compiled statistical data is reported annually by the Emergency Vehicle Operation Review Board (EVORB).

### II. AUTHORITY

- II.A. 625 ILCS 5/1, et seq., "Illinois Vehicle Code"

- II.B. 720 ILCS 5/7, et seq., “Justifiable Use of Force; Exoneration”
- II.C. 720 ILCS 5/31, et seq., “Interference with Public Officers”
- II.D. 725 ILCS 5/107-15, “Fresh Pursuit”
- II.E. 725 ILCS 5/107-16, “Apprehension of Offender”

### III. DEFINITIONS

- III.A. Deadly Weapon – for purposes of this directive, a deadly weapon is defined as a firearm, knife, vehicle, or anything else that in the manner of its use, or intended use, is capable of causing death or serious bodily harm.
- III.B. Emergency Vehicle Operation Review Board (EVORB) – a board established by the Department to review specified pursuits, fleeing and eluding, unresponsive driver incidents, and forcible stops.
- III.C. Emergency Warning Equipment – oscillating lights, rotating lights, flashing lights, siren, or any combination thereof on, or within, police vehicles. A full emergency warning equipment package means a marked or unmarked vehicle with front and rear lights, a siren, an operable camera, and a working mobile or portable police radio.
- III.D. Fleeing or Eluding – when an officer signals the driver of a vehicle to stop, using a visual or audio signal, and the driver fails to come to a full stop and indicates by their actions that they are actively resisting and attempting to flee and elude as defined in 625 ILCS 5/11-204 (e.g., increasing speed, disregarding traffic control devices or roadway indicators, makes an overt and deliberate evasive maneuver, extinguishing lights, etc.).
- III.E. Forcible Felony – Illinois forcible felonies are defined in 720 ILCS 5/2-8, and include any felony involving use of physical force, or threatening the use of physical force or violence against someone. Current ILCS defined forcible felonies are listed in Section VII. of this directive. EXCEPTION: the offense of Aggravated Vehicular Hijacking is an authorized forcible felony only when the offense was reported as the vehicle being taken by an individual who carried on or about their person a dangerous weapon or firearm within 12 hours or less from the time when the officer encounters the vehicle.
- III.F. Forcible Vehicle Stop – using an ISP vehicle or other device to forcefully stop another vehicle whose driver refuses, or is otherwise unable, to stop when directed to do so, and by their actions, pose a serious threat to the public if they are not stopped. Authorized techniques, also known as legal interventions, include the Precision Immobilization Technique (PIT) Maneuver, pinning, ramming, deployment of a tire deflation device, rolling roadblocks, and stationary roadblocks. Officer’s may only use a technique that they have been trained by the DAT to perform.
- III.G. Investigative Roadblock – a stationary roadblock used to stop vehicles for investigative purposes (e.g., escaped fugitives, kidnapping, etc.).
- III.H. Non-fleeing Unresponsive Driver – a driver who, due to their behavior (e.g., wrong-way driving, striking other objects and vehicles, impaired/unresponsive driving, etc.), continues to pose a serious threat to the public, and who fails to stop after being given a visual or audio signal to do so, but does not otherwise make any overt actions to indicate the driver is attempting to flee from or elude the officer.
- III.I. Pinning/Vehicle Immobilization – techniques used to stop or control a vehicle that is currently slowed or stopped where the driver attempts, or may attempt, to drive out, or would otherwise lose control of the vehicle at a low speed (generally less than 15 miles per hour [mph]). This may involve controlled vehicle contact and pushing and is generally a less-lethal maneuver.
- III.J. Precision Immobilization Technique (PIT) Maneuver – a method by which a law enforcement vehicle can force another vehicle to quickly turn approximately 180 degrees through the application of pressure in a specific, prescribed, and controlled manner into the area of the rear quarter panel in which the lateral displacement causes it to rotate and move to an often predictable and planned location.

- III.K. Primary Pursuit Unit – the lead vehicle immediately behind the fleeing vehicle that assumes control of the pursuit.
  - III.L. Pursuit – an active attempt by a law enforcement officer operating a department police vehicle, whether emergency equipment is activated or not, so as to maintain police contact and apprehend an occupant of another moving vehicle who, as identified by their actions, is attempting to flee or elude the officer. When other assets, such as air support or other technologies, etc., are tracking a vehicle and officers operate their vehicle in order to employ tactical positioning and gain an advantage (as defined in Section III.R. of this directive), such operation will be considered enforcement driving and will conform to ISP Directive OPS-081, “Emergency/High Speed Response Driving.”
  - III.M. Pursuit-Involved Unit – the primary and secondary unit, as well as any units that are supporting them (e.g., blocking cross traffic, clearing traffic ahead of the pursuit, following or paralleling the primary unit, deploying tire deflation devices, etc.).
  - III.N. Ramming – the deliberate act of impacting a violator’s vehicle with another vehicle to functionally damage or otherwise force the violator’s vehicle to stop. Ramming is distinguished from the PIT maneuver and pinning (e.g., speed thresholds, points of contact, etc.), and is only authorized if deadly force is an appropriate use of force option.
  - III.O. Rolling Roadblock – using two or more law enforcement vehicles to surround the vehicle to be stopped in a coordinated manner and influencing the vehicle to stop. This is differentiated from a stationary roadblock.
  - III.P. Secondary Pursuit Unit – any police vehicle that becomes involved as a direct backup to the primary unit advises the Telecommunicator of their status and follows at a safe distance. The designated secondary unit may keep Troop Communications advised of the status of the pursuit and act as a buffer between the pursuit and surrounding traffic.
  - III.Q. Stationary Roadblock – a complete barricading of the roadway, constructed so as not to allow a fleeing vehicle to pass through or around the barricade (Note: DUI/safety checkpoints, and rerouting traffic in an emergency situation are not considered roadblocks).
  - III.R. Tactical Positioning – the operation of a police vehicle with the intent to position to apprehend suspect(s) when the suspect vehicle comes to a stop. Tactical positioning occurs before a ground unit pursuit is initiated, after the ground unit pursuit or fleeing and eluding engagement has been terminated, or in situations when other resources (i.e., Air Operations or various technology) are able to maintain surveillance on the suspect vehicle without the awareness or knowledge of the suspect. All officers engaging in tactical positioning will notify telecommunications as well as the Shift Commander prior to engaging in tactical positioning, and such operation shall be considered and will conform to the directives regarding enforcement driving (refer to ISP Directive OPS-081, “Emergency/High Speed Response Driving”).
  - III.S. Termination of Pursuit – an officer has terminated a pursuit if, within a reasonable time of determining that the subject is fleeing or eluding, the officer extinguishes all emergency warning equipment, operates their police vehicle in accordance with all applicable traffic laws, and advises the Telecommunicator they have done so. If, after terminating a ground unit pursuit, an officer engages in tactical positioning due to the suspect vehicle still being tracked by other resources (i.e., Air Operations or various technology), the officer must inform Telecommunications and the Shift Commander.
  - III.T. Tire Deflation Device – any purpose-manufactured device designed to forcefully deflate the tires of a vehicle in a controlled manner in order to bring the vehicle to a stop.
  - III.U. Trained Officer – an officer who has received authorized, approved DAT training in forcible vehicle stop techniques.
- IV. RESPONSIBILITIES
- IV.A. Assessment
    - | An officer's decision to initiate, continue, terminate involvement in a pursuit, or use a forcible stop

technique, requires continuous assessment of the situation and condition factors to determine the most reasonable option or options available to reduce the overall risk to the public and officers involved. Condition factors that may be assessed include, but are not limited to:

- IV.A.1. The officer's skillset and training
  - IV.A.2. Availability of other officers and resources (e.g., air support)
  - IV.A.3. Location characteristics (e.g., highway, surfaced street, terrain, etc.)
  - IV.A.4. Pedestrian issues
  - IV.A.5. Traffic conditions (e.g., density, etc.)
  - IV.A.6. Road conditions (e.g., pavement, elevation, shoulder, etc.)
  - IV.A.7. Weather conditions
  - IV.A.8. Department vehicle's emergency warning equipment
  - IV.A.9. If the situation involves a criminal offense, the seriousness of the underlying violations (e.g., forcible felonies, the reasonable belief that the offender would pose a serious threat to human life, etc.)
  - IV.A.10. Presence of non-police personnel in the police vehicle
  - IV.A.11. Vehicle speed
  - IV.A.12. Actions of the driver creating the dangerous situation (e.g., continued failure to respond, indications of intent, weapons, etc.)
  - IV.A.13. Relative safety of the general public and the officers involved
  - IV.A.14. Feasibility of apprehending offenders at a later time
- IV.B. Notification and Communication
- IV.B.1. Officers will notify the Telecommunicator of the circumstances of the situation, who will ensure that the Shift Commander is aware of the situation and relevant condition factors.
  - IV.B.2. The primary unit will continue to update the status of the pursuit and any changes to the condition factors until a secondary unit is designated and takes over the communication duties.
  - IV.B.3. Telecommunicators will notify the Shift Commander whenever they become aware that another agency has initiated a pursuit.
  - IV.B.4. Telecommunicators will refer to the ISP Communications Policy and Procedures Manual, Illinois State Police Emergency Radio Network (ISPERN) chapter, for responsibilities and procedures pertaining to pursuits handled by ISPERN control points.
  - IV.B.5. Shift Commanders will actively monitor the situation and provide appropriate guidance (e.g., allocation of back up units, etc.) up to, and including, termination of the pursuit based on continual assessment of the situation and condition factors. When feasible, the Shift Commander will not perform as the primary or other directly involved vehicle in a pursuit.
  - IV.B.6. In the case of a stationary roadblock, officers must receive explicit approval as described in Section V.H. of this directive before implementing the roadblock.
  - IV.B.7. Officers will request medical aid whenever appropriate.

- IV.B.8. If life-threatening or fatal injuries are sustained during a pursuit engagement or due to the application of a forcible stopping technique, the Division of Internal Investigation (DII) will be notified in accordance with ISP Directive OPS-089, "Officer-Involved Death Investigations."
- IV.B.9. Further notification and review protocols are defined in Section VI. "Standard Review Procedures," of this directive.
- IV.B.10. Pursuing officers will notify Telecommunicators when it is likely a vehicle pursuit will continue across a state line and if it does in fact continue across a state line. Vehicle pursuits into bordering states by ISP officers will strictly conform to ISP policy and to the laws of bordering states (e.g., appearance before a local magistrate, extradition requirements, etc.).

#### IV.C. Documentation

- IV.C.1. For all pursuit/fleeing and eluding/forcible stop events, the Shift Commander will designate a unit to be the primary reporting unit, who will complete a Field Report. All other pursuit-involved units will complete a supplemental report, accident report, or other appropriate documentation for submittal to the Shift Commander. For crashes involving an ISP vehicle, reporting will be handled in accordance with EQP-003, "Department Vehicle Crash and Incident Reporting."
- IV.C.2. In the "Type of Report" section of the Field Report, officers will indicate "Fleeing/Pursuit" and ensure that the report specifically describes condition factors in Sections IV.A.3. – IV.A.13. of this directive in the report narrative.
- IV.C.3. The Shift Commander, or designee, will secure all relevant video and audio media.
- IV.C.4. Upon completion of a pursuit or fleeing/eluding incident, the Shift Commander, or designee, will interview involved officers and prepare a Post Pursuit/Fleeing and Eluding/Code Red Form, ISP 5-479, documenting information from the initial notification of a fleeing suspect through the termination of the pursuit.
- IV.C.5. Shift Commanders will attach all related documentation to the Post Pursuit/Fleeing and Eluding/Code Red Form.
- IV.C.6. For report purposes, the Field Report type will still indicate "Fleeing/Pursuit" if the event involves the forcible stopping of a non-fleeing unresponsive driver.
- IV.C.7. For cases in which the DII becomes involved, the Shift Commander will confer with the lead DII supervisor before starting documentation.

### V. PROCEDURES

#### V.A. Application of a Technique

- V.A.1. Generally, the application of a forcible stopping technique, also known as a legal intervention technique, must be authorized by the Shift Commander or other ISP command personnel that has assumed control, unless exigent circumstances exist.
- V.A.2. Only a trained officer may apply a technique defined in this directive.
- V.A.3. Officers will continue to reassess condition factors throughout the event.
- V.A.4. Officers should be aware of the danger posed by firearms in the vehicle to be stopped.
- V.A.5. Anytime a vehicle is stopped using a forcible stopping technique, the officer will request EMS assistance to evaluate the occupants of the vehicle. The officer will document care, including any refusals of medical attention or transportation given by the EMS personnel, in their Field Report.

- V.A.6. For crashes resulting from the use of legal forcible stopping techniques where there is no third-party damage, officers will follow the Department vehicle crash reporting procedures as outlined in ISP Directive EQP-003, "Department Vehicle Crash and Incident Reporting."
  - V.A.6.a. The supervisor completing the crash report in TraCS will list the involved officer as Unit 2. The reporting supervisor will obtain a crash number and complete all information boxes, narrative, and diagram. The narrative will include the phrase, "legal intervention technique used," and will detail the application type.
  - V.A.6.b. The reporting supervisor will also check a box on the TraCS crash report labeled, "legal intervention." Checking this box will prevent the report from being transmitted to IDOT. It will also place a watermark on the report that states, "ISP Internal Use Only," and will disable the printing function for the motorist report.
- V.A.7. Anytime vehicle contact occurs with another vehicle or stationary object as a result of implementing a forcible stopping technique, a supervisor will:
  - V.A.7.a. Complete a separate crash report and use the same crash report number as the legal intervention crash report. The secondary crash report will list the suspect's vehicle as Unit 1 and will not include any information from the officer applying the legal intervention technique. The narrative portion will reference the application of a legal intervention technique to Unit 1.
  - V.A.7.b. Issue motorist reports to all parties involved in the secondary and subsequent crashes, and normal crash reporting procedures will apply.
  - V.A.7.c. Complete the remaining reporting procedures for department vehicle crashes as required by ISP Directive EQP-003, "Department Vehicle Crash and Incident Reporting," will continue to be in effect.
- V.B. Pursuit
  - V.B.1. Initiation
    - V.B.1.a. Officers will only initiate a pursuit in accordance with Section I.B. of this directive.
    - V.B.1.b. The Troop patrol Shift Commander will be in charge of a pursuit event within their troop regardless of the participating officer's assignment or rank, unless a higher-ranking supervisor advises the Telecommunicator that they have assumed full control of the pursuit event.
    - V.B.1.c. If the pursuit continues into another troop, the patrol Shift Commander for that troop will assume control unless both Shift Commanders verbally agree that the prior Shift Commander should retain control.
    - V.B.1.d. In Troops where there are multiple supervisors on duty at any given time (e.g., Operations Shift Commander, Field Supervisor, Sector Lieutenant, etc.), the Troop Commander will establish a standard response procedure designating, by function, the Shift Commander for pursuit purposes (e.g., the Operations Supervisor is the designated Shift Commander).
    - V.B.1.e. Officers and supervisors will continually assess the pursuit considering the condition factors identified in Section IV.A. of this directive.
    - V.B.1.f. Because ISP pursuits are limited to forcible felony offenses, it is recognized there should be enough units available for officer safety purposes when the offending vehicle is stopped. Therefore, a reasonable number of units will be authorized to be directly involved in the pursuit, as determined by the Shift Commander and the involved officers.
    - V.B.1.g. Generally, only vehicles with full emergency warning equipment will be a primary or secondary unit.
    - V.B.1.h. Officers involved in a pursuit will utilize ISPERN or the "Priority" talk group for the troop in which they are located for radio transmissions. This includes frequent updates of speed, direction of travel, and traffic density. Telecommunicators should utilize technology, such as Mobile Architecture for Communications Handling (MACH) mapping, to assist officers in providing the location of the pursuit as well as direction and other pertinent information to assist in apprehension.
    - V.B.1.i. Officers operating motorcycles or police vehicles without full emergency warning equipment will immediately request the assistance of a vehicle with full emergency

warning equipment when they become involved in a pursuit and will relinquish primary unit status immediately upon the presence of a vehicle with full emergency warning equipment. Such vehicles may then transition into a supporting role as appropriate.

- V.B.1.j. ISP will only participate in another agency's pursuit if the reason for initiation is in accordance with ISP policy. Before participating, ISP officers will request authorization to assist from the Shift Commander or other ISP command officer. Permissible forms of assistance include blocking intersections, executing forcible stop techniques, or following at a safe distance to assist at the termination of the pursuit.
- V.B.1.k. Officers will not discharge a firearm at, or from, a moving vehicle unless the use of deadly force is justified and consistent with ISP Directive OPS-046, "Use of Force and Intermediate Weapons."

#### V.B.2. Termination

- V.B.2.a. An officer will terminate a pursuit, or the Shift Commander will order the immediate termination of a pursuit when it is reasonably clear that condition factors indicate that further involvement in the pursuit will create more danger to the public and/or department members than would the release of the pursued driver.
- V.B.2.b. Termination of pursuit engagement does **NOT** mean termination of intent to apprehend the offender. Termination of pursuit engagement only means a motor vehicle pursuit is not an acceptable method of apprehension at that particular time due to the dangers involved. Alternative forms of apprehension methods may be considered as appropriate.
- V.B.2.c. An officer who has terminated a pursuit in accordance with the definition in Section III.S. of this directive is not required to alter his/her direction of travel to satisfy the criteria of a termination of a pursuit. The officer may proceed in the direction of the fleeing vehicle while driving in accordance with all applicable traffic laws in order to provide updates relating to the last known location and direction of travel of the suspect's vehicle until the officer loses visual sight of the fleeing vehicle. In the event other assets such as Air Operations or various technologies are being utilized to track the suspect vehicle, officers may conduct tactical positioning and will notify telecommunications and the Shift Commander of their actions.
- V.B.2.d. The involved officer will continue to record the incident with their in-car video camera equipment, if so equipped, to properly document their compliance.
- V.B.2.e. Should an officer, or any other non-involved unit in the area, who has extinguished their police vehicle's emergency warning devices and proceeds in accordance with all applicable traffic laws have an occasion to again observe the fleeing suspect vehicle, and in doing so can effect a stop without placing innocent people in jeopardy, may attempt to stop the suspect vehicle. Use of video camera equipment, if so equipped, must be used in this instance.

#### V.C. Tire Deflation Devices

- V.C.1. Deployment – Tire deflation devices will be deployed in accordance with the manufacturer's instructions and DAT training.
  - V.C.1.a. The deployment of a tire deflation device must be authorized in accordance with Section V.A.1. of this directive.
  - V.C.1.b. Tire deflation devices should be deployed in areas with relatively unobstructed views of the roadway from both directions to aid deployment and lessen the possibility of a traffic crash.
  - V.C.1.c. Tire deflation devices should be used at a location that provides substantial protection for the deploying officer (e.g., embankment, bridge abutment, retaining wall, etc.). **DEPLOYING OFFICERS SHOULD NOT USE THEIR VEHICLE FOR PROTECTION.**
  - V.C.1.d. Officers will notify the Telecommunicator where the device will be deployed so as to advise other units of its deployment.

- V.C.1.e. When the fleeing vehicle has passed the device location, the officer will remove the tire deflation device as quickly as possible and will notify the Telecommunicator to warn other units if they are unable to remove it.
- V.C.2. Prohibitions – Tire deflation devices are designed to be used against vehicles having at least four wheels (whether or not all four tires are functional). Use of tire deflation devices will not be used against a motorcycle or three-wheeled vehicle unless the use of deadly force is legally justified.
- V.C.3. Special Cautions
  - V.C.3.a. Unless a substantial risk to the public is imminent and apparent if the pursuit is not terminated, tire deflation devices will generally not be used against buses, school buses, vans with passengers, vehicles transporting explosives or other unstable hazardous materials, etc.
  - V.C.3.b. Every reasonable effort will be made to avoid using tire deflation devices on road surfaces where, in the immediate vicinity, there are characteristics or circumstances that would indicate a foreseeable increase in the risk of a serious traffic crash (e.g., standing water, ice, heavy snow, exceptionally rough pavement or unpaved roads, etc.).
- V.D. Rolling Roadblock
  - V.D.1. A rolling roadblock technique will be utilized by trained officers to stop a driver in accordance with DAT training.
  - V.D.2. The rolling roadblock is not primarily intended to induce a collision, but contact may occur. When this technique is utilized, it is not considered ramming.
- V.E. Pinning/Vehicle Immobilization
  - V.E.1. Officers may pin a vehicle using one or more vehicles and/or structures such as median walls, guardrails, bridge abutments, etc.
  - V.E.2. Pinning may involve controlled vehicle contact and pushing at low speeds and is generally a less-lethal maneuver.
  - V.E.3. Officers may pin a vehicle without prior supervisory notification based on articulable justification.
- V.F. Precision Immobilization Technique (PIT)
  - V.F.1. Only officers who have received PIT maneuver training from the DAT are authorized to perform the maneuver in accordance with training guidelines.
  - V.F.2. Generally, the PIT maneuver will be used against vehicles traveling at 40 mph or less.
  - V.F.3. Use of the PIT maneuver at speeds above 40 mph or against a vehicle with less than four wheels will be considered deadly force and is only appropriate when deadly force is authorized.
  - V.F.4. The PIT maneuver will not be used on a vehicle suspected of transporting hazardous materials or open-bed pickup trucks with passengers in the bed area.
  - V.F.5. Officers will choose the location for application of the PIT maneuver based on the condition factors described in Section IV.A. of this directive and in accordance with training.
  - V.F.6. In situations where the immediate application of a PIT is necessary to stop a non-fleeing, unresponsive driver that poses an immediate threat of great bodily harm to the public, and it would be unfeasible to request supervisor approval, officers may initiate a procedure but will

be responsible for justifying their actions and making proper notification to the Shift Commander.

V.G. Ramming

V.G.1. The use of ramming techniques will only be utilized if deadly force is an appropriate force option.

V.G.2. In situations where the immediate application of a ramming technique is necessary to stop a non-fleeing, unresponsive driver that poses an immediate threat of great bodily harm to the public, and it would be unfeasible to request supervisor approval, officers may initiate a procedure, but will be responsible for justifying their actions and making proper notification to the Shift Commander.

V.H. Stationary Roadblock

V.H.1. Stationary Roadblock Deployment

V.H.1.a. Stationary roadblocks may only be authorized by a Shift Commander or other ISP command personnel.

V.H.1.b. When used to stop a fleeing or eluding vehicle, roadblocks are considered deadly force and may only be deployed when deadly force is an appropriate force option.

V.H.1.c. Roadblocks will be deployed in accordance with DAT training and established in locations where the operator of the approaching vehicle has sufficient visibility and distance to stop his/her vehicle, taking into consideration the condition factors identified in Section IV.A. of this directive. Visibility may be enhanced by the use of emergency equipment and other supplemental lighting.

V.H.1.d. Officers will give consideration to the safety of other vehicles and traffic not involved with the roadblock.

V.H.1.e. High-visibility vests will be worn by officers staffing the roadblock unless there is a tactical reason otherwise.

V.H.1.f. Officers assigned to a roadblock will maintain their post until relieved or reassigned by a supervisor.

V.H.1.g. Unless exigent circumstances dictate, privately owned equipment and property will not be used to create the roadblock.

V.H.1.h. Officer safety considerations will be observed, including relative positioning, adequate cover against firearms, crossfire issues, adequate long gun cover, etc.

V.H.2. Investigative Roadblock

V.H.2.a. A Shift Commander will assign units to conduct an investigatory roadblock where appropriate and may utilize the assistance of other agencies to ensure adequate staffing and resources.

V.H.2.b. Generally, if resources permit, an officer will be designated to provide scene security and will observe approaching vehicles, as well as stopped vehicles, for indications of evasiveness or assault.

VI. STANDARD REVIEW PROCEDURES

The purpose of a management review is to determine if the fleeing and eluding incident, pursuit, or forcible stopping event was conducted within policy and to determine if training, equipment, or policy needs to be reviewed and adjusted.

VI.A. Troop Commanders will:

VI.A.1. Review all incidents involving a forcible stop event, a pursuit or fleeing and eluding incident, and incidents involving a non-fleeing unresponsive driver in which ISP personnel were involved.

- VI.A.2. Make an initial determination if an incident is a pursuit, a fleeing and eluding incident, or an incident involving a non-fleeing unresponsive driver. Troop Commanders will also determine if a forcible stop technique was applied.
- VI.A.3. Forward all pursuit, fleeing and eluding, non-fleeing unresponsive driver, and forcible stop reports and video media to the DOP Region Commander.
- VI.A.4. Ensure a Troop Command review of all fleeing and eluding incidents to make a determination as to whether or not the officer's actions were in compliance with policy. If there is no policy violation, the video media will be stored at the Troop level for 180 days, and the officer report and Post Pursuit/Fleeing and Eluding/Code Red Form will be sent to the DOP Region Commander. If there is a policy violation or if the officer's actions require further review, the officer report, Post Pursuit/Fleeing and Eluding/Code Red Form, and video media will be sent to the DOP Region Commander for further review. DOP Region Commanders will randomly review five percent of all fleeing and eluding incidents in their region every two months.
- VI.A.5. The Troop/Zone Commander, or designee, may complete a Complaint Against Department Member Form (CADMF) if, upon review, the incident appears to have significantly violated policy in an egregious manner.
- VI.B. Region Commanders will:
  - VI.B.1. Review all incidents involving a pursuit or fleeing and eluding, a non-fleeing unresponsive driver, and forcible stops in which ISP personnel were involved.
  - VI.B.2. Review the initial determination of the incident made by the Troop Commander. The initial determination will be reviewed by the Region Commander assigned to the region where the incident occurred.
  - VI.B.3. Categorize and forward to the statewide EVORB all field reports, post pursuit/fleeing and eluding reports, video media of all pursuits, reviewed fleeing and eluding, non-fleeing unresponsive driver incidents, and forcible stops.
    - VI.B.3.a. No reports/documents shall be forwarded to the EVORB if the incident was forward to the DII and a case was opened.
    - VI.B.3.b. Once the DII completes the case, they will forward all completed reports and findings to the EVORB at the conclusion of their investigation.
- VI.C. Emergency Vehicle Operation Review Board (EVORB)
  - VI.C.1. The EVORB will be a nine-member board appointed by the Director (or designee) that is comprised of eight Sworn officers and one civilian. The Director will appoint the EVORB chairperson. An advisor from the Legal Office and an advisor from the EVOC section of the DAT shall attend all Board meetings and deliberations.
    - VI.C.1.a. Sworn officers appointed to the EVORB will hold the rank of Captain or higher and will be from various Divisions.
    - VI.C.1.b. Sworn officers appointed to the EVORB must have completed training for all ISP-approved forcible stopping techniques.
  - VI.C.2. EVORB Meetings
    - VI.C.2.a. The EVORB members shall select a Vice-Chairperson, who will preside in the absence of the EVORB Chairperson.
    - VI.C.2.b. The EVORB will meet every two months throughout the year to review all pursuits referred to the Board, as well as a five percent sample of all determined fleeing and eluding events.
      - VI.C.2.b.1) Each DOP Region Commander will randomly select five percent of fleeing and eluding events within their region for EVORB review.
      - VI.C.2.b.2) The incidents selected will require the applicable troops to supply the associated video to the EVORB.

- VI.C.2.c. The EVORB will not actively review any incidents already under investigation by DII. If DII is actively investigating an incident, they will forward all completed reports and findings to the EVORB at the conclusion of their investigation.
  - VI.C.2.d. The EVORB is authorized to promulgate procedures subject to approval of the Director.
  - VI.C.2.e. The EVORB Chairperson will ensure that all divisions are provided a copy of the EVORB's current procedures.
- VI.C.3. EVORB Findings
- VI.C.3.a. The EVORB will examine the available evidence surrounding each incident and issue a final determination categorizing the incident as a pursuit, fleeing/eluding, or Code Red. Upon categorizing an incident, the EVORB will further determine if the actions of the officer(s) involved in the incident conformed with current ISP policies and directives. In cases where a lack of documentation precludes making a determination, the EVORB can request additional clarification and/or documentation from the Troop.
  - VI.C.3.b. The findings of the Board are for the purpose of determining if discipline or additional remedial driving instruction is warranted and will not under any circumstances be interpreted as an admission of liability.
- VI.C.4. EVORB Recommendations
- VI.C.4.a. The EVORB, having classified an incident as non-compliant with ISP policies and directives, must then recommend to the appropriate Division Deputy Director the disciplinary action or other remedial action to impose.
  - VI.C.4.b. Recommendations made by the EVORB regarding pursuit policy violations will be based on circumstances of the incident and the employee's pursuit policy violation record for the preceding two years prior to the incident.
  - VI.C.4.c. The Division Deputy Director is not bound by the disciplinary recommendations of the Board but may not rescind their classification of the incident as a pursuit, fleeing/eluding, or Code Red.
    - VI.C.4.c.1) Before any disciplinary action is taken against a sworn employee, the Division Deputy Director will review the report(s) and recommendations of any entity conducting the investigation relevant to the incident and follow the guidelines set forth in ISP Directive PER-030, "Complaint and Disciplinary Investigations," for imposing discipline.
    - VI.C.4.c.2) Any incident involving a violation of department rules and regulations will be reviewed in its entirety before any disciplinary action is taken.
  - VI.C.4.d. Recommendations for corrective or disciplinary action made by the EVORB to the Division Deputy Director will be limited to the following:
    - VI.C.4.d.1) Documented counseling (corrective action, not disciplinary action)
    - VI.C.4.d.2) Documented oral reprimand
    - VI.C.4.d.3) Written letter of reprimand
    - VI.C.4.d.4) Suspension of two days or less
    - VI.C.4.d.5) Remedial Driver Training
  - VI.C.4.e. Release of EVORB Information
    - VI.C.4.e.1) All EVORB findings will be treated as confidential information.
    - VI.C.4.e.2) Such records are exempt from release under the Freedom of Information Act, 5 ILCS 140/7(1)(f).
- VI.D. The EVORB Chairman will:

- VI.D.1. Collect information regarding all incidents involving a pursuit, fleeing, and eluding, a non-fleeing unresponsive driver, and forcible stops from the Region Commanders and the EVORB.
- VI.D.2. At least annually, in consultation with the Region Commanders, conduct a documented review of reporting procedures.
- VI.D.3. Complete a report of all findings to the Director on an annual basis by June 1, or at other times as requested.

## VII. FORCIBLE FELONIES AS DEFINED IN 720 ILCS 5/2-8

- VII.A.1. "First Degree Murder" 720 ILCS 5/9-1
- VII.A.2. "Second Degree Murder" 720 ILCS 5/9-2
- VII.A.3. "Kidnapping" 720 ILCS 5/10-1
- VII.A.4. "Aggravated Kidnapping" 720 ILCS 5/10-2
- VII.A.5. "Aggravated Battery," resulting in great bodily harm or permanent disability/disfigurement 720 ILCS 5/12-3.05
- VII.A.6. "Criminal Sexual Assault" 720 ILCS 5/11-1.20
- VII.A.7. "Aggravated Criminal Sexual Assault" 720 ILCS 5/11-1.30
- VII.A.8. "Predatory Criminal Sexual Assault of a Child" 720 ILCS 5/11-1.40
- VII.A.9. "Robbery" 720 ILCS 5/18-1
- VII.A.10. "Burglary" involving the infliction or threatened infliction of great bodily harm 720 ILCS 5/19-1
- VII.A.11. "Residential Burglary" involving the infliction or threatened infliction of great bodily harm 720 ILCS 5/19-3
- VII.A.12. "Arson" involving the infliction or threatened infliction of great bodily harm 720 ILCS 5/20-1
- VII.A.13. "Aggravated Arson" 720 ILCS 5/20-1.1
- VII.A.14. "Treason" 720 ILCS 5/30-1; and
- VII.A.15. Any felony involving use of physical force or threatening the use of physical force or violence against anyone. (Exception: see special conditions to "Aggravated Vehicular Hijacking" in Section I.B.1. of this directive.)

**NOTE:** This directive is a statement of departmental policy and not a statement of law. Nonconformance with this policy should serve as a basis for administrative sanctions only.

| Indicates new or revised items.

**-End of Directive-**