A. Policy

The primary responsibility of police agents is to safeguard the public. Therefore, agents operating police vehicles shall exercise due care for the safety of other motorists and pedestrians using the roadway.

B. Procedure

1. Code 2 and Code 3 runs are conducted as follows:

   **Code 2** – The responding agent shall use emergency lights and siren to proceed through an intersection against a traffic control device, slowing or stopping before entering the intersection. Once clear of the intersection, the agent will turn off the emergency equipment and proceed in accordance with pertinent traffic laws.

   **Code 3** – The responding agent shall use emergency lights and siren continuously en route to the call or incident.

2. In determining whether to respond Code 2 or Code 3, the police agent shall consider, in addition to the seriousness/urgency of the call, the following factors:

   a. Degree of risk created by the response;

   b. Volume, type, speed and direction of vehicular traffic;

   c. Nature of area such as residential, commercial, school zone or open highway;

   d. Population density and volume of pedestrian traffic;

   e. Environmental factors such as weather and time of day; and

   f. Road conditions such as construction, poor repair, extreme curves and ice.

3. Police agents will comply with C.R.S. 42-4-108 pertaining to the operation of authorized emergency vehicles when responding to an emergency call. C.R.S. 42-4-108 states, in part:

   “The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the
consequences of such driver’s reckless disregard for the safety of others.”

4. Unmarked police vehicles shall not be driven Code 3 in response to a call unless the unmarked vehicle is in compliance with the definition of an "authorized emergency vehicle" as provided by C.R.S. 42-4-213 requiring appropriate audible and visible signals.

5. A supervisor may order an emergency response terminated at any time it is concluded that the danger to the responding officer or the public outweighs the necessity for the emergency response.

C. Rule

1. When enroute to a call requiring an emergency response, the responding agent shall use emergency lights and siren when entering an intersection against a traffic control device. Prior to entering the intersection against the traffic control device the responding agent shall slow down to a speed that permits safe entry into the intersection or shall stop the police vehicle until safe to proceed.

4510 PURSUITS

A. Policy

The basic responsibility of police agents is to protect the public. Agents are instructed to be especially cautious when engaging in police pursuits under conditions that would subject innocent bystanders to substantial danger.

A review of incidents involving vehicle pursuits shall be completed and documented annually by the Internal Affairs Unit.

Definitions:

1. **Boxing In** - The surrounding of a violator’s moving vehicle with moving pursuit vehicles, which are then slowed, to a stop along with the violator’s vehicle.

2. **Communications Section** - Communications Section shall mean that component of the primary jurisdiction responsible for broadcasting messages to law enforcement vehicles on police frequencies, for receiving such messages from patrol vehicles, and for monitoring messages between patrol vehicles; the Communications Section is commonly called "dispatch."
3. **Emergency operation** - Emergency operation shall mean the act of driving a marked or unmarked police vehicle with the emergency lights and siren in operation while in pursuit of the suspect in accordance with the Colorado Motor Vehicle Code or applicable municipal ordinance.

4. **Heading Off** - An attempt to terminate a pursuit by pulling ahead of, alongside, and toward a suspect's moving vehicle to force it to the side of the road or to otherwise come to a stop.

5. **Officer** - Agent/officer shall mean any commissioned peace officer, recruit, or sworn employee in the state of Colorado, regardless of specific title, e.g., sheriff, deputy, etc., as defined in C.R.S. 18-1-901(3).

6. **Originating Jurisdiction** - Originating jurisdiction shall mean the jurisdiction within which a pursuit originates.

7. **Primary jurisdiction** - Primary jurisdiction shall mean the jurisdiction of the agent driving the primary vehicle.

8. **Primary vehicle** - Primary vehicle shall mean the patrol vehicle driven by the agent initiating a pursuit or another patrol vehicle that takes the lead vehicle position.

9. **Pursuit** - Pursuit shall mean an active attempt by an agent (operating a department vehicle) to apprehend an operator of a motor vehicle who, having been given a visible and audible signal to stop, knowingly and willfully fails to obey such direction and either increases the vehicle's speed, extinguishes the vehicle's lights, or makes other overt action designed to avoid apprehension.

10. **Ramming** - The deliberate act of impacting a suspect's vehicle with another vehicle in an attempt to force the suspect's vehicle to stop.

11. **Receiving jurisdiction** - Receiving jurisdiction shall mean a jurisdiction, which is entered by a pursuit, which began in the originating jurisdiction.

12. **Roadblock** - A restriction or obstruction used or intended for the purpose of preventing free passage of the suspect's motor vehicle in order to affect his apprehension.

13. **Secondary vehicle** - Secondary vehicle shall mean a patrol vehicle that becomes involved in a pursuit immediately following the primary vehicle and acting as the primary vehicle's backup.

14. **Supervisor** - Supervisor shall mean a commissioned peace officer of the rank of a sergeant or of higher rank or, in the absence of a sergeant or higher-ranking officer, the highest-ranking available agent.

15. **Terminate** - A pursuit is terminated when the emergency equipment on all of the police vehicle(s) involved in the pursuit has been turned off and the
speed of said police vehicle(s) has been reduced to the speed limit and all traffic laws are followed.

B. Procedure

1. Police agents may only initiate or engage in a pursuit when they have reasonable suspicion to believe that the fleeing suspect, other than by the act of fleeing:
   a. Has committed, has attempted to commit, or is about to commit a felony crime involving violence and/or a weapon, for which alternative methods of apprehension seem unlikely; or
   b. Has committed, has attempted to commit, or is about to commit a crime for which the failure to pursue would increase the risk of danger to the public.

2. Agents, whenever possible, shall consider alternative methods of apprehending suspects when it is likely that a vehicle pursuit will occur. The decision to pursue is not irreversible and agents shall continually evaluate whether the risk of danger to the agent and the public resulting from the continuation of the pursuit is greater than the risk of injury to any person that may result from the complete escape of the suspect.

3. In determining whether to initiate or continue a pursuit, police agents and supervisors should consider, in addition to the seriousness of the original crime as described above, the following factors:
   a. Degree of risk created by pursuit;
   b. Volume, type, speed, and direction of vehicular traffic, and direction of pursuit;
   c. Nature of the area such as residential, commercial, school zone, or open highway;
   d. Population density and volume of pedestrian traffic;
   e. Environmental factors such as weather and time of day; and
   f. Road conditions such as construction, poor repair, extreme curves, and ice;

4. Agents will comply with C.R.S. 42-4-108 pertaining to the operation of authorized emergency vehicles.

5. Police agents intending to stop a vehicle should attempt to be in close proximity to the suspect’s vehicle before attempting the stop with all emergency equipment activated.
6. When agents initiate a vehicle stop or initiate a pursuit, they shall use visible and audible warning devices (lights and siren) and shall notify the Communications Section of relevant facts about the pursuit such as:

   a. Location;
   b. Direction of travel;
   c. Description of vehicle;
   d. Number of occupants;
   e. Reason for pursuit; and
   f. Speed.

7. Normally, only 2 marked patrol vehicles shall be directly involved in a pursuit. Directly involved, as used here, means following behind the pursued vehicle in close proximity.

   a. When the back-up agent engages the pursuit, he shall activate all emergency equipment, advise Communications that 2 units are involved, and call out the route of the pursuit.

   b. All other units shall stay clear of the pursuit remaining alert to its progress and location in the event they are needed to assist with traffic direction, accident investigation, foot pursuit, perimeter security, etc.

   c. The agent initiating the pursuit and the back-up unit may pursue the suspect vehicle outside of the city of Lakewood, unless otherwise directed by a sworn supervisor.

   Communications shall immediately notify the appropriate law enforcement agency when the direction of travel indicates the pursuit is leaving the city of Lakewood.

   d. Any sworn supervisor or, in his absence, the agent initiating the pursuit may direct additional units to participate in the pursuit if it appears that 2 marked units are not sufficient to safely apprehend the suspect(s).

8. Unmarked Police Units

   a. Unmarked police vehicles shall not be driven in pursuit of other vehicles unless:

      (1) No other viable means of apprehension exist;

      (2) The unmarked vehicle is in compliance with the definition of an "authorized emergency vehicle" as provided by C.R.S. 42-3-213 requiring appropriate audible and visible signals; and

      (3) Supervisory approval is obtained.

   b. Pursuit by unmarked vehicles shall be terminated:
(1) Upon supervisory order;

(2) When a marked vehicle can safely assume the pursuit; or

(3) If in the judgment of agent(s) involved the risks to themselves or to others outweigh the benefits of apprehension.

c. Unmarked police vehicles (unless fitted with approved emergency equipment in accordance with state law and municipal ordinances) shall not be used for making routine traffic stops.

d. Due to the lack of police markings thereby limiting recognition as police vehicles, agents driving unmarked police cars shall abandon a pursuit when a marked police car engages the pursuit, if practical.

e. Agents may use unmarked vehicles or covert stationary observation at particular locations for the purpose of traffic enforcement.

9. Pursuits by the department's 4-wheel drive vehicles, prisoner van, or motorcycles shall be terminated:

a. Upon supervisory order;

b. When a marked vehicle, that is not a 4-wheel drive vehicle, prisoner van, or motorcycle, can safely assume the pursuit; or

c. If in the judgment of agent(s) involved the risks to themselves or to others outweigh the benefits of apprehension.

10. Supervisory Responsibilities

a. The supervisor in charge during a pursuit has the authority and responsibility to actively monitor the progress of the pursuit, continually assess the risks and hazards involved in allowing the pursuit to continue, and make a decision to allow the pursuit to continue or order it terminated.

b. The supervisor shall order a pursuit terminated at any time if it is concluded that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the suspect.

c. A patrol sergeant or other sworn supervisor shall respond to the termination of all Lakewood Police Department involved pursuits. The supervisor shall be responsible for controlling police actions at the scene and ensuring that all reports are completed. The supervisor shall ensure that the police report addresses the following:

1. Number of personnel involved.

2. Number of units involved and the degree of participation.

4. Speed/violations.

5. Traffic conditions.

6. Tactics used.

7. Other details as directed by a supervisor.

d. The Patrol Supervisor who responds to the termination of a pursuit shall complete a Critical Incident Report and forward to the Division Chief via the chain of command. Comments shall be made as to whether or not proper tactics were used consistent with department policy tactics. All applicable police reports will be attached to the form for the Division Chief’s review.

11. Responsibilities of Dispatch

a. When an agent advises of a pursuit, the dispatcher shall implement a code 1 and immediately notify a patrol supervisor.

b. If the pursuing agent(s) advises of a license plate number on the suspect vehicle, a check for wants and registration shall be completed.

c. The dispatcher shall document the progress of the pursuit and record all traffic violations, their locations, and the times that they occur.

12. Methods of Stopping Pursued Vehicles

a. Except under extraordinary circumstances, Lakewood police agents shall not attempt to deliberately collide with, or pull in front of a pursued vehicle while it is in motion, nor shall they use the police vehicle to force the pursued vehicle off the road, into parked cars, ditches, structures or other fixed objects, or engage in heading off, ramming, or driving alongside the pursued vehicle while it is in motion.

b. The use of roadblocks to apprehend a pursued vehicle must be in compliance with Section 4512.

c. The use of tire deflation devices to apprehend a pursued vehicle must be in compliance with Section 4513.

C. Rule

1. Lakewood police agents shall use both red lights and siren when involved in vehicle pursuits.

2. Whenever 2 agents are in one vehicle, the driver shall be responsible for the operation of the vehicle and all emergency equipment in the vehicle.
3. Under no circumstances is the tactic of boxing in allowed.

4511 INTERJURISDICTIONAL PURSUITS

B. Procedure

1. Whenever a pursuit approaches a receiving jurisdiction, the Communications Section of the originating jurisdiction shall, as soon as practicable, notify the receiving jurisdiction of the existence of the pursuit and the reason for the pursuit and shall keep the receiving jurisdiction apprised of the status of the pursuit.

2. When a pursuit is discontinued or reaches termination, all units shall be so advised immediately.

3. Supervisory responsibilities

   a. A supervisor from the originating jurisdiction and each primary jurisdiction shall respond to the scene of termination or discontinuation of the pursuit, unless otherwise instructed by the receiving jurisdiction.

   b. Each participating jurisdiction shall gather and shall provide upon request to each other participating jurisdiction involved information concerning the circumstances of its participation and the names of any of its officers participating in the pursuit.

4. Number of vehicles. Any participating vehicle from a receiving jurisdiction, once relieved by another vehicle, shall discontinue its participation as soon as practicable after leaving its jurisdiction unless circumstances dictate otherwise or unless otherwise requested by the primary jurisdiction. However, the decision to discontinue participation may be the most appropriate course of action, depending on the circumstances.

5. Pursuits by other agencies entering the city of Lakewood.

   a. Only one marked police unit from the Lakewood Police Department shall become directly involved in the pursuit, and then only upon request of the originating jurisdiction and approval by a Lakewood police supervisor. Such supervisory approval may only be given upon ascertaining that the originating jurisdiction’s reason for engaging in the pursuit follows Lakewood pursuit procedure as set forth in Section 4510 (B)(1). However, assist units may be assigned for traffic control and similar tasks.

   b. Communications, or the Lakewood assist unit, shall advise the reason for the pursuit, when known.

   c. The Lakewood assist unit shall immediately advise Communications of the following information:
(1) Number of police units involved
(2) Location
(3) Direction
(4) Description of suspect vehicle
(5) Number of suspects and description, if possible
(6) Speed

d. Based upon the available information, any sworn supervisor or the agent assisting with the pursuit shall determine if additional units are required or if the Lakewood unit should abandon the pursuit.
e. If the pursuit leaves the city of Lakewood and more than one police unit from another jurisdiction is involved, the Lakewood unit shall abandon the pursuit, unless otherwise directed by a sworn supervisor.

6. Pursuits entering a receiving jurisdiction

a. Normally, agents in a receiving jurisdiction shall not become involved in a pursuit originating in another jurisdiction. However, a supervisor from the receiving jurisdiction may assign agents to assist with traffic control, to render assistance at the termination or discontinuation point, or to monitor the progress of the pursuit. Such agents shall not be considered to be directly involved in the pursuit.

b. Upon request of the primary jurisdiction and approval of the receiving jurisdiction, a vehicle from the receiving jurisdiction may assist with the pursuit or become the primary vehicle.

c. The overall command of a pursuit shall rest with the primary jurisdiction.

7. Methods of stopping pursued vehicles

a. When a pursuit has entered a receiving jurisdiction, the primary jurisdiction shall attempt to notify the receiving jurisdiction, in advance if possible, of any method to be used by the primary jurisdiction to stop the pursued vehicle.

b. In the course of an inter-jurisdictional pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, structures, or other fixed objects, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in
motion may be authorized by a supervisor of another jurisdiction. Lakewood agents shall not participate in these driving maneuvers unless done in accordance with Lakewood procedures as set forth in Section 4510 (B)(12)(a) and Section 4510 (C)(3).

c. The use of a roadblock in an inter-jurisdictional pursuit shall be authorized by the supervisor of the primary jurisdiction. The roadblock shall be clearly visible and provide adequate warning to allow vehicles to come to a safe stop.

8. Investigation/jurisdiction at termination. The on-scene supervisor of the originating jurisdiction shall be responsible for processing the arrest of any suspects and for coordinating the investigation. However, if there was a more serious violation in another jurisdiction, the on-scene supervisor from that jurisdiction shall assume the responsibility for coordinating the immediate investigation. Nothing herein shall preclude the investigation of any accident, criminal act, or other incident that occurred during the course of the pursuit by any jurisdiction in which such an incident occurred.

C. Rule

1. Lakewood police personnel participating in an inter-jurisdictional pursuit remain under the direct supervision of Lakewood police supervisors.

4512 ROADBLOCKS

B. Procedure

1. Department personnel shall only use roadblocks to apprehend an extremely dangerous felon(s) who, if allowed to escape, could create a substantial risk of another person being killed or seriously injured.

2. Authority to initiate and cancel a roadblock shall lie with a sworn supervisor.

3. At least one marked vehicle shall be on the scene of a roadblock.

4. Only personnel trained in roadblock techniques are authorized to attempt this course of action.

4513 TIRE DEFLATION DEVICE

A. Policy
In the interest of balancing the need to apprehend violators of the law with minimizing injury to suspects, agents and others, the use of a tire deflation type device, such as portable spike pads, may be necessary. In circumstances where attempts at stopping the suspect vehicle have failed and/or other methods of control or apprehension would be ineffective or more dangerous, deployment of a tire deflation device is justified.

B. Procedure

1. At least one parked patrol vehicle shall be on the scene where a tire deflation device is deployed.

2. At the scene of deployment at least one uniformed agent shall be present.

3. The portion of roadway or any place where any device is placed for this purpose shall be monitored in order to decrease the possibility of damage to any unintended vehicle(s).

   The place of deployment will be monitored by an agent to prevent pedestrians from entering this area.

4. The location of deployment of the tire deflation device shall be communicated to the primary pursuit vehicle and secondary vehicles.

C. Rule

1. The authority to terminate a pursuit by use of tire deflation devices shall lie with a sworn supervisor. Use of this device, with a motorcycle, is considered deadly force and the deployment of the unit shall be in accordance with the deadly force policy.