

GENERAL ORDER



DISTRICT OF COLUMBIA

Title		
Vehicle Pursuits		
Topic	Series	Number
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GO-RAR-901.07 (Use of Force)		

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I. PURPOSE

Vehicle pursuits may present a danger to the public, Metropolitan Police Department (MPD) members, and involved suspects. When a member is engaged in a vehicle pursuit, the overriding responsibilities are the protection of human life and property. Members shall exercise caution and operate their vehicle in a safe manner while engaged in a vehicle pursuit. It is the policy of MPD to regulate the manner in which vehicle pursuits are undertaken and performed. The purpose of this general order is to establish guidelines and procedures for members to follow when faced with a pursuit situation.

II. PROCEDURES

A. Vehicle Pursuit Policy

1. Members shall not engage in a vehicle pursuit of a suspect motor vehicle unless the member actually and reasonably believes:
 - a. The fleeing suspect has committed or attempted to commit a crime of violence or poses an imminent threat of death or serious bodily injury to another person;
 - b. The vehicle pursuit is immediately necessary to protect another person, other than the fleeing suspect or suspects, from the threat of serious bodily injury or death and under the totality of

circumstances not likely to cause death or serious bodily injury to any person, other than to the fleeing suspect or suspects; and

- c. All other options have been exhausted or do not reasonably lend themselves to the circumstances (e.g., options such as the ability to safely identify and apprehend suspects without pursuit or the potential for Air Support Unit tracking in lieu of pursuit).
2. Members who initiate a vehicle pursuit shall exercise all caution and operate their vehicle in a safe manner while engaged in the pursuit. As the pursuit progresses, pursuing units and monitoring officials shall continually evaluate and assess the actual conditions of the pursuit in deciding whether to continue or discontinue the vehicle pursuit. Members shall immediately terminate a pursuit when ordered by a department official.
 3. In a grand jury, criminal, delinquency, or civil proceeding where a member’s use of vehicle pursuit is a material issue, the trier of fact will consider the reasonableness of the member’s belief and actions from the perspective of a reasonable law enforcement officer and the totality of the circumstances, which shall include:

Totality of Circumstances
a. Whether the identity of the suspect was known;
b. Whether the suspect could have been apprehended at a later time;
c. The likelihood of a person, including the suspect motor vehicle’s occupants, being endangered by the vehicle pursuit, including the type of area, the time of day, the amount of vehicle and pedestrian traffic, and the speed of the vehicle pursuit;
d. The availability of other means to apprehend or track the fleeing suspect, such as helicopters;
e. Whether circumstances arose during the vehicle pursuit that rendered the pursuit futile or would have required the vehicle pursuit to continue for an unreasonable time or distance, including the distance between the pursuing vehicle(s) and the fleeing motor vehicle and whether visual contact with the suspect motor vehicle was lost or the suspect motor vehicle’s location was no longer known;
f. Whether the member’s pursuit vehicle sustained damage or a mechanical failure that rendered it unsafe to operate;
g. Whether the member was directed to terminate the pursuit by the monitoring official or other department official;
h. The member’s training and experience;
i. Whether anyone in the suspect motor vehicle appeared to possess, either on their person or in a location where it is readily available, a dangerous weapon and was afforded an opportunity to comply with an order to surrender any suspected dangerous weapons;
j. Whether the member or another law enforcement officer in close proximity, engaged in reasonable de-escalation measures;
k. Whether any conduct by the member prior to the vehicle pursuit unreasonably increased the risk of a confrontation resulting in a vehicle pursuit; and
l. Whether the member made all reasonable efforts to prevent harm, including abandoning efforts to apprehend the suspect.

4. The use of ramming is prohibited. The only exception to this rule is in cases where deadly force is justified. Any pursuit involving ramming requires immediate notification to the Internal Affairs Division (IAD) and

shall be investigated as a use of deadly use of force pursuant to [GO-RAR-901.07 \(Use of Force\)](#).

5. The use of roadblocks is prohibited. The only exception to this rule is in cases involving imminent threat of death or serious bodily injury, when no other options are feasible. Any pursuit involving the use of a roadblock requires immediate IAD notification and shall be investigated as a serious use of force pursuant to [GO-RAR-901.07](#).
6. Boxing in vehicles in motion, caravanning, deploying a tire deflation device, and paralleling are prohibited. Any pursuit involving these actions requires immediate IAD notification and shall be investigated as a serious use of force pursuant to [GO-RAR-901.07](#).
7. Blocking stationary vehicles is permitted to protect the public from serious bodily injury or death (e.g., armed gunman in a stationary vehicle). When feasible, the Emergency Response Team (ERT) shall be notified to assist with this technique.
8. MPD members **shall not** participate in a vehicle pursuit initiated by other law enforcement agencies operating within the District of Columbia or a vehicle pursuit initiated by officers of outside jurisdictions, which enters or terminates in the District of Columbia. This does not preclude members from assisting in a non-pursuit support capacity during the pursuit and at the termination point. It also does not prohibit members from engaging in a pursuit which otherwise qualifies under this policy.
9. Members shall not engage in a pursuit when transporting a prisoner or when a civilian (e.g., ride along) is in the vehicle.

B. Fleeing Suspects

1. When a fleeing suspect has committed an offense for which a vehicle pursuit is **not** authorized, the member shall:

Fleeing Suspects
a. Provide a description of the vehicle and attempt to obtain the tag number;
b. Attempt to obtain a description of the operator;
c. Contact the dispatcher and request that he or she broadcast a lookout to surrounding jurisdictions to which the fleeing offender may be proceeding; and
d. Conduct an investigation of the incident and obtain a warrant so that the offender can be apprehended and prosecuted.

2. Members **shall not** pursue a vehicle for the sole purpose of affecting a stop for a traffic violation.
3. When a fleeing subject has committed an offense for which a vehicle pursuit is not authorized, members are permitted to pursue suspects on foot or on a mountain bike pursuant to [GO-SPT-302.01 \(Calls for Service\)](#).

C. Vehicle Pursuit Operations

Once a vehicle pursuit has been initiated in compliance with this general order, members and officials who are engaged in the pursuit shall observe the following procedures:

1. The primary unit shall immediately notify the Office of Unified Communications (OUC) dispatcher via the radio zone where the pursuit was initiated and articulate the reason for the pursuit.
2. The OUC dispatcher will:
 - a. Announce that a pursuit is taking place and that the watch commander or other monitoring official (ranked lieutenant or above from the originating district) is needed to monitor the pursuit.
 - b. Assign no more than two additional department vehicles to join the pursuit: the secondary unit and a supervisor from the organizational element to which the pursuit vehicles are assigned. The dispatcher will voice a command to the effect that no other vehicles shall participate in the pursuit, unless specifically authorized to do so by the watch commander.
 - c. Record all incoming information relating to the pursuit and perform relevant records and vehicle checks in an attempt to identify the owner and or the violator.
 - d. Determine whether a helicopter is available to respond, and if airborne assistance becomes available, the helicopter shall only assist the primary and secondary units with the fleeing vehicle's direction of travel.
 - e. Notify other mobile units, as necessary, of the pursuit in progress.
3. Upon notification of the pursuit, the watch commander or monitoring official shall voice over the radio permission to pursue or direct pursuing units to terminate the pursuit. The watch commander or monitoring official shall continuously monitor radio transmissions to determine whether the pursuit should be continued or terminated and approve the assignment of additional backup units to assist the primary and secondary units, when necessary.
4. Only the primary, secondary, and supervisory units are permitted to engage in a pursuit, unless the watch commander or monitoring official allows additional units to assist in the pursuit.
5. A pursuing unit shall maintain constant communication with the dispatcher as the pursuit progresses, and provide the dispatcher with the suspected crime(s) and location, suspect's direction of travel, suspect's vehicle information, number of vehicle occupants, any observed weapons, any available suspect descriptions, and pursuing unit's approximate speed and direction of travel.

- 6. Members shall operate department vehicles as emergency vehicles when engaged in pursuits and:
 - a. Activate all emergency equipment, turn on the headlights regardless of the time of day, and ensure that seat belts are securely fastened.
 - b. Open both front windows so that the driver can hear other units responding to the area and to avoid a collision.
 - c. When operating as a primary pursuit unit, use the wail position on the electronic siren selector and when operating as a secondary pursuit unit, use the yelp position.
 - d. Not operate department vehicles at speeds where they cannot control the vehicle, thereby endangering lives. Pursuing members shall monitor their speed and only travel at a speed that is justifiable based on the specific circumstances and conditions.
 - e. Maintain a safe distance between their vehicle and the fleeing vehicle, to ensure that there is enough reaction time, should the fleeing vehicle suddenly turn or brake.
 - f. Comply with the following traffic regulations:

Traffic Regulations
(1) When approaching an intersection controlled by electric signal devices, the pursuing unit(s) shall ensure an intersection is clear before entering the intersection when facing a red signal, slow to the maximum legal speed limit when a green signal or a flashing yellow signal is displayed, and ensure the intersection is clear before entering an intersection where four-way pedestrian walk signals are displayed.
(2) When approaching an intersection controlled by a stop sign, the pursuing unit(s) shall ensure an intersection is clear before entering the intersection.
(3) When approaching an uncontrolled intersection or an intersection controlled by yield signs, slow to the maximum legal speed limit before entering the intersection and comply with all other requirements applicable to uncontrolled intersections or intersections controlled by yield signs.

- g. When operating a motorcycle equipped as an authorized emergency vehicle, a patrol wagon that is not transporting prisoners, or an unmarked vehicle equipped with emergency devices, members may initiate and continue a vehicle pursuit, until a marked unit joins the pursuit; at which time, members shall immediately discontinue their participation, continue to monitor the pursuit, and proceed to the termination point, with appropriate authorization, to process any necessary reports and arrests.
- h. When not in uniform or operating an unmarked vehicle, take enforcement action only after requesting the assistance of a

marked vehicle. Once the marked vehicle has arrived on the scene, discontinue the pursuit.

7. The primary unit shall immediately notify the OUC dispatcher when the pursuit is entering another jurisdiction. The watch commander or monitoring official shall approve or disapprove pursuits that enter into another jurisdiction and ensure that units are in compliance with the law.
8. In cases involving crashes, the secondary unit will disengage from the pursuit to provide medical assistance and take reports of injuries and property damage. The watch commander or monitoring official shall respond to all scenes where injury and property damage occur as a result of the vehicle pursuit and ensure that the Major Crash Unit and Internal Affairs Division (IAD) are notified to respond in cases where a pursuit involves a fatality.
9. The Major Crash Unit shall be the primary investigative unit in vehicle pursuits involving a pursuit fatality occurring in the District of Columbia. The investigation of vehicle pursuits involving MPD members where the fatality occurs outside of the District of Columbia shall be handled by the local law enforcement agency. IAD shall conduct administrative investigations of all vehicle pursuits that involve a fatality regardless of where the fatality occurred.

D. Pursuit Oversight and Termination

1. The pursuit shall be continually assessed to determine whether it should be continued, taking into account the associated risk it presents to the member and the public.
2. A decision to continue or terminate a pursuit may be made by the primary unit, watch commander, or monitoring official. This does not replace the obligation to adhere to a lawful order given by an official.
3. Conditions under which a vehicle pursuit shall be terminated include, but are not limited to:

Pursuit Termination Conditions	
a.	When it becomes apparent that the vehicle pursuit could lead to unnecessary property damage, injury to persons or members of the department;
b.	The pursuit is in close proximity to schools and hospitals and other locations with high pedestrian or vehicular activity;
c.	When the distance between the pursuing member and the violator's vehicle is so great that the pursuing member loses sight of the violator and it becomes futile to continue the pursuit;
d.	The violator is identified so that a warrant can be obtained for his or her arrest, and failure to apprehend does not pose an immediate threat of death or serious injury to another person;
e.	When the time of day and locations are heavy with vehicular and pedestrian traffic; or
f.	At any point that the circumstances of the pursuit change in such a way that the pursuit is occurring in violation of this order.

4. When it is apparent that a vehicle pursuit should be terminated, the member shall notify the dispatcher and broadcast the suspect's direction and method of travel. If known, a description of the suspect and a lookout for the vehicle, including the tag number and its description, shall be included in the broadcast. Should the vehicle be subsequently located in a reasonable period of time, a member may resume the pursuit, as long as the pursuit meets the requirements of this order.
 5. The watch commander or monitoring official shall secure the location where the pursuit terminates, in order to assist with the preliminary investigation and in the event the incident turns into a foot or bicycle pursuit.
- E. Pursuits into Outside Jurisdictions from the District of Columbia
1. The [Code of Maryland § 2-305 \(Authority of officers of other states to arrest in this state\)](#) and [Code of Virginia § 19.2-79 \(Arrests by officers of other states of the United States\)](#) provide that law enforcement officers may enter in fresh pursuit in order to arrest a person on the grounds that he or she is believed to have committed a felony in the pursuing officer's jurisdiction and that the pursuing member has the power to arrest and hold subjects in custody. Apprehended suspects shall be taken before a judge without unnecessary delay for a hearing to determine the lawfulness of the arrest.
 2. In fresh pursuit situations, when a pursuit enters another jurisdiction, a pursuing member shall notify the dispatcher and request authorization from the watch commander to proceed into the adjoining jurisdiction. OUC will notify the neighboring jurisdiction of the incoming pursuit.
 3. If pursuit authorization is granted, as soon as possible, the member shall allow the pursuing unit from the outside jurisdiction to assume responsibility for the pursuit.
 4. The OUC supervisor will monitor the pursuit and the OUC dispatcher will notify the outside jurisdiction dispatcher that the pursuit has crossed their boundary, and for maintaining liaison, via the Police Mutual Aid Radio System (PMARS), with any jurisdiction that is involved or may become involved.
 5. If the situation culminates in the apprehension of a fleeing felon, the initiating MPD member shall place the suspect in the custody of the officer from the outside jurisdiction as a fugitive from justice and inform that officer of the crime the suspect will be charged with in the District of Columbia and the intent to request extradition of the suspect.
 6. Felons apprehended in Virginia, Maryland, or any other state **shall not** be returned to the District of Columbia without being processed through the criminal justice system of the state where he or she was apprehended, in accordance with the legal procedures applicable to that jurisdiction. This requirement does not apply to deputized United States Marshal's Service

Capital Area Regional Fugitive Task Force (CARFTF) members who are able to sign extradition waivers.

7. If a felon wants to voluntarily return to the District of Columbia, he or she shall be taken before a local court judge or justice of the peace by the arresting officer from the outside jurisdiction for the purpose of executing a waiver. When the felon does not want to return voluntarily, members shall place the felon in the custody of the officer from the outside jurisdiction and apply for a warrant in the District of Columbia.
8. The MPD member shall contact the United States Attorney's Office (USAO) in the District of Columbia to begin the extradition process. Once authorization has been granted, members shall notify the holding agency of the outside jurisdiction by:
 - a. Preparing a teletype message to be forwarded to the arresting jurisdiction, including the name and description of the defendant, date, charge, and approved arrest warrant to hold the defendant; and
 - b. Providing the assistant USAO with the arrest affidavit. Upon approval of the warrant, the assistant USAO will handle all further matters concerning the return of the wanted subject.

F. Pursuits into the District of Columbia from Outside Jurisdictions

1. A law enforcement officer from another jurisdiction may enter the District of Columbia in pursuit in order to arrest a person on the grounds that he or she is believed to have committed a felony in the pursuing officer's jurisdiction. The pursuing officer has the same authority to arrest the person and hold him or her in custody as MPD members.
2. When a member of a law enforcement agency, other than MPD initiates a vehicle pursuit, the OUC dispatcher will:
 - a. Advise mobile units, as appropriate, of the general direction and progress of the pursuit, as well as any other pertinent information;
 - b. If the pursuit terminates in the District of Columbia, designate two mobile units and one supervisory vehicle to respond to the termination point to assist the pursuing law enforcement officer with the apprehension; and
 - c. If the pursued vehicle is lost, broadcast the necessary lookout information to assist other mobile units in locating the vehicle and possible suspects.
3. In cases where a suspect being pursued by an officer from an outside jurisdiction is apprehended, the suspect may be charged with any crimes committed in the District of Columbia, regardless of other actions taken in the case.

4. MPD members who respond to assist an officer from an outside jurisdiction and discover that the crime for which the suspect was pursued was not a felony shall assist the law enforcement officer pursuant to [GO-SPT-304.10 \(Field Contacts, Stops, and Protective Pat Downs\)](#). If there is no probable cause to arrest the suspect, the suspect shall be permitted to leave.
5. The arrested subject shall be taken before a DC Superior Court judge, without unnecessary delay, for a hearing to determine the lawfulness of the arrest. Persons arrested in the District of Columbia, whether by an MPD member or an officer of another jurisdiction, **shall not** be permitted to be removed from this jurisdiction without being extradited through the DC Superior Court. This requirement does not apply to CARFTF members who are able to sign extradition waivers.
6. Members apprehending a felony suspect in a fresh pursuit shall process the arrest in the same manner as any other fugitive from justice arrest and enter the name of the outside agency, classification of the crime associated with the pursuit, and outside agency's case number on the arrest report. In fresh pursuit situations, the outside law enforcement agency will not have had enough time to apply for and receive an arrest warrant so warrant numbers will not be available. The case number generated when dispatching a radio run shall be used for reference purposes.

G. Pursuit Investigations

1. The facts and circumstances of **all** vehicle pursuits involving MPD vehicles shall be investigated to determine whether the pursuit was conducted in compliance with department policy.
2. The watch commander or monitoring official shall gather the facts from all the members involved in the pursuit as soon as practical at the end of each pursuit and submit the completed PD Form 845 (Vehicle Pursuit Report) to the element commanding official by the end of the shift.
3. In all cases involving deadly force, serious use of force, or any force indicating potential criminal conduct, the involved members shall not be compelled to make a statement (including interviews that are recorded by video or audio) until one of the following occurs:
 - a. The United States Attorney's Office (USAO) has issued a written declination; or
 - b. The element watch commander receives approval from the on-call IAD official (the rank of lieutenant or above) to issue a reverse *Garrity* warning.
4. Upon completion, the watch commander shall submit the PD Form 845 directly to the chief of police at cop.admin@dc.gov with copies to the Internal Affairs Bureau (IAB) assistant chief at iab@dc.gov, the involved

member’s chain of command officials, and the official’s administrative captain. The watch commander or monitoring official shall also ensure that all completed PD Forms 845 are attached to the PD Form 150 (Watch Commander’s Report) prior the end of the watch commander’s shift.

5. An IAD official (the rank of captain or above) shall determine whether IAD or the pursuing member’s chain of command is responsible for investigating the pursuit. In chain of command investigations, the element commanding official shall assign a non-involved element official, the rank of captain or above, to conduct an investigation into the facts and circumstances.

6. The investigating member shall:

a. Based on the facts and circumstances, document one of the following findings:

Findings
The pursuit was within MPD policy
The pursuit violated MPD policy

b. Determine whether the member requires tactical improvement endeavors or formal retraining.

c. Provide additional recommendations related to areas for policy and training improvements, risk management issues, equipment concerns, and areas for member improvement that do not require formal retraining.

7. Pursuant to [GO-RAR-901.07](#), the use of force review Board (UFRB) shall conduct a documented review of all vehicle pursuit investigations involving a fatality.

III. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated.

	Term	Definition
1.	Boxing in	Practice or tactic in which law enforcement officers intentionally surround a suspect motor vehicle with pursuit vehicles and then reduce the traveling speed of the pursuit vehicles with the intent to stop or slow the suspect motor vehicle.
2.	Blocking	Practice or tactic in which law enforcement officers intentionally surround a stationary suspect motor vehicle with the intent to prevent it from moving and/or fleeing the scene.
3.	Caravanning	Practice or tactic in which a law enforcement officer operates a pursuit vehicle without maintaining a reasonable distance between another pursuit vehicle.
4.	Crime of violence	Aggravated assault; act of terrorism; arson; assault on a police officer (felony); assault with a dangerous weapon; assault with intent to kill, commit first degree sexual abuse, commit second degree sexual abuse, or commit child sexual abuse; assault with significant bodily injury; assault with intent to commit any other

		offense; burglary; carjacking; armed carjacking; child sexual abuse; cruelty to children in the first degree; extortion or blackmail accompanied by threats of violence; gang recruitment, participation, or retention by the use or threatened use of force, coercion, or intimidation; kidnapping; malicious disfigurement; manslaughter; manufacture or possession of a weapon of mass destruction; mayhem; murder; robbery; sexual abuse in the first, second, or third degrees; use, dissemination, or detonation of a weapon of mass destruction; or an attempt, solicitation, or conspiracy to commit any of the foregoing offenses [DC Official Code § 23-1331(4)].
5.	Deploying a roadblock	Tactic or practice in which a law enforcement officer intentionally places a vehicle or object in the path of the suspect vehicle with the intent to stop the suspect motor vehicle.
6.	Deploying a tire deflation device	Tactic or practice in which a law enforcement officer intentionally places or activates a device that extends across the roadway with the intent to slow or stop a suspect vehicle. This does not include raising bollards or other barricades when the bollard or barricade is clearly visible to the operator of the suspect motor vehicle and is raised in a manner that provides the operator of the suspect motor vehicle adequate time to safely avoid the bollard or barricade.
7.	Emergency vehicle	Department vehicle equipped with the operable emergency warning devices. Marked vehicles have identifiable department logos and are equipped with a siren and a beacon light mounted on the roof. Unmarked vehicles that do not have any identifiable markings, but are equipped with a siren and a portable emergency beacon light.
8.	Fresh pursuit	Hot pursuit that crosses the boundary of the District of Columbia, entering into Maryland, Virginia, or another jurisdiction.
9.	Hot pursuit	In progress vehicle pursuit occurring in the District of Columbia.
10.	Imminent threat	Situation or condition in which it can be reasonably concluded that is about to lead to death or serious bodily injury. Determining whether an imminent threat exists requires a reasonable belief that the member or others were in danger, the danger was immediate and present rather than simply impending, there was no time for an evasive action, and the member reasonably believed that his or her actions were necessary to protect him, her, or others.
11.	Monitoring official	Official (the rank of lieutenant or above) from the district where the vehicle pursuit originated, who is actively monitoring the pursuit.
12.	Motor vehicle	Automobile, all-terrain vehicle, motorcycle, moped, or any other vehicle designed to be propelled only by an internal-combustion engine or electricity.
13.	Paralleling	Practice or tactic in which a law enforcement officer operates a pursuit vehicle in the same direction and at approximately the same speed as the suspect motor vehicle using another street or highway parallel to the direction or route of the suspect motor vehicle.
14.	Primary unit	First pursuit vehicle that initiates a vehicle pursuit or any unit that assumes control of the pursuit.
15.	Probable cause	Set of facts, circumstances, or reliable information that would lead a reasonable and prudent police officer to believe that a crime has been committed, or is about to be committed, and that a certain person committed it.
16.	Pursuit vehicle	Motor vehicle operated by a law enforcement officer during a vehicle pursuit of a fleeing subject.
17.	Ramming	Tactic in which a law enforcement officer intentionally causes a pursuit vehicle to come into physical contact with a suspect motor vehicle with the intent to damage, slow, or stop the suspect motor vehicle, regardless of the speed of the pursuit vehicle.

18.	Reasonable	Fair, proper, or moderate under the circumstances. Determining whether a member has behaved reasonably is an objective standard whereby the court will consider the circumstances, not the intent of the actor.
19.	Secondary unit	Pursuit vehicle that becomes involved as a backup to the primary unit.
20.	Serious bodily injury	Bodily injury or significant bodily injury that involves a substantial risk of death; protracted and obvious disfigurement; protracted loss or impairment of the function of a bodily member or organ; or protracted loss of consciousness.
21.	Serious use of force	Actions by members including: a. Firearms discharges (except negligent discharges determined to be misconduct by IAD and discharges at animals); b. Those resulting in death or a serious bodily injury; c. Use of asphyxiating restraints or neck restraints. d. MPD canine bites (except bites determined to be misconduct by IAD); and e. Head strikes with a hard object.
22.	Vehicle pursuit	Operation of a pursuit vehicle in a manner that is not consistent with the posted speed limit or other applicable traffic regulations in an attempt to apprehend a suspect who is eluding apprehension while operating a motor vehicle.



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