



U.S. Department of the Interior  
National Park Service  
United States Park Police

**General  
Order  
2205**

## Vehicular Pursuits

### Notes

This General Order was originally authorized by Chief Robert D. MacLean on 06-08-2018 and remains effective as of that date. It has been republished in a 508 compliant format and no changes have been made to its policies or procedures. More details can be found in section VII. Change Log.

#### Referenced DOI Policies

- N/A

#### Referenced NPS Directives

- N/A

#### Referenced USPP Policies

- G.O. 3701 – Emergency Operation of Force Vehicles
- G.O. 2103 – Arrest Procedures
- G.O. 2210 - Roadblocks

#### Referenced Forms

- USPP Form 132 – Supervisory Report of Vehicle Pursuit

#### Authorized By

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Acting Chief of Police

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### I. POLICY

Vehicular pursuits shall be carried out in areas of primary jurisdiction and other areas in accordance with federal law(s), applicable state law(s), or United States Park Police (USPP) General Orders, whichever is more restrictive.

Pursuit of a vehicle or entering a vehicular pursuit initiated by a partner agency is only authorized when the offense for which the suspect is being pursued is one of the

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following:

- A. The suspect is wanted for, or suspected of committing a felony offense involving violence or the threat of violence to another person. This includes but is not limited to homicide, sexual assault, robbery, felony assault, felony sex offense, and abduction.
- B. The suspect is wanted for or has committed a felony and is in known possession of a firearm.

LEOs must obtain supervisory approval prior to initiating, engaging in, assisting partner agencies with, or continuing pursuits under any circumstances not listed in A or B of this section.

Note: The act of fleeing and eluding the police shall not in itself be a pursuable offense.

## II. DEFINITIONS

The following terms are applicable to this General Order:

- A. Mutual Aid Radio Network Interface System (MARNIS) – A radio patching link between units of two (2) or more agencies through their radio systems.
- B. Police Mutual Aid Radio System (PMARS) – A radio system that provides direct agency-to-agency communications in the Washington Metropolitan Area.
- C. Terminate – to immediately stop or bring to an end any vehicular pursuit a LEO becomes involved in. This includes deactivating all emergency equipment, reducing speed to the posted speed limit or less, cease the act of following the pursued vehicle, providing current location via the USPP radio, and following the direction of the supervisor.
- D. Vehicular Pursuit – An incident that involves a LEO who, while operating a motor vehicle, attempts to apprehend one (1) or more occupants of another moving vehicle while the driver, who is aware of the attempted stop of their vehicle, is attempting to evade apprehension.

### III. AUTHORITIES

#### A. Federal

1. 54 U.S. Code § 102701 has authorized the Secretary of the Interior to designate the LEOs of the USPP to “... carry firearms, and make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony, provided such arrests occur within that system or the person to be arrested is fleeing therefrom to avoid arrest.”

#### B. State

1. Pursuit of a person from one state into another state and the subsequent arrest of that person without a warrant for a state offense is normally authorized only when the suspect has committed a felony. LEOs shall be familiar with the vehicular pursuit laws of states that are adjacent to areas of patrol responsibility.
2. A non-exhaustive list of applicable state laws can be found in section IX. Appendix: Fresh Pursuit Laws of this General Order.

### IV. PROCEDURES

- #### A.
- When operating an emergency vehicle in a vehicular pursuit situation, the primary concern of the LEO must be for the safety of other motorists, pedestrians, themselves, fellow LEOs, and the violator. Although LEOs are given a qualified privilege from observing certain traffic regulations while operating an emergency vehicle utilizing emergency equipment during a vehicular pursuit, they are not relieved of the responsibility of driving with due regard for the safety of all persons.

#### B. Vehicular Pursuit in Primary USPP Jurisdiction

1. Each LEO shall be responsible for determining the need to initiate a vehicular pursuit. In vehicular pursuit situations, a LEO shall abide

by the provisions of General Order 3701 –Emergency Operation of Force Vehicles.

2. The decision to initiate a vehicular pursuit must be based on the pursuing LEO's conclusion that the immediate danger to the public created by the vehicular pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
3. The following factors shall be considered when a vehicular pursuit is initiated; these factors shall be continuously re-evaluated during the vehicular pursuit to determine whether to continue or terminate the vehicular pursuit:
  - a. The nature of the offense and known information about the suspect.
  - b. The likelihood of a successful apprehension.
  - c. The performance capabilities of the vehicular pursuit vehicle and the LEO's driving skills.
  - d. The condition of the road surface upon which the vehicular pursuit is being conducted and the LEO's familiarity with the area.
  - e. The amount of vehicular and pedestrian traffic in the area and the composition of the area, e.g., schools, business districts, residential.
  - f. Weather conditions, visibility, time of day, and day of the week.
4. Sometimes the decision to terminate a vehicular pursuit by the LEO or their Supervisor may be the most prudent course of action. Such situations may include those in which:
  - a. The level of danger posed to the public, the LEOs, or the violator by continued vehicular pursuit outweighs the necessity of an immediate apprehension.

- b. The suspect's identity has been established and the need for immediate apprehension is no longer present.
  - c. The distance between the pursuing LEO's and violator's vehicles is so great that further pursuit is futile.
- 5. A vehicular pursuit may be terminated at any time. Such termination shall be communicated to other affected agencies.
- 6. If it becomes necessary for a Supervisor, Shift Commander, or ranking official to direct a LEO to stop a vehicular pursuit the LEO is involved in, the Supervisor shall direct the LEO to TERMINATE the vehicular pursuit.
- 7. If a LEO is directed to terminate a vehicular pursuit, or terminates the vehicular pursuit on their own, the LEO shall deactivate all emergency equipment, reduce speed to the posted limit or less, and follow the directions of the Supervisor. The LEO shall provide their current location when terminating vehicular pursuit.
- 8. A LEO who initiates and subsequently terminates a vehicular pursuit is required to investigate and report the incident in accordance with USPP policy.
- 9. A LEO, upon voluntary or directed termination of a vehicular pursuit, shall acknowledge that termination via the USPP radio.
- 10. USPP LEOs, other than the initial vehicular pursuit LEO, shall obtain supervisory approval prior to joining a vehicular pursuit. Unless otherwise directed by a Supervisor, no more than three (3) police vehicles (to include one [1] supervisory unit) shall become actively involved in a vehicular pursuit. The second unit shall serve as back-up and, when practical, update the vehicular pursuit location and other pertinent information so the primary unit can focus attention on the fleeing vehicle. Appropriate emergency equipment shall be used at all times during the vehicular pursuit.
- 11. If the vehicular pursuit is initiated by a LEO in an unmarked vehicle

or motorcycle, that LEO shall relinquish the lead in the vehicular pursuit when a marked cruiser joins the vehicular pursuit. The initial unit may then proceed as reasonable circumstances dictate to the termination point of the vehicular pursuit.

12. A LEO who initiates a vehicular pursuit shall immediately notify the Dispatch Operations Unit of the following information:
  - a. That the LEO is in a vehicular pursuit and the reason.
  - b. Location and direction of the vehicular pursuit.
  - c. Description of the vehicle, tag number, and number of occupants, if known.
  - d. Any unusual actions of the violator (e.g., forcing other vehicles off the road, attempting to or ramming other vehicles, shots fired).
  - e. If the vehicular pursuit will be entering another jurisdiction.
  - f. If possible, the LEO shall give periodic updates on speed and conditions during the vehicular pursuit.
13. A unit carrying civilians or prisoners shall not become involved in a vehicular pursuit.
14. A LEO shall not use their vehicle to strike or ram a suspect's vehicle with the intent of solely disabling the vehicle, unless they have been specifically trained in techniques that attempt to minimize danger to themselves and others when making deliberate contact between vehicles. Supervisory approval is required before this maneuver is performed. Roadblocks shall only be utilized in accordance with the provisions of General Order 2210 – Roadblocks.
15. At the conclusion of the vehicular pursuit, felony traffic stop techniques shall be used as circumstances dictate.
16. If directed by a Supervisor, units not involved in or who have previously disengaged from the vehicular pursuit may proceed to

the area surrounding the location where the violator's vehicle has been stopped. These units shall assist as necessary. Except in situations that require immediate reaction, response shall be without the use of emergency equipment.

17. Units, including the Aviation Unit, shall only actively participate in a vehicular pursuit initiated by another agency when a specific request has been received from that agency and the LEOs obtain supervisory approval. Active participation in the vehicular pursuit by USPP LEOs shall be limited to those offenses enumerated in section I.(A). This does not preclude other assistance to the affected agency such as involvement in a foot chase, handling a motor vehicle accident, or traffic direction.

C. Vehicular Pursuits Outside of USPP Primary Jurisdiction

1. When a vehicular pursuit crosses a jurisdictional boundary, the LEO shall notify their Supervisor and the Dispatch Operations Unit.
2. The Dispatch Operations Unit shall notify the entered jurisdiction of the pursued vehicle's description, last known location, the offense for which it is being pursued, and any other appropriate information.
3. The pursuing LEO's Supervisor shall determine if more than two (2) USPP units shall continue a vehicular pursuit, as sufficient police units of the entered jurisdiction join the vehicular pursuit and assume command of the vehicular pursuit.
4. As soon as practical, the vehicular pursuit shall be relinquished to police units of the entered jurisdiction. When feasible, however, the USPP LEO who initiated the vehicular pursuit should maintain contact with the vehicular pursuit until it is concluded. This does not preclude a continued response by additional USPP units at the discretion of a Supervisor. If police units from the entered jurisdiction do not join the vehicular pursuit, the Supervisor shall

reevaluate the necessity of the vehicular pursuit.

5. When the possibility exists that a vehicular pursuit may enter a military reservation, the Dispatch Operations Unit shall attempt to notify the appropriate security personnel of the forthcoming vehicular pursuit.
6. Note: Check with the Commanding Officer or Provost Marshal of the military reservation (or designee) prior to removing the arrestee, since in some cases a warrant may be required (refer to section .09.C of General Order 2103 – Arrest Procedures).

D. Aviation Unit

1. If available, a helicopter should be immediately requested to establish visual contact of the pursued vehicle and to provide other assistance as circumstances warrant.
2. If a vehicular pursuit for traffic violations only is terminated, the helicopter shall also terminate its observation.
3. For felonies and those crimes that involve a threat to public safety, the helicopter may continue to monitor the fleeing vehicle despite the vehicular pursuit being terminated by ground units. Periodic updates shall be given directly to the Shift Commander. The Shift Commander shall determine the extent to which the vehicle shall be monitored.
4. If a vehicular pursuit has been terminated by ground units, the Aviation Unit / Shift Commander shall carefully monitor the use of the helicopter, as the violator may perceive that they are still being pursued.

E. Canine Units

1. If available, canine units with tracking capabilities shall proceed in the direction of the vehicular pursuit and monitor the need for any subsequent searches.

F. Judicial

1. An individual arrested for a federal offense shall be taken before the nearest U.S. District Court, U.S. Magistrate Judge, or other authorized federal official for initial appearance. For a federal offense, the individual may be removed across state lines for processing.
2. When a state jurisdiction is crossed to apprehend an individual for a state offense, the LEO shall detain the violator and relinquish the individual to the law enforcement agency of the entered jurisdiction, if applicable. The violator shall be processed by the entered jurisdiction. Criminal Investigations shall coordinate extradition proceedings, if necessary.
3. Under no circumstances shall an individual apprehended for a state offense be taken across state lines without first being processed through the criminal justice system and in accordance with legal procedures applicable to the jurisdiction in which the individual was apprehended.

G. Arrest Procedures

1. LEOs shall be guided by the provisions of General Order 2103 – Arrest Procedures.

V. RESPONSIBILITIES

A. Dispatch Operations Unit

1. Dispatch Operations Unit personnel shall be responsible for coordinating radio traffic, and, with supervisory approval, dispatch additional units. In addition, Dispatch Operations Unit personnel shall maintain liaison with other involved or potentially involved jurisdictions, monitor scanner frequencies, and relay requests, e.g., aerial support, during all vehicular pursuit situations. They shall also ensure that the Shift Commander and other Supervisors, as appropriate, are immediately notified of a vehicular pursuit

situation.

2. In areas so equipped, Dispatch Operations Unit personnel should initiate PMARS communications with any other involved agencies in the vehicular pursuit. If time and equipment allow, a MARNIS patch should be placed in effect between the involved units.
3. When circumstances dictate, the Dispatch Operations Unit Supervisor shall switch all vehicles not connected with the vehicular pursuit to an alternate channel. This will eliminate excessive radio traffic on the primary channel.

B. Immediate Supervisor

1. The pursuing LEO's Immediate Supervisor shall be responsible for directing, monitoring, evaluating, and terminating the vehicular pursuit, as appropriate.
2. The pursuing LEO's Immediate Supervisor shall complete a USPP Form 132 – Supervisory Report of Vehicle Pursuit, obtain copies of the incident reports and all other related reports, and submit them to the appropriate Station / Unit Commander by the end of the Immediate Supervisor's tour of duty. The Station / Unit Commander shall then forward the reports through the chain of command to the appropriate Division Commander. After review, the Division Commander shall submit the reports to the Commander, Office of Professional Responsibility and the Commander, Audits and Inspections Unit.

C. Shift Commander

1. The appropriate Shift Commander shall continually monitor any vehicular pursuit situation in their jurisdiction or any vehicular pursuit that has the potential of going into their jurisdiction.
2. The Shift Commander shall note the vehicular pursuit on the Shift Summary Report.

VI. REFERENCES AND RELATED RESOURCES

- A. 54 U.S. Code § 102701
- B. Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794d)
- C. California Penal Code, Section 852.2
- D. Virginia Code, Title 19, Section 2-79
- E. Maryland Code Ann., Article 27, Sections 595-596
- F. New York Criminal Procedure Law (C.P.L.), Section 140.55
- G. General Order 3701 – Emergency Operation of Force Vehicles
- H. General Order 2103 – Arrest Procedures
- I. General Order 2210 – Roadblocks
- J. USPP Form 132 – Supervisory Report of Vehicle Pursuit

VII. CHANGE LOG

- A. On May 5, 2023, this General Order was reformatted to comply with Section 508 and no changes to policy or procedures were made. The following have been re-organized, reformatted, or otherwise changed to reflect USPP’s current policy practices:
  - 1. Updates to the names of units to reflect the current organizational chart.
  - 2. The correction of typographical errors.
  - 3. The use of gender-neutral pronouns
  - 4. The replacement of “officers” with “Law Enforcement Officers” and “LEOs” to reflect current DOI Office of Law Enforcement and Security terminology.
  - 5. The replacement of “Force” with “USPP” to reflect the USPP Planning and Policy Unit’s current style guide.
  - 6. The procedures for termination of pursuit by immediate supervisor or shift commander have been moved to section IV.

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7. The contents of VI. have been reorganized for clarity and the Dispatch Operation Unit section has been moved here.
8. The Fresh Pursuit laws were moved to the Appendix and a reference to the Appendix has been added to section III(B)(1).
9. Some subsections were re-arranged to improve logical reading order.

B. This General Order was updated and published on June 8, 2018.

### VIII. APPENDIX: FRESH PURSUIT LAWS

The following are statutes that govern entry into each jurisdiction.

#### A. District of Columbia

1. D.C. Code § 23-901 provides that a "member of a duly organized peace unit of any State (or county or municipality thereof) of the United States who enters the District of Columbia in fresh pursuit and continues within the District of Columbia in fresh pursuit of a person in order to arrest him on the ground that he is believed to have committed a felony in such State shall have the same authority to arrest and hold that person in custody as has any member of any duly organized peace unit of the District of Columbia to arrest and hold in custody a person on the ground that he is believed to have committed a felony in the District of Columbia."

#### B. Maryland

1. Maryland Code Ann., Article 27, Sections 595-596, provides that a police officer may enter Maryland in fresh pursuit to arrest a person "... on the ground that he is believed to have committed a felony" in the pursuing officer's State (or District of Columbia), and the pursuing officer has the same power to arrest the person and hold him in custody as has a Maryland LEO. The arrested person must be taken before a judge where the arrest was made (i.e., a judge of the circuit court of a county or judge of the Criminal Court of

Baltimore City) without unnecessary delay for a hearing to determine the lawfulness of the arrest.

C. Virginia

1. Virginia Code, Title 19, Section 2-79, provides that a LEO of a neighboring jurisdiction may enter Virginia in close pursuit for the purpose of arresting a person “... on the grounds that he has committed a felony” in the pursuing LEO’s state (or District of Columbia), and the pursuing LEO has the same power to arrest that person and hold them in custody as has a Virginia LEO. The arresting LEO is required to take the prisoner(s) without unnecessary delay before a judge of a general district court or a circuit court, of the county or city in which the arrest was made to determine the lawfulness of the arrest.

D. California

1. California Penal Code, Section 852.2 - Any LEO of another state who enters California in fresh pursuit, and continues within the state in order to arrest the operator on the grounds that he has committed a felony in another state, has the same authority to arrest and hold the person in custody as LEOs of this state have to arrest and hold a person in custody on the grounds that he has committed a felony in this state. The arresting LEO shall without unnecessary delay take the person arrested before a magistrate of the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest.

E. New York

1. Criminal Procedure Law (C.P.L.), Section 140.55 Subsection 2 and 3 Any peace officer of another state of the United States who enters this state in close pursuit and continues within this state in such close pursuit of a person in order to arrest him shall have the same authority to arrest and hold in custody such person on the grounds

that he has committed a crime in another state which is a crime under the laws of the State of New York, as LEOs of this state have to arrest and hold in custody a person on the grounds that he has committed a crime in this state – “... the arresting LEO shall without unnecessary delay take the person arrested before a local criminal court which shall conduct a hearing for the sole purpose of determining if the arrest was in accordance with the provisions of subsection two.”

F. New Jersey

1. N.J. Stat. § 2A:155-4 provides that a "member of a duly organized state, county or municipal peace unit of another state [...] who enters this state in fresh pursuit, and continues within this state in such fresh pursuit, of a person in order to arrest him on the ground that he is believed to have committed a felony in such other state, shall have the same authority to arrest and hold such person in custody, as has any member of any duly organized state, county or municipal peace unit of this state.”