

**DELAWARE COUNTY  
CRIMINAL INVESTIGATION DIVISION**

**POLICY 29**

**VEHICLE PURSUITS**

- 29.01            PURPOSE**
- 29.02            POLICY**
- 29.03            DEFINITIONS**
- 29.04            LIGHTS AND AUDIBLE SYSTEMS**
- 29.05            NOTIFICATION**
- 29.06            GUIDELINES**
- 29.07            PURSUIT TACTICS**
- 29.08            TERMINATION**

**DELAWARE COUNTY  
CRIMINAL INVESTIGATION DIVISION**

**POLICY 29  
VEHICLE PURSUITS**

**29.01 PURPOSE**

THE PURPOSE OF THIS ORDER IS TO GIVE DIRECTION TO MEMBERS OF THE C.I.D. WHEN EVER THEY BECOME ENGAGED IN A PURSUIT OF A FLEEING FELON RESULTING FROM DUTY RELATED INCIDENTS OR AT THE REQUEST OF ANOTHER LAW ENFORCEMENT AGENCY. PURSUIT SHALL BE INSTITUTED ONLY TO PRESERVE LIFE OR PREVENT BODILY INJURY. THE PRESERVATION OF HUMAN LIFE IS THE PARAMOUNT CONSIDERATION WHEN IT BECOMES NECESSARY TO USE A DEPARTMENT VEHICLE IN HIGH SPEED PURSUITS.

**29.02 POLICY**

TO ENSURE MOTOR VEHICLE PURSUIT IS UTILIZED ONLY WHEN THE NECESSITY OF IMMEDIATE APPREHENSION OUTWEIGHS RISK OF HARM TO PERSONS OR PROPERTY AND IS DONE IN A PRUDENT MANNER.

TO PROVIDE GUIDELINES TO BE FOLLOWED WHEN ENGAGED IN A MOTOR VEHICLE PURSUIT AND IN AN EMERGENCY SITUATION.

TO SERVE AS A STANDARD FOR ADMINISTRATIVE REVIEW OF A DETECTIVE'S ACTION INVOLVING MOTOR VEHICLE PURSUIT AND EMERGENCY SITUATIONS.

**29.03 DEFINITIONS**

**MOTOR VEHICLE PURSUIT:** AN ATTEMPT BY A DETECTIVE WHILE OPERATING A MOTOR VEHICLE TO APPREHEND AND OCCUPANT OR OCCUPANTS OF ANOTHER VEHICLE WHEN THE DRIVER OF THE VEHICLES IS RESISTING THE APPREHENSION BY MAINTAINING OR INCREASING HIS SPEED OR BY IGNORING THE DETECTIVE'S AUDIBLE OR VISUAL SIGNAL TO STOP.

DELAWARE COUNTY  
CRIMINAL INVESTIGATION DIVISION

POLICY 29  
VEHICLE PURSUITS

**EMERGENCY SITUATION:** A DETECTIVE RESPONDING TO A RADIO DISPATCH TRANSMITTED AS EMERGENCY IS AN EMERGENCY SITUATION AND INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:

1. OFFICER NEEDS ASSISTANCE
2. CRIME AND PROGRESS RESPONSE
3. EXPLOSION
4. EMERGENCY MEDICAL RESPONSE
5. AN AREA WIDE EMERGENCY STATUS HAS BEEN DECLARED.

29.04 **LIGHTS AND AUDIBLE SYSTEMS**

ONLY VEHICLE EQUIPPED WITH PROPER RED LIGHTS AND SIRENS WILL BE ALLOWED TO TAKE PART IN A VEHICLE PURSUIT. ALL LIGHTING AND SOUND SYSTEMS WILL BE USED CONTINUOUSLY FROM THE START OF AND TO THE TERMINATION OF A RESPONSE INVOLVING AN EMERGENCY OR A MOTOR VEHICLE PURSUIT IN EXCESS OF THE LEGAL SPEED LIMIT.

29.05 **NOTIFICATION**

WHEN USE OF LIGHTING AND SOUND SYSTEMS ARE REQUIRED, THE DETECTIVE SHALL IMMEDIATELY REPORT TO DEL. COM. CONTROL THE FOLLOWING:

1. THE REASON FOR PURSUIT
2. TO NOTIFY C.I.D.
3. DESCRIPTION OF FLEEING VEHICLE
4. OCCUPANT INFORMATION
5. LOCATION AND DIRECTION OF PURSUIT
6. SPEEDS INVOLVED
7. REQUEST COUNTY CONTROL TO PROVIDE THE ABOVE INFORMATION TO ANY KNOWN POLICE OFFICER ON DUTY IN THE AREA OF PURSUIT.

DELAWARE COUNTY  
CRIMINAL INVESTIGATION DIVISION

POLICY 29  
VEHICLE PURSUITS

29.06

GUIDELINES

BEFORE INITIATING A MOTOR VEHICLE PURSUIT OR UTILIZING A MOTOR VEHICLE IN AN EMERGENCY SITUATION AT SPEEDS IN EXCESS OF THE LEGAL SPEED LIMIT THE DETECTIVE SHOULD CONSIDER ALL RISKS THEY MAY CREATE. SOME OF THE FACTORS TO BE CONSIDERED WHEN DETERMINING WHEN TO INITIATE, CONTINUE OR TERMINATE ARE AS FOLLOWS:

1. TIME OF DAY: DURING CERTAIN TIMES OF THE DAY AND CERTAIN DAYS OF THE WEEK TRAFFIC CONDITIONS, BUSINESS ACTIVITY, SCHOOL ACTIVITY SCHOOL BUSES, ETC. MAY BE GREATER THAN AT OTHER TIMES. SAID LEVEL OF ACTIVITY MUST BE CONSIDERED BEFORE INITIATING USE OF A MOTOR VEHICLE IN AN EMERGENCY SITUATION OR MOTOR VEHICLE PURSUIT AND HOW FAST SUCH CAN BE SAFELY CONDUCTED.
2. LOCATION OF PURSUIT: TRAVEL THROUGH RESIDENTIAL AREAS OR ALONG STREETS NEAR TO OR ADJACENT TO SCHOOLS ARE VIEWED AS MORE HAZARDOUS THAN THOSE IN LIGHTLY POPULATED AREAS. SUCH FACTORS MUST BE CONSIDERED BY THE DETECTIVE IN INITIATING AND CONTINUING A MOTOR VEHICLE PURSUIT OR USE OF A MOTOR VEHICLE IN AN EMERGENCY SITUATION.
3. WEATHER CONDITIONS
4. ROAD CONDITIONS
5. SPEED INVOLVED

**DELAWARE COUNTY  
CRIMINAL INVESTIGATION DIVISION**

**POLICY 29  
VEHICLE PURSUITS**

6. **NATURE OF CHARGES:** BELIEF THAT THE PERSONS PURSUED WERE INVOLVED WITH A SERIOUS CRIME IS MORE LIKELY TO JUSTIFY MOTOR VEHICLE PURSUIT AT SPEEDS IN EXCESS OF THE LEGAL SPEED LIMIT THAN IN THE CASE OF ONE SUSPECTED OF A TRAFFIC VIOLATION.
  
7. **NEED FOR THE CHASE TO BRING ABOUT APPREHENSION:** BEFORE INITIATING AND CONTINUING A PURSUIT AT HIGH SPEEDS, THE DETECTIVE SHALL DETERMINE THAT SUCH PURSUIT IS ESSENTIAL TO APPREHENSION IN MAKING THIS DETERMINATION, THE DETECTIVE, SHALL GIVE CONSIDERATION TO THE PROBABILITIES OF EFFECTING APPREHENSION BY RADIO CONTACT WITH OTHER APPROPRIATE PERSONS IN THE AREA OF PURSUIT AND IF THAT PROBABILITY IS HIGH THE DETECTIVE SHALL NOT INITIATE OR, OR IF INITIATED, SHALL TERMINATE THE PURSUIT.

29.07

**PURSUIT TACTICS**

- A. **UNMARKED VEHICLES** DETECTIVES ARE USUALLY OPERATING UNMARKED VEHICLES. WHENEVER YOU ARE IN PURSUIT OF ANOTHER VEHICLE AT SPEEDS IN EXCESS OF THE LEGAL SPEED LIMIT AND A MARKED VEHICLE BECOMES AVAILABLE TO JOIN THE CHASE, YOU WILL IMMEDIATELY WITHDRAW FROM ACTIVE PURSUIT TO THE SECOND VEHICLE AND AS EACH MARKED VEHICLE JOINS THE CHASE YOU WILL ALWAYS FALL BEHIND THE LAST MARKED VEHICLE AND WILL SERVE IN A SUPPORT FUNCTION FOR THOSE MARKED VEHICLE

**DELAWARE COUNTY  
CRIMINAL INVESTIGATION DIVISION**

**POLICY 29  
VEHICLE PURSUITS**

- B. NUMBER OF VEHICLES: GENERALLY NO MORE THAN TWO C.I.D. VEHICLES SHOULD BECOME ACTIVELY INVOLVED IN A MOTOR VEHICLE PURSUIT.
- C. PURSUIT INITIATED BY AN OUTSIDE AGENCY:  
WHEN A MOTOR VEHICLE PURSUIT IS INITIATED BY AN AGENCY OTHER THAN THE C.I.D. THE INITIATING AGENCY SHALL BE RESPONSIBLE FOR THE PROGRESS OF THE PURSUIT. IN SUCH AN EVENT, DETECTIVES MAY BECOME ACTIVELY INVOLVED ONLY IF THE FLEEING VEHICLE REPRESENTS AN IMMEDIATE AND DIRECT THREAT TO LIFE OR A SUSPECTED FELONY VIOLATION IS INVOLVED.
- D. LIMITED ACCESS HIGHWAY:  
DETECTIVES MAY NOT ENGAGE IN MOTOR VEHICLE PURSUITS ON THE WRONG SIDE OF A CONTROLLED ACCESS HIGHWAY.
- E. OVERTAKING THE SUSPECT:  
AS A GENERAL POLICY, DETECTIVES SHOULD NOT ATTEMPT TO OVERTAKE OR PASS A FLEEING SUSPECT BECAUSE IT PLACES THE DETECTIVE IN A HIGHLY VULNERABLE POSITION. YOU SHOULD KEEP A SAFE DISTANCE FROM THE SUSPECT AND MERELY ATTEMPT TO KEEP THE SUSPECT VEHICLE IN SIGHT UNTIL THE PURSUIT IS TERMINATED
- F. FIREARMS:  
DETECTIVES SHALL NOT FIRE THEIR FIREARMS FROM A MOVING VEHICLE NOR AT A MOVING VEHICLE.

DELAWARE COUNTY  
CRIMINAL INVESTIGATION DIVISION

POLICY 29  
VEHICLE PURSUITS

- G. RAMMING:  
ALL BUMPING MANEUVERS INTENDING TO FORCE THE FLEEING OPERATOR TO STOP THE VEHICLE ARE PROHIBITED.
- H. ROAD BLOCKS:  
C.I.D. VEHICLES SHALL NOT BE UTILIZED IN ANY PHYSICAL ROAD BLOCK.
- I. TRAFFIC SIGNALS  
ONLY VEHICLES EQUIPPED WITH SIRENS AND RED LIGHTS WILL BE ALLOWED TO DISOBEY TRAFFIC SIGNS OR SIGNALS.

29.08

TERMINATION

- A. MOTOR VEHICLE PURSUIT SHALL BE TERMINATED WHENEVER THE DETECTIVE DETERMINES THAT THE LEVEL OF DANGER CREATED BY THE PURSUIT OUTWEIGHTS THE NECESSITY FOR IMMEDIATE APPREHENSION.
- B. MOTOR VEHICLE PURSUIT SHALL BE TERMINATED IF THE SUSPECTS IDENTITY HAS BEEN ESTABLISHED AND AS A RESULT THERE IS LIKELIHOOD THAT LATER APPREHENSION CAN BE ACCOMPLISHED AND THERE APPEARS TO BE NO NEED FOR IMMEDIATE APPREHENSION.
- C. MOTOR VEHICLE PURSUIT SHALL BE TERMINATED UPON THE REQUEST OF A POLICE OFFICER WHO HAS JURISDICTION IN THE AREA OF THE PURSUIT AND IS PRESENTLY ENGAGED IN THE PURSUIT.
- D. THE C.I.D. DETECTIVE INVOLVED IN THE PURSUIT MAY TERMINATE THE VEHICLE PURSUIT AT ANY TIME FOR ANY APPROPRIATE REASON.



## Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied.

**SUBMITTED TO AGENCY NAME:** Delaware County District Attorneys Office (Attn: AORO)

Date of Request: 3/22/2021 Submitted via:  Email  U.S. Mail  Fax  In Person

**PERSON MAKING REQUEST:**

Name: Jim O'Donnell Company (if applicable): NBC10

Mailing Address: 1800 Arch Street

City: Philadelphia State: PA Zip: 19103 Email: Jim.ODonnell@NBCUNI.com

Telephone: 215-913-0273 Fax: \_\_\_\_\_

How do you prefer to be contacted if the agency has questions?  Telephone  Email  U.S. Mail

**RECORDS REQUESTED:** *Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law. Use additional pages if necessary.*

We request access to the Delaware County CID vehicle pursuit policy. Please email the policy to Jim.ODonnell@NBCUNI.com at your earliest convenience.

- DO YOU WANT COPIES?**  Yes, printed copies (default if none are checked)  
 Yes, electronic copies preferred if available  
 No, in-person inspection of records preferred (may request copies later)

Do you want certified copies?  Yes (may be subject to additional costs)  No  
RTKL requests may require payment or prepayment of fees. See the Official RTKL Fee Schedule for more details.  
Please notify me if fees associated with this request will be more than  \$100 (or)  \$1

**ITEMS BELOW THIS LINE FOR AGENCY USE ONLY**

Tracking: \_\_\_\_\_ Date Received: \_\_\_\_\_ Response Due (5 bus. days): \_\_\_\_\_

30-Day Ext.?  Yes  No (If Yes, Final Due Date: \_\_\_\_\_) Actual Response Date: \_\_\_\_\_

Request was:  Granted  Partially Granted & Denied  Denied Cost to Requester: \$ \_\_\_\_\_

Appropriate third parties notified and given an opportunity to object to the release of requested records.



## Glackin, Jennifer

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**From:** O'Donnell, Jim (NBCUniversal) <James.O'Donnell@nbcuni.com>  
**Sent:** Monday, March 22, 2021 7:11 PM  
**To:** OpenRecordsDA  
**Subject:** NBC10 - RIGHT TO KNOW - CID PURSUIT POLICY  
**Attachments:** RTK DELCO DA PURSUIT POLICY.pdf

Hello,

Please find the attached Right to Know Request.  
Feel free to contact me with any questions.

Thank you,

Jim O'Donnell  
Senior Producer  
NBC10 Philadelphia  
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[Jim.O'Donnell@NBCUNI.com](mailto:Jim.O'Donnell@NBCUNI.com)  
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