

GENERAL ORDER XIV

Subject: TIRE DEFLATION DEVICES

Effective Date: 06-13-02 Review Date: 02-05-2014

Note: This rule or regulation is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a high standard of safety of care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

I. Purpose

To establish standards of proficiency with the Tire Deflation Devices for the department personnel.

II. Policy

A. The use of issued tire deflation devices by the West Plains Police officers, in accordance with this policy, is authorized and encouraged, when feasible, to stop fleeing vehicles in a reasonable, safe manner and to preclude the use of a greater level of force

1. Officers will receive training from an approved instructor.
2. Tire deflation devices will be kept in designated vehicles per shift to facilitate rapid deployment.
3. A supervisor will ensure the deployment of tire deflation devices is appropriate under the circumstances and the location of the deployment is reasonable.
4. Officers will use tire deflation devices in accordance with the training they have received in their use and the guidelines provided in this policy.
5. Prior to deploying tire deflation devices, the following criteria must be met:
 - a. The person fleeing apprehension must be suspected of committing or attempting to commit a felony and/or driving while intoxicated and presents an imminent danger to the public.
 - b. The person operating the vehicle is, through their operation of the vehicle, presenting an imminent danger to public safety and stopping the vehicle is imperative.
 - c. The primary unit in the pursuit has not lost sight of the fleeing vehicle.
6. Unless extreme circumstances justify the use of deadly force, West Plains Police officers will not deploy tire deflation devices to attempt to stop two (2) or three (3) wheeled vehicles or All-Terrain Vehicles.
7. West Plains police officers deploying a tire deflation device will:
 - a. Closely coordinate their deployment with their supervisor, and other pursuing units, especially those from other agencies.

- b. Activate the red emergency warning lights on their patrol vehicle.
 - c. Deploy the device from a position of relative safety, whenever possible. Ensure that everyone at the scene has sought a secure location away from the path of the fleeing vehicle.
 - d. Take reasonable measures to ensure drivers, other than the violator, do not drive over the device.
 - e. Avoid deployment in locations where there are increased risks of injury, i.e. roadways bounded by ravines or steep embankments, in sharp curves, where the sight distance is unreasonably limited, and where there is heavy oncoming traffic.
 - f. Observe suspect vehicle, the driver and other occupants to aid in later identification.
 - g. Remove the device as quickly as possible after the fleeing vehicle has passed.
8. Pursuing officers, upon nearing the deployment location of a tire deflation device, will increase distance between their vehicle and the fleeing vehicle by slowing down, to allow the device to be removed from the roadway before they pass the location.
 9. If the tire deflation devices cause any damage or injury to vehicles or persons not involved in the pursuit, the deploying officer should contact the affected person and:
 - a. Explain the situation.
 - b. Assist the person in obtaining necessary treatment or repairs.
 - c. Notify the Chief of Police or the Assistant Chief of Police as soon as possible after deployment.
 - d. Submit the necessary reports.
 10. Any West Plains police officer deploying a tire deflation device will complete a detailed report depicting the circumstances surrounding the deployment including:
 - a. A description of the location of deployment
 - b. The results of the deployment on the fleeing and pursuing vehicles and suspects
 - c. A description of any damage or injury to person(s) or vehicle(s) other than the fleeing vehicle and pursuing vehicles, along with their names(s) DOB, address, phone number and social security number(s).

11. If there is a report filed by pursuing officers of the West Plains Police

Department, the officer deploying the tire deflation device shall supplement the original report only. If there is no other report and/or deployment was to assist another agency, an Agency Assist Report should be completed, including the name and department of the officer requesting the assistance.

AUTHORITY

A. This policy is issued by the authority of the Chief of Police. Any policy additions, deviations or revisions shall be made only at the direction of the Chief of Police.

By Authority of:

Jeffrey S. Head, Chief of Police