



# Apex Police Department General Order



<b>Title</b> Roadblocks and Forcible Stopping	<b>Order Number</b> 708-20
<b>Effective Date:</b> July 29, 2020	<b>Amends:</b> General Order 708-16
<b>CALEA Standard:</b> 41.2.3	<b>Rescinds:</b>
<b>Reference:</b>	<b>Pages:</b> 9
<b>Forms:</b> F709 – Vehicle Pursuit Report	

## Roadblocks and Forcible Stopping

### Purpose

The purpose of this directive is to establish guidelines for the use of roadblocks and other forcible stopping techniques in vehicle pursuits and/or other situations.

### Policy

It is the policy of the Apex Police Department to have strict guidelines for use of roadblocks and other forcible stopping techniques in order to ensure the safety of all motorists and persons participating in such maneuvers. Procedures must be used that are designed to accomplish the objective and yet afford maximum safety, commensurate with the situations.

### Definitions

*Forcible Stopping* – The use of an intervening tactic (i.e. moving roadblock, TDD, etc.) used to impede or stop the movement of a vehicle.

*Moving Roadblock* – A mobile vehicular tactic that involves two or more police vehicles positioned to contain and slow a violator attempting to evade apprehension. The police vehicles ultimately slow to a stop; thus, allowing the arrest of the violator. As this approach is usually successful only at lower speeds, officers are cautioned to evaluate carefully the propriety of such maneuvers before implementation.

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*Precision Immobilization Technique (PIT)* – Is a pursuit tactic by which a pursuing car forces a fleeing car to turn abruptly sideways, causing the driver to lose control and stop. **(NOTE: The Apex Police Department does not authorize the use of PIT maneuvers.)**

*Reasonable Care* – The degree of caution and concern for the safety of officers and others an ordinarily prudent and rational person would use in similar circumstances.

*Roadblock* – Any method, restriction, or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of an actual or suspected violator.

*Stationary Roadblock* – A fixed location roadblock used for the purpose of stopping a motorist attempting to evade apprehension; such roadblocks may use police vehicles, barricades, or other vehicles as deemed appropriate.

*Tire Deflation Devices (TDD)* – Devices specifically designed to puncture the tires of a fleeing vehicle, causing the tires to deflate in a controlled manner and render the vehicle incapable of further operation. Used primarily as a forcible stopping technique and in limited additional circumstances as appropriate.

### Procedure

#### Pursuit Resolution, Generally

1. Officers and supervisory staff are encouraged to use pursuit resolution strategies and techniques (i.e. containment, choke points, guiding a suspect vehicle to a deployment area) to bring the pursuit to a successful and safe conclusion.
2. **This information has been redacted pursuant to N.C. General Statute 132 - Public Records.**  
[REDACTED]
3. If a roadblock or forcible stop is used, form F709 – *Vehicle Pursuit Report* will be completed and submitted as outlined in General Order 709 – *Vehicle Pursuits*. (41.2.3 (e))
  - **NOTE:** The use of roadblocks and/or forcible stops will be reviewed by supervisory staff and are subject to the same analysis as a pursuit.

#### Standards for All Forced Vehicle Stops (41.2.3 (b))

1. The site for all forced vehicle stops will be selected with due regard for the safety of motorists and the officers executing the stop. Sufficient distance must be provided for motorists to stop in a safe manner under the existing conditions.

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2. Use of roadblocks can be considered an application of deadly force and must be reasonable under the circumstances. Any use of force must be in accordance with state law, General Order 701 – *Use of Force*, and any other applicable written directives.
3. Use of a roadblock may be considered a seizure under the Fourth Amendment of the United States Constitution; the on-duty supervisor, Watch Commander, and officer(s) involved must consider the following:
  - The severity of the offense
  - Whether the suspect(s) pose a threat to the public or the officer
  - Reason(s) why the suspect(s) were actively attempting to evade arrest, if known
  - Location in which the roadblock is to be set up (the location must be selected to attempt apprehension without causing unnecessary risk to the fleeing motorist, officers, bystanders, etc.)
4. All roadblocks must be marked by activated emergency lights, marked patrol vehicles in conspicuous locations, or other ways to ensure that motorists are aware that an authorized law enforcement roadblock is being conducted.
5. No roadblocks will be attempted when the prevailing weather and other conditions (road, weather, traffic, vehicle speeds, etc.) are not conducive to a successful resolution and/or pose too great a risk to the public, officers, and the evading motorist.
6. **This information has been redacted pursuant to N.C. General Statute 132 - Public Records.**  
[REDACTED]  
[REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
7. **This information has been redacted pursuant to N.C. General Statute 132 - Public Records.**  
[REDACTED]
8. Officers must maintain radio contact with the Communications Center.
9. Officers will not initiate or participate in a roadblock if they have a civilian passenger in the vehicle.
10. Only marked patrol vehicles are allowed to participate actively in roadblocks. An on-duty supervisor, Watch Commander, or sworn supervisor at the rank of Captain or higher will assign officers and vehicles as necessary with the goal of the safe and successful apprehension of the suspect(s).

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11. The use of roadblocks may be considered only after all other reasonable measures have failed to bring about the desired, lawful, and reasonable police objective, and with supervisor approval. (41.2.3(a))
12. Officers will terminate use of any forcible stopping technique when instructed to do so by a supervisor.
13. Ramming or other intentional contact (i.e. PIT maneuver) with the violator vehicle is strictly prohibited.

### **Authorizing Roadblocks (41.2.3 (d))**

1. Roadblocks (stationary or moving) will not be conducted unless authorized by an on-duty supervisor at the rank of Corporal or higher. The authorizing supervisor:
  - Will be responsible for all decisions concerning the establishment, location, and duration of roadblocks
  - Should not be an active participant in a roadblock or in the initial pursuit
  - May trail, but may not become involved in extraordinary vehicle operations unless unusual circumstances exist
  - Will complete a supplemental report to the case report documenting the circumstances leading to the decision to authorize the roadblock
2. Upon notification of a situation requiring a roadblock, the on-duty supervisor will:
  - Determine the type of roadblock to be attempted
  - Assign the necessary personnel
  - Ensure that appropriate warning and safety devices are used
  - As soon as possible, notify the Patrol Division Commander of the intended or actual use of a roadblock

### **Moving Roadblocks**

1. **This information has been redacted pursuant to N.C. General Statute 132 - Public Records.**  
[REDACTED]  
[REDACTED] (41.2.3 (a))
2. All officers participating in a moving roadblock will operate BOTH blue lights and siren AT ALL TIMES during the moving roadblock attempt. (41.2.3 (b))
3. **This information has been redacted pursuant to N.C. General Statute 132 - Public Records.**  
[REDACTED] (41.2.3 (b))
  - **This information has been redacted pursuant to N.C.**  
[REDACTED]



### Stationary Roadblocks

1. A stationary roadblock should only be used as a last resort when attempting to apprehend dangerous fleeing suspect(s) as defined previously. (41.2.3 (a))
2. The use of a stationary roadblock is considered deadly force and should be used in accordance with North Carolina General Statutes, General Order 701 – *Use of Force*, and any other applicable written directive.
3. An on-duty supervisor, Watch Commander, Division Commander, or higher authority must determine that such action is necessary based on the following criteria: (41.2.3 (a)(d))
  - It will likely result in the apprehension of a suspect who poses a danger to life
  - A less obstructive means would not be appropriate
4. The following procedure for the implementation of stationary roadblocks are to be followed: (41.2.3 (b))
  - This information has been redacted pursuant to N.C. General Statute 132 - Public Records.  
[Redacted]
  - [Redacted]

### Tire Deflation Devices (TDD)

1. The deployment of the TDD (i.e. road spikes) will occur only when deemed appropriate by the on-duty supervisor, Watch Commander or higher authority. (41.2.3 (b))
  - TDDs may be used to force a controlled stop to a police vehicle pursuit. (41.2.3 (a))
  - TDDs may be used to prevent stationary vehicles from being moved in an attempt to flee a scene. Examples may include: (41.2.3 (a))
    - This information has been redacted pursuant to N.C. General Statute 132 - Public Records.  
[Redacted]
    - [Redacted]
    - [Redacted]
    - [Redacted]
2. All of the following criteria will be met prior to the use of TDDs as a forcible stopping technique: (41.2.3 (a))
  - There is reasonable cause to believe the suspect has committed an offense justifying his/her arrest

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- The officer attempting to apprehend the suspect, has given the suspect notice of the command to stop by using blue lights and siren
  - The suspect has ignored the efforts and warnings obvious and visible to a reasonable person in the suspect's position
  - Officers have chosen effective and safe locations for the placement of TDDs, with good sight distances to enable the officer deploying the devices to observe the pursuit and other traffic as it approaches
3. Use of the TDD is governed by the following: (41.2.3 (b))
- Only personnel trained in the use of the TDD will deploy it (41.2.3 (c))
  - This information has been redacted pursuant to N.C. General Statute 132 - Public Records.  
[REDACTED]  
[REDACTED]  
[REDACTED]

### *Deployment Procedure (41.2.3 (b))*

1. When the decision is made to deploy the TDDs, the lead pursuit unit or supervisor monitoring the pursuit will notify the TDD deployment officer as far in advance as possible of the necessity of its use.
  - All officers/agencies involved in the pursuit will be informed of the TDD deployment whenever practical.
  - The pursuing officers, upon approaching the deployment location, will allow enough distance between the law enforcement vehicle and the suspect vehicle that the deploying officer can remove the TDD from the roadway after the suspect vehicle has engaged the device and before engagement is possible by the law enforcement vehicle.
    - This will require the pursuing officers to drastically decrease the speed of their vehicles upon approach of the deployment location; however, continue to pursue at a decreased speed with emergency lights and siren in use.
  - The officer deploying the TDD will notify the Communications Center when the device has been removed from the roadway and whether the suspect vehicle made contact with the TDD.
2. Safety of the officers and public will be considered in site selection:
  - Reasonable care must be given to traffic, construction, special events, and/or other activities that make the use of TDDs inappropriate
  - Reasonable care must be given to the position and vulnerability of the public, private property, and other assisting units and equipment
3. Deployment of the TDD will not be attempted unless there is sufficient time to complete the task in a safe, organized, and efficient manner.

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- Officers will make every effort to deploy the TDD from a position of safety, using protective barriers, such as guardrails, trees, etc.
  - After deploying the TDD, all persons at the scene should immediately seek protection out of the travel lane or escape route of the suspect and pursuing vehicles (i.e. behind hard cover such as a guiderail, building, etc.).
  - Once a TDD has been deployed, pursuing officers should increase their following distance in order to avoid striking the device.
4. The TDD deployment officer will secure the device as soon as possible following its use.
    - The officer will inspect the immediate area where the device was used and collect any spikes or points, which may have become detached.
    - The officer will notify the Support Services supervisor of any repair needed.
  5. TDDs will be deployed in accordance with the manufacturer's recommendations and department training guidelines.
    - TDDs will be inspected during the vehicle inspection as required by General Order 604 – *Inspections*.
  6. Officers, with supervisory approval, may use a TDD to assist another agency pursuing a vehicle into the jurisdictional boundaries of the Town of Apex ONLY when authorized to assist an outside agency as outlined in General Order 709 – *Vehicle Pursuits*. **NOTE:** The use of a TDD is not authorized outside the jurisdictional boundaries of the Town of Apex.
    - In this type of situation, an officer will deploy the device for the requesting agency and will deploy the device in accordance with this General Order.
    - The supervisor will, through the Communications Center, notify the pursuing agency of the location of deployment. (**NOTE:** All deployments of a TDD will be documented and reviewed in accordance with this General Order and General Order 709 – *Vehicle Pursuits*.)

### Training (41.2.3 (c))

1. Training on roadblock and forcible stopping techniques (i.e. TDDs) will be provided to all sworn personnel in accordance with General Order 502 – *Training Programs*. At a minimum, training will be conducted:
  - During a field training program (new hires)
  - Annually, through in-service Driver's Training or shift briefing training
  - As needed or directed by the Administrative Division Commander, Deputy Chief of Police or Chief of Police

Text in "Green" denotes a significant change in policy

**BY ORDER OF:**

A handwritten signature in black ink, reading "John W. Letteney". The signature is written in a cursive style with a large initial "J".

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John W. Letteney  
Chief of Police