

	GAITHERSBURG POLICE DEPARTMENT		
	Roadblocks and Forcible Stopping		
	GENERAL ORDER 622.2	Related CALEA Standards: 26.1.1, 41.2.2, 41.2.3, 61.3.2, 81.2.4	
Effective Date 06/23/2016			
Authorized by: Mark P. Sroka <small>CHIEF OF POLICE</small>	<small>SIGNATURE</small> 	<small>DATE</small> 06/23/2016	

I. DEPARTMENT POLICY

Due to the inherent dangers in the use of roadblocks (pursuit and non-pursuit situations), officers will refrain from setting up roadblocks for the purpose of apprehending suspects when it is apparent innocent persons could be endangered. A roadblock may be established, or a vehicle forcibly stopped **under limited circumstances, and with supervisory approval.**

II. WHEN A ROADBLOCK MAY BE AUTHORIZED BY A SUPERVISOR

A. Criteria/Procedures

1. All sworn members of the department receive training on the use of agency authorized roadblocks and forcible stopping techniques. Training may be in the form of written directive review, conducted during roll call.
2. A roadblock will not be established unless **no other means** is available to stop the pursued vehicle.
3. Only a Command Staff member or Shift Supervisor may authorize a roadblock after careful consideration of the facts and circumstances known at the time, such as:
 - a. Type of incident,
 - b. Presence of hostages,
 - c. Likelihood of injuries,
 - d. Hazards to police and public if the pursuit is continued,
 - e. Traffic/road conditions,
 - f. Environmental conditions,
 - g. Relative weights and sizes of the vehicles involved, and
 - h. In what location could a stop be made that provides

maximum safety for those involved, and for innocent bystanders/passers-by.

B. Offenses For Which A Supervisor May Authorize A Roadblock

1. A Command staff member or shift supervisor, after considering the above-listed factors, may authorize a roadblock when there is probable cause to believe that the crime committed was a felony of a violent type (one that involved infliction or threatened infliction of serious physical harm or death.
2. In the event a supervisor is called upon to authorize a roadblock, they must be cognizant of the fact that *it is generally recognized that roadblocks can be ineffective and inherently dangerous* in certain areas (i.e., heavily populated areas, heavily traveled roadways, etc.). Therefore, supervisors will weigh these factors and the dangers posed to bystanders when considering whether or not to authorize a roadblock.

III. FORCIBLE STOPPING

A. Ramming Another Vehicle

1. The intentional striking of a suspect's vehicle by a police vehicle is prohibited, unless the use of deadly force is justified and there are no passengers in the vehicle.

B. Boxing-In A Vehicle / Use of Rolling Road Blocks

1. Police vehicles will not box-in a vehicle being pursued, nor will officers employ a "rolling roadblock" to attempt to stop a vehicle being pursued. However, *with prior supervisory approval*, officers are authorized to use their police vehicles to "box-in" a vehicle that is not being pursued, but will not stop in compliance with an officer's stop signal.
 - a. An example of this type of box-in would be a suspected DUI who is traveling at or below the posted speed limit and is not responsive to the officer's emergency equipment.
 - b. This directive does not prohibit the commonly used procedure known as a "takedown" by SAT or other covert units in a non-pursuit situation.

C. Cordon Roadblocks

1. A supervisor may authorize this type of roadblock in order to stop every vehicle on a particular roadway or parking lot entrance/exit.
2. This type of roadblock is generally established in conjunction with an investigation and depending upon the circumstances for which it is needed, allows for proper identification to be checked and non-suspect vehicles allowed to continue.
3. Officers participating in this type of roadblock will wear high-visibility clothing.
4. Officers will be courteous in their dealings with motorists and inform them why the roadblock has been established and officers will not detain a motorist any longer than absolutely necessary.

D. Stationary Roadblocks

1. Stationary roadblocks are to be used as last resorts because of the potential for serious injuries/death if the pursued vehicle strikes the roadblock itself.
 - a. **The use of this type of roadblock must be authorized by a supervisor prior to being established.**
2. This type of roadblock will never be authorized if the pursued vehicle contains a hostage(s).
3. Supervisors will ensure that when this type roadblock is established:
 - a. It will be on a stretch of roadway that allows the pursued vehicle ample time/room to stop; *and*
 - b. Only unoccupied police vehicles will be used as the stationary roadblock and officers leaving said unoccupied vehicles will assume a position of cover; *and*
 - c. Pursuant to the provisions of TA 19- 102, officers will not direct any driver, owner, or passenger of a non-police vehicle to participate in any roadblock.
4. Officers pursuing a vehicle for which a roadblock has been authorized will:
 - a. Be equipped and positioned so that their safety is maximized;

- b. Not force the pursued vehicle into an on-coming traffic lane; and
- c. Prepare for a felony stop of the vehicle.

IV. COMMUNICATIONS

A. Effective Communications Critical

- 1. Communications between the officers involved in the pursuit/roadblock situation is critical to the safe resolution of the incident.
- 2. Officers involved in this situation should consider having PSCC place a restricted air on the channel being utilized for the pursuit.
- 3. In the event the channel cannot be used exclusively for this purpose officers should consider an alternative radio frequency.
- 4. PSCC will follow its Standard Operating Procedure, which includes provisions for, among other things:
 - a. Notifications of adjoining districts and jurisdictions;
 - b. Arranging for an appropriate communications link, radio channel or talk group within the County or with any foreign jurisdiction entered;
 - c. Requesting canine; and
 - d. Arranging for air support.

V. AIR SUPPORT

A. Utilization of Aircraft

- 1. Air support is especially helpful in pursuits or for situations involving roadblocks. Aircraft will generally have an unobstructed view of the pursuit and the geographical area involved.
- 2. Requests for air support will be through PSCC, who will in-turn contact MC-10 or MSP Syscom, as appropriate.
- 3. If air support is available, the patrol supervisor will designate a communications car.

VI. ROADBLOCKS IN A FOREIGN JURISDICTION

A. Prior Approval Required

1. A roadblock will not be established in a foreign jurisdiction (i.e., another county, State, D.C., etc.) unless the criteria set forth in this directive is met, *and* it is authorized by a City supervisor *and* a supervisor from the jurisdiction entered .

B. Roadblock Resulting in Arrest Within the State of Maryland

1. If Gaithersburg Police officers make the apprehension *within the State of Maryland*, they may take immediate custody and return the suspect(s) to Montgomery County for processing.
2. When officers from the jurisdiction that was entered arrive, Gaithersburg Police officers will cooperate with those officers to ensure proper coordination and resolution.

C. Roadblock Resulting in Arrest Outside Maryland

1. If Gaithersburg officers make the apprehension of the pursued individual in another State or in D.C., Gaithersburg officers *may not return the individual to Montgomery County* (even if the apprehended person is willing to voluntarily return to Maryland), but will detain the individual until the arrival of the officers from the jurisdiction entered and will promptly relinquish custody to the foreign jurisdiction for extradition proceedings.

VII. REPORTING, REVIEW AND ANALYSIS REQUIREMENTS

- A.** All roadblocks and events requiring forcible stopping techniques will be documented in an event report.
- B.** All reports of roadblocks and forcible stopping techniques will be reviewed by supervisors at every level, through the Chief of Police. The review will include footage from involved officers' in car cameras, as well as radio communications via a PSCC.
- C.** Any requirement for additional training, based on the review, will be initiated by the Bureau Commander.
- D.** The Operations Bureau Commander will do an annual analysis of roadblocks and forcible stopping techniques, if the number of these incidents is sufficient for analysis.