



CHANDLER POLICE DEPARTMENT GENERAL ORDERS



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General Order E-03

By Order of

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Police Legal Advisor

E-03 EMERGENCY AND PURSUIT OPERATIONS

100 PURPOSE

This general order provides guidelines and assigns responsibilities for emergency driving and pursuit driving when operating departmental vehicles.

200 POLICY

[41.2.1]

The Police Department's primary concern in emergency and pursuit driving situations is the protection of lives and the safety of all citizens and officers. The policy is designed to assist the officer in reaching the scene of an emergency with the least possible delay. Under specified conditions, an officer may be exempt from obedience to certain motor vehicle laws where such obedience would cause unnecessary and unreasonable delay in reaching the scene of an emergency.

300 EMERGENCY DRIVING

[1.2.7] [41.2.1] [41.2.2]

During emergency driving conditions, officers will comply with the provisions of ARS 28-624 and **must not create a greater hazard to public safety than might reasonably be created by the emergency to which the officer is responding.** Driving under emergency conditions does not relieve the officer from the duty to drive with due regard for the safety of all persons, nor will these provisions protect the driver from the consequences of his disregard for the safety of others.

A. Definition - *Emergency driving* is defined as the operation of an authorized emergency motor vehicle (a police vehicle equipped with identifying markings; operating flashing, rotating, or strobe lights; and a siren) by a police officer in response to a situation that either Communications or the responding officer has determined to be an emergency requiring immediate response. Officers are also authorized to use lights and siren when traffic conditions require the use of this equipment to allow the officer to respond to a high priority call for service in a timely manner.

1. In order to exercise the privileges set forth in paragraph 300A if the following three conditions exist simultaneously:

- a. The vehicle driven must be an authorized emergency vehicle (see definition).
 - b. The vehicle must be responding to an emergency or priority call as defined in 300A or be in immediate pursuit of an actual or suspected violator as defined in 400C.
 - c. Drivers of authorized emergency vehicles operating under emergency conditions will use their siren and emergency lights. Emergency lights only may be used in responding to certain criminal calls to avoid alerting suspects. However, the use of emergency lights only does not exempt the driver from the provisions of the Traffic Code.
- B. Decision Guidelines - The decision to drive under emergency conditions will be discretionary with every officer in accordance with department policy for emergency response guidelines.
1. Officers may respond code 3 to those calls where the information supports the officer's probable need to apply first aid, CPR, or other life saving practices including police intervention upon arrival to the scene **and** that a delay in their arrival may result in serious injury or the loss of life.
 2. Officers will consider such factors as traffic volume, time of day, type of crime in progress, weather and road conditions and potential hazard or liability to themselves and the public.
 3. Officers responding to assist another officer (905, 906, 998, 999) will bear in mind that even though a rapid response may be essential, they must arrive at the scene safely in order to be of assistance.
- C. Officers driving authorized emergency vehicles may do the following, provided due regard for the safety of all persons is considered:
1. Proceed past a red or stop signal or stop sign, **but only after stopping or slowing as may be necessary for safe operation.**
 2. Exceed the prima facie speed limits as long as life or property is not endangered.
 3. Disregard regulations governing direction of movement or turning in specified directions as long as life or property is not endangered.
 4. Park or stand irrespective of the provisions of ARS Title 28.

- D. **Only the closest available** unit dispatched to a traffic accident with injury or reported injury may respond code 3.
1. Upon dispatch, responding officers will give their current location so other units/dispatcher have an idea where that unit is responding from, regardless of whether they are actually taking disposition of the accident. The closest unit will then advise if he will be responding Code 3.
 2. Drivers of police transport vans or other police vehicles not equipped with identifying decals, emergency lights, and a siren **will not** engage in emergency or pursuit driving.
 3. Motorcycle units shall respond Code 3 only to a "999" or pursuit situation because of the danger involved.
- E. Officers driving under emergency conditions will take necessary steps to ensure that the dispatchers can understand their radio transmissions, e.g., roll windows up.
- F. The driving involved with the apprehension of routine traffic violators is **not** considered to be "emergency driving." Officers are expected to make reasonable efforts to apprehend routine traffic violators and may exceed the posted speed limit to clock a vehicle or may disregard other traffic laws, e.g., red light, when it can be done safely. Officers may activate emergency lights to signal the suspect driver to yield to the officer when attempting to stop motor vehicles to investigate possible traffic or criminal violations.

400 PURSUIT DRIVING

[41.2.1] [41.2.2] [61.3.4]

- A. Definition - A motor vehicle pursuit is an active attempt by a law enforcement officer operating an emergency vehicle and utilizing simultaneously all emergency equipment to apprehend one or more occupants of another moving vehicle when the driver of the fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing his speed, disobeying traffic laws, ignoring the officer, or attempting to elude the officer.
- B. **A pursuit is justified only when the necessity of immediate apprehension outweighs the level of danger created by the pursuit.** During pursuit situations officers will continuously evaluate the following:
1. Compliance with the provisions of ARS Title 28-624.
 2. Consideration of traffic and weather conditions and the locations involved.
 - a. Volume of vehicular traffic
 - b. Location of pursuit – i.e., residential, school zones
 - c. Weather conditions - visibility
 - d. Road conditions – i.e., wet, construction

- e. Volume of pedestrian traffic
 - f. Control of vehicle - must be in complete control of vehicle at all times
3. The identify of the suspect(s) is known, lessening the need for immediate apprehension.
 4. Awareness that pursuit driving does not offer immunity from the provisions of the State Criminal Code, Title 13.
 5. Regard for the safety of all persons.
- C. Decision to Pursue Provisions – The purpose of the following provisions of this order is to prevent intervention by a CPD officer from being the source or cause of the suspect’s reckless or hazardous driving behavior.
1. **No pursuit will be initiated** when an officer attempts police intervention for a traffic or non-violent criminal violation and the suspect vehicle or its occupants are not exhibiting or have not previously exhibited hazardous conduct, but commence hazardous driving after attempted police intervention and the suspect vehicle flees.
 2. **A pursuit may be initiated** when an officer attempts police intervention for a traffic or non-violent criminal violation and the suspect(s) exhibits hazardous conduct **other than driving** after attempted intervention and the suspect vehicle flees. Examples include serious felonies such as the pointing of a firearm or a hit and run collision with probable serious injuries.
 3. **A pursuit may be initiated** when an officer attempts police intervention for continuing hazardous or reckless driving behavior or a violent criminal offense committed or exhibited prior to the attempted intervention and the suspect vehicle flees. Examples include continuous reckless driving, aggravated assault, armed robbery.

Considerations:

- *Does the immediate apprehension of the suspect outweigh the level of danger created by the pursuit?*
- *Does the pursuit create a greater hazard than previously existed?*

500 PURSUIT TERMINATION

[41.2.1] [41.2.2]

- A. Patrol supervisors will assert control by monitoring the pursuit and taking the necessary action to comply with this policy.
- B. A pursuit will be terminated immediately under any of the following conditions:

1. A shift commander or field supervisor orders the pursuit terminated.
 2. Air support becomes available during the pursuit. In this case officers will continue to follow the suspect vehicle according to the directions by air support, but out of sight of the suspect vehicle. Officers will follow to the location air support gives for the suspect(s) when they abandon the car and apprehend the suspect(s).
 3. The distance between the officer and suspect is such that in order to continue the pursuit it would require exceptional speeds that would place the officer and the public in serious danger.
 4. The officer loses visual contact with the suspect for an extended period of time (approximately 15 seconds). This is not to imply that the officer must cease looking for the suspect; however, the officer must slow to a safe operating speed if he loses visual contact with the suspect.
 5. When there is a clear and unreasonable hazard to the officer, fleeing suspect, and/or other persons. A clear hazard exists when speeds dangerously exceed the normal flow of traffic or when vehicular or pedestrian traffic necessitates erratic maneuvering which exceeds the performance capabilities of the vehicles or the drivers.
 6. When adverse traffic and weather conditions exist (see 400B2). However, a supervisor may order the pursuit to continue notwithstanding these factors if the suspect(s) poses a more serious threat than the adverse conditions. (i.e., homicide suspect, habitual sexual assault suspect).
- C. The driver of a primary or backup unit will terminate his involvement in the pursuit immediately if his vehicle experiences equipment failure involving the vehicle's emergency lights, siren, radio, brakes, steering, or other essential mechanical equipment.
- D. An officer or supervisor will not be criticized or disciplined for terminating a pursuit under the provisions of this section.
- E. Authorized Activities After Pursuit Termination
1. Consider the effect of your presence in the area of the suspect
 2. **If suspect engages in non-routine driving**, consider staying out of sight or increasing distance between you and suspect or using traffic to conceal yourself or turning onto another street, etc.
 3. Continue authorized law enforcement operations
 4. May continue in direction suspect was traveling **using only routine driving**
 5. May continue attempts to apprehend, such as stakeouts, investigation, air surveillance, etc.

- 6. Continue to broadcast any information to aid in apprehending suspect
- 7. May deploy stop sticks

600 GENERAL PROVISIONS

The following policies will govern vehicular pursuits:

A. Pursuit Vehicle Responsibilities

Pursuit Vehicle Responsibilities	
Primary Marked (First) Unit	<ul style="list-style-type: none"> • will activate his unit's emergency lights and siren and will notify Communication of the pursuit. • should broadcast special information, such as hazards, to officers, i.e., traffic conditions
Backup Marked (Second) Unit	<ul style="list-style-type: none"> • activate vehicle's emergency lights and siren • advise Communications that he is the backup unit. • follow the primary vehicle at a safe distance, but remain close enough to assume communications responsibilities from the primary unit if possible.
Unmarked Units	<ul style="list-style-type: none"> • vehicles not equipped with identifying markings, emergency lights, and a siren are prohibited from becoming involved in a pursuit in any capacity; • Exception – SET vehicles may pursue when directly related to a serious felony. The pursuit will be turned over to a fully-marked police vehicle as soon as possible.
Unit With Civilian Rider	<ul style="list-style-type: none"> • avoid participating in a pursuit if possible • if unavoidable, turn over pursuit to another marked vehicle as soon as possible • vehicles transporting suspects or prisoners will not be involved in pursuits unless it is a life-threatening situation
Motorcycle Units	<ul style="list-style-type: none"> • may become involved in a pursuit as a primary unit only when they initiate the pursuit. • will turn the pursuit over to a marked unit as soon as possible.

1. Number of Pursuit Vehicles - Unless otherwise directed by a supervisor, **no more than two** police units will become actively involved in a pursuit. Other officers should be alert to the progress and location of the pursuit. They will cover escape routes in their beats and attempt to stop cross-traffic that would be endangered at major intersections.
2. Emergency Lights and Siren - Emergency lights and siren will be used at all times during a pursuit. This does not preclude an officer from operating his siren intermittently on "manual" in order to maintain audible communication on his radio when safe to do so. Officers are strictly prohibited from driving without lights and siren in order to pursue or maintain visual contact with a fleeing vehicle, unless the officer's driving is in compliance with traffic laws.
3. Overtaking Suspects - As a general rule, officers should not attempt to overtake, pass, or "box in" a fleeing suspect vehicle. To do so places the

officer in a highly vulnerable position. Generally, the pursuing officer(s) should maintain a safe distance from the suspect and merely keep the suspect vehicle in sight until the suspect voluntarily stops. All police pursuit vehicles should maintain a safe distance apart, particularly at intersections, to avoid collisions.

4. Firearms - An officer **shall not shoot** from a moving vehicle or at a moving or fleeing vehicle except when necessary in self defense or in defense of another person's life when all other reasonable means have failed, and then only when the use of the officer's firearm creates no substantial risk to innocent persons, as noted in GO E1.1100D.
5. Ramming – Officers may not stop or attempt to stop a moving suspect vehicle during a pursuit by striking the suspect's vehicle with the police vehicle. Possible activation of air bags and/or loss of vehicle control prohibit this action.
6. Pinning/Blocking – At low speeds, officers may attempt to pin and/or block a suspect vehicle from continuing further, e.g., suspect vehicle attempting to depart from a parking spot. Consideration must be given to the possibility of the activation of air bags, cross fire situations, etc.
7. Roadblocks - Under certain circumstances, the blocking or barricading of a road by using patrol cars may become necessary. Because of the inherent dangers associated with the use of roadblocks, the following policy will be adhered to.

ROADBLOCK CONSIDERATIONS	
Last resort only	<ul style="list-style-type: none"> • Fixed roadblocks shall be used only as a last resort and the use of deadly force is justified.
Supervisor required	<ul style="list-style-type: none"> • Any roadblock used to terminate a pursuit must be approved and controlled by a supervisor.
Vehicles used	<ul style="list-style-type: none"> • Only marked patrol vehicles will be utilized in a roadblock.
Escape avenue	<ul style="list-style-type: none"> • In all cases, an avenue of escape will be provided to the suspect.
Police safety	<ul style="list-style-type: none"> • All personnel shall be clear of the blocking vehicles • Maintain a safe distance from the roadblock.
Public safety	<ul style="list-style-type: none"> • Select a position for the roadblock giving the utmost consideration to the safety of the public.
Maintain high visibility	<ul style="list-style-type: none"> • Roadblocks shall be well lighted • Use overhead emergency lights as well as vehicle headlights • Use flares, traffic cones, and other available lighting equipment if circumstances allow
Lighting	<ul style="list-style-type: none"> • Overhead emergency lights as well as vehicle headlights will be activated on all patrol cars. • Flares, traffic cones, and other available lighting equipment will be used as circumstances permit.

ROADBLOCK CONSIDERATIONS	
Boxing in	<ul style="list-style-type: none"> • Marked or unmarked units may be used to box in an unaware suspect in order to avoid a pursuit.

- B. Portable devices – designed to disable vehicles are authorized.
1. In pursuit situations as outlined in C (Decision to Pursue Provisions)
 2. Generally, a vehicle-disabling device may be used:
 - a. When there is definite knowledge that the person(s) fleeing are suspected of a serious felony.
 - b. When the violator constitutes an immediate and continuing hazard and all other efforts to effect apprehension have failed.
 - c. In any serious criminal manner where a car is stationary, but it is anticipated that the operator may attempt to flee.
 3. Whenever possible, on-coming vehicular traffic shall be prevented from entering the area when portable devices designed to disable vehicles are used.
- C. Stop Sticks - are considered to be a portable device designed to disable vehicles as described in E (Portable Devices) above. All marked Field Operations vehicles are authorized to contain Stop Sticks. Personnel using department issued Stop Sticks shall be trained in the use of them and shall adhere to the following guidelines:
1. Place the department vehicle out of the path of the approaching suspect vehicle where it can be used as protection from the suspect vehicle.
 2. Connected or disconnected Stop Sticks may be placed into the path of a pursued vehicle. A pursuit need not be initiated or continuing for stop sticks to be authorized.
 3. Stop Sticks may be used to prevent a vehicle from being moved by a suspect attempting to flee a scene or to prevent the movement of a vehicle which is, or possibly will be, evidence.
 4. **Stop Sticks are not to be used for stopping motorcycles.**

700 NOTIFYING COMMUNICATIONS

[41.2.1] [41.2.2]

- A. The unit initiating the pursuit shall immediately notify the Communications Center that a pursuit is under way, providing the following information:

1. The known initial law violation or reason for the pursuit
 2. Description of the vehicle
 3. Location and direction of travel
 4. Speed and driving behavior of the fleeing vehicle
 5. Number of occupants known to be in the vehicle
 6. Description and approximate age of occupants
- B. Communications is responsible for the following:
1. Clearing the radio frequency when a pursuing unit, re-dispatching the initial information, broadcasts emergency traffic.
 2. Dispatching a backup unit and providing further information upon request.
 3. Immediately informing the appropriate field supervisor that a pursuit has been initiated.
 4. Notifying other agencies and specifying whether assistance is or is not requested by the pursuing unit.
 5. Upon initiation of a pursuit, initiating an offense report for subsequent documentation of the pursuit.

800 PURSUITS INTO ADJACENT JURISDICTIONS

[41.2.1] [41.2.2]

- A. When a pursuit extends into another jurisdiction, the supervisor (or ranking officer) in the pursuit should determine if the other agency should assume the pursuit. The following factors shall be considered:
1. The distance involved
 2. The pursuing officer's familiarity with the new area
 3. The seriousness of the violation
- B. If the adjacent jurisdiction does not assume the pursuit but offers assistance, only the primary pursuing vehicle from Chandler shall continue after the adjacent agency has arrived to assist. The backup unit will return to its area of responsibility.
- C. If the pursuit is assumed by another agency, the initiating officer, if within a reasonable distance, shall proceed to the termination point to provide information that may be required for the arrest. The backup unit will return to its area of responsibility.

900 PURSUITS BY OTHER JURISDICTIONS IN CHANDLER

[41.2.2]

When a pursuit is initiated by another law enforcement agency, that agency will be responsible for its progress. Upon request of the agency and with permission of a shift

commander or field supervisor, Chandler Police units may assume primary responsibility as long as the pursuit is within Chandler city limits.

1000 PURSUIT REVIEW

[41.2.2]

- A. Required Reports from Officers - All pursuits will require a written offense report from the initiating officer. Each assisting officer will complete a supplemental report detailing his observations and actions.
- B. Supervisor Report - The supervisor of the pursuing officer will complete a Supervisor's Pursuit Report and ensure the report is reviewed and signed by the shift commander. The Supervisor's Pursuit Report and a completed offense report will be forward to the Professional Standards Section within five (5) days of the incident. In the absence of the pursuing officer's immediate supervisor, the supervisor participating or monitoring the pursuit is responsible for preparing the Supervisors Pursuit Report.
- C. Professional Standards Section Review -A sergeant in the Professional Standards Section will review all pursuits. Officers involved in the pursuit may be required to explain their actions or submit additional documentation.
- D. Pursuit Review Panel - Upon review by Professional Standards, every pursuit will be presented to a Pursuit Review Panel. The Pursuit Review Panel will convene bi-weekly. The Professional Standards Section commander may cancel the meetings or convene the panel more frequently depending upon the volume of pursuits.
 1. The Pursuit Review Panel will consist of the seven members. A minimum of five members must be present when the pursuit is reviewed. Division commanders will select personnel on the Pursuit Review Panel annually.
 - Professional Standards Section - one sergeant
 - Patrol Division - one lieutenant, one sergeant, and one officer
 - Criminal Investigations Section - one detective
 - One police legal advisor
 - One dispatch supervisor
 2. The purpose of the pursuit review is to determine whether:
 - The pursuit was necessary and within departmental policy
 - There are training needs to be considered
 - There are any policy changes to be considered.
 3. All pursuit reviews will conclude with a determination whether or not the pursuit was within policy or justified. Pursuits will be categorized within one of three categories:

- Within policy
 - Not within policy
 - Not within policy, but justified
4. The Professional Standards Section sergeant is responsible for notifying the involved officer's immediate supervisor and shift commander of the following findings within five days of the panel meeting:
- Pursuit not within policy
 - Pursuit not within policy but justified
 - Training issues
 - Pursuit Review Panel recommendations for policy or procedural changes
- E. The Professional Standards Section commander will conduct an annual documented analysis of pursuits for each calendar year. The analysis will be utilized for training needs and/or policy modifications. [41.2.3]

SUMMARY OF CHANGES:

300B Decisions guidelines for emergency driving - Officers may respond code 3 to those calls where the information supports the officer's probable need to apply first aid, CPR, or other life saving practices including police intervention upon arrival to the scene **and** that a delay in their arrival may result in the loss of life.

300C Add, "...as long as life or property is not endangered." to permission to disregard regular driving regulations when driving emergency vehicles.

300D **Only the closest available** unit dispatched to a traffic accident with injury or reported injury may respond Code 3

- 1 Add, "Upon dispatch, responding officers will give their current location so other units/dispatcher have an idea where that unit is responding from, regardless of whether they are actually taking disposition of the accident. The closest unit will then advise if he will be responding Code 3."

400 Add, "The purpose of this order is to prevent intervention by a CPD officer from being the source or catalyst of the suspect's reckless or hazardous driving behavior."

400B3 ADD: When considering a pursuit, "If the identity of the suspect is known, this lessens the need for immediate apprehension."

400C2 Hazardous conduct examples **other than driving** changed *from* display of a weapon, aggravated assault, hit and run *to* "serious felonies such as the pointing of a firearm or hit and run collision with probable serious injuries."

400C3 **"A pursuit may be initiated** when..." Change example from DUI to continuous reckless driving....

Change Decision to Pursue Provisions "NOTE": to "CONSIDERATIONS:" and add second consideration, "Does the pursuit create a greater hazard than previously existed?"

500E NEW: Authorized Activities After Pursuit Termination includes seven listed options following pursuit termination.

600C2 Connected or disconnected Stop Sticks may be placed into the path of a pursued vehicle.
(New) **A pursuit need not be initiated or continuing for stop sticks to be authorized.**

Move Pursuit Termination from end of order to 500, following decision to pursue provisions.
1000 Add Pursuit Review Panel to review all pursuits