

STANDARD OPERATING PROCEDURE

ISSUED _____ EFFECTIVE _____

S.O.P. 12-2 VEHICLE PURSUIT ACTIONS

INTRODUCTION

The responsibility for the decision to pursue a suspected violator and the methods to be employed rest solely with the individual officer. In arriving at this decision, an officer must carefully consider all factors involved, all possible consequences, and the safety of citizens whose protection is the major objective.

Pursuit is justified only when the officer has reasonable grounds to believe the violator presents a clear and immediate threat to the public or the officer; has committed or is attempting to commit a serious felony; or when the need to apprehend the violator outweighs the level of danger created by the pursuit.

ATTENTION CEO: More people are killed in police chases than through the use of deadly force by law enforcement officers with firearms.¹ Consequently, a thorough and detailed law enforcement operations policy should be developed for this area.

This model policy reflects an effort to adhere to the 1989 Supreme Court mandate in re: Canton v. Harris, that ruled a local government can be subject to Section 1983 liability if its failure to train is deemed to reflect a "deliberate indifference" to constitutional rights.

The police vehicle and its ability to be used to terminate a chase or seize an alleged offender can be considered the use of "deadly force" and therefore subject to the "reasonableness requirement" under the Fourth Amendment.

Since the potential for serious injury is greatly increased when a motorcycle(s) is the subject of the pursuit, agencies may wish to prohibit or at least place strict limits on pursuing motorcycles.²

POTENTIAL PURSUIT SITUATIONS

When attempting to stop a violator who has not yet begun to flee, the pursuing officer should keep in mind his/her and the public's personal safety and try everything within his/her authority to apprehend the violator without resorting to a high speed chase.

ENGAGING IN PURSUIT

The law permits an officer who is engaged in pursuit to exceed the speed limit and to violate other traffic regulations as necessary in apprehending the violator, but only if:

1. The emergency lights and siren are employed, **OCGA 40-6-6**, Authorized Emergency Vehicles.
2. Officers proceed with due regard to other vehicles. It is understood that the officer's ability to supervise or control other motorists is limited by the nature of existing circumstances, and it is their duty to avoid contributing to the danger already created by the violating motorist.

PROCEDURES FOR PURSUIT

The following procedures do not relieve the responsibility of officers involved in a pursuit situation but are designed to clarify command level decisions.

GENERAL PROCEDURES

ATTENTION CEO: Local agencies should define what types of crimes justify high speed pursuit.

1. An officer will not engage in high speed pursuit when his/her vehicle is occupied by non-law enforcement personnel or authorized passengers.
2. An officer should not endanger the public or him/her self as a result of his/her driving techniques.
3. During a vehicle pursuit, no more than two Agency vehicles should become actively involved unless specifically directed by the shift supervisor or designee.
4. Upon the initiation of the pursuit, all emergency equipment (siren, revolving or flashing blue lights, emergency flashers and headlights) shall be engaged.
5. An officer driving under emergency conditions should roll up the vehicle windows to ensure that the communications officer understands all transmissions.
6. All other vehicles (excluding primary) will cease radio traffic except that of an emergency nature. Secondary pursuit officers and supervisors will communicate only when necessary.

NOTE: When two officer vehicles are engaged in a pursuit, the passenger officer will be responsible for radio communication.

7. Vehicle(s) not directly involved in the chase or apprehension efforts, will not act as emergency vehicles and will not directly pursue the fleeing vehicle, unless otherwise directed by the supervisor.
8. To avoid being arrested, some violators will take unnecessary risks. The pursuing officer shall not duplicate these hazards regardless of the extenuating circumstances.
9. The type of stop to be employed shall be a felony stop as opposed to an ordinary traffic stop. Pursuing units shall not "swarm" around the pursued vehicle.
10. Once the fleeing vehicle is stopped and the violator apprehended other officers will respond to or remain at the scene only as directed by a supervisor.

PROHIBITED PRACTICES

1. Discharging a firearm from or at a moving vehicle is prohibited, unless the occupants of the vehicle are using deadly force against the officer or another person and there is no alternative means of protecting life.

2. An officer will not pursue violators the wrong way on a freeway or entrance/exit ramps.
3. An officer will avoid intersecting the path of an on-coming high-speed vehicle.
4. An officer will not attempt to force the pursued vehicle from the roadway by driving along side or in front of the pursued vehicle, unless otherwise ordered to do so by the field supervisor.
5. An officer will not bump or ram a pursued vehicle, unless otherwise ordered to do so by the field supervisor.
6. Except for the primary and secondary vehicles directly involved in the pursuit, no other vehicles shall join the pursuit.
7. There will be no attempt to pass the primary pursuit unit unless the passing officer receives specific permission from the primary pursuit officer or the supervisor.

PRIMARY / SECONDARY UNIT RESPONSIBILITIES

1. Engagement in Pursuit

- a. When the violator of a pursued vehicle increases speed or drives in such a manner as to endanger the safety of others, the pursuing officer shall immediately activate the siren and blue lights, and shall continuously use both throughout the pursuit.
2. Other vehicles involved in a pursuit shall maintain a distance that will allow for proper braking and reaction time should the lead vehicle turn, slow down, or come to a stop.
3. Vehicles responding to assist should concentrate on covering streets parallel to the pursuit, thus creating a "boxing in" effect.
4. During pursuit, a safe distance shall be maintained between both vehicles, enabling the pursuing officer to duplicate any sudden turns and lessen the possibility of a collision should there be a sudden stop.
5. Because of the potential dangers involved, the pursuing officer shall not pull alongside a fleeing violator in an attempt to force the violator's vehicle into a ditch, curb, parked car, or other obstacle.
6. If the primary vehicle becomes disabled, the secondary vehicle will become primary and the Communications Center will advise the field supervisor and other vehicles that a new back-up is needed.
7. The primary vehicle may abandon the pursuit at any time and the field supervisor may order the termination of the pursuit at any time.

2. Communications

- a. When safe to do so, the pursuing officer shall update the situation with the Communications Center. By relaying information on the identity of his/her vehicle, location, direction of

travel, and other details, the pursuing officer enables other officers to assist. Information initially supplied on the vehicle should be verified regularly.

2. The pursuing officer will update the Communications Center as often as possible or whenever the pursued vehicle changes direction.
3. The assisting vehicle, upon joining the pursuit shall immediately notify the Communications Center of its identity. The assisting vehicle may assume radio communications responsibilities, allowing the primary vehicle to devote full attention to driving.

3. Termination of Pursuit

A pursuit situation will be terminated when:

ATTENTION CEO: Some agencies prohibit or severely limit pursuits involving motorcycles, tanker trucks, or vehicles thought to be transporting hazardous waste.

- a. Upon weighing pertinent factors, the gravity of the offense, and the prospect of losing the violator will not balance with the hazards to the officer and to the public;
2. The environmental conditions, e.g., time of day, road conditions, traffic (pedestrians or vehicular), location and neighborhoods, and weather conditions indicate the futility of continuing;
3. Distance between the pursuer and pursued continues to lengthen;
4. The type of motorized equipment being pursued (e.g., motorcycle) and the terrain (e.g., off road) makes the pursuit impractical;
5. Additional information is obtained that would allow for the later apprehension of the violator; and/or
6. At the direction of a supervisor.

COMMUNICATIONS CENTER RESPONSIBILITIES

1. Once the Communications Center is notified, a dispatcher will broadcast all pertinent information e.g. information on direction, license numbers, offense, descriptions, etc., to all units.
2. Assistance from other agencies and officers will be coordinated by the Communications Center under a field supervisor's direction. The field supervisor and the primary unit will be advised of the identity and location of back-up vehicle(s).
3. The Communications Center shall receive and record all incoming information on the pursuit, keep the supervisor informed, clear and control the communications channel, advise pursuit vehicles of any known or potential hazards in the path of the pursuit (e.g., accidents, street closures, repairs, etc.), coordinate assistance under the direction of the field supervisor and

monitor the pursuit until terminated.

4. The Communications Center shall advise other jurisdictions that might be affected by the pursuit. If vehicles from another Law Enforcement Agency become involved in the pursuit, the dispatcher will determine whether the jurisdiction being entered or agencies participating in the pursuit are signatories to the Inter-Jurisdictional Pursuit Policy. This information will immediately be broadcast to the pursuit vehicles and controlling supervisor.
5. The Communications Center will relay pertinent information to and from participating agencies.

FIELD SUPERVISOR'S RESPONSIBILITIES

1. The field supervisor is responsible for the coordination of the pursuit. Only the field supervisor may authorize more than two units to be in active pursuit.
2. Deliberate physical contact between vehicles at any time will not be justified, except as necessitated at roadblocks and under the field supervisor's order.
3. Upon notification of the pursuit, the field supervisor shall:
 - a. Ascertain the location and direction of travel;
 2. Ascertain the reason for the pursuit;
 3. Monitor the pursuit and proceed in the direction of its progress in a non-emergency mode;
 4. Ensure that no more than the required or necessary number of vehicles are involved in the pursuit;
 5. Ensure that proper radio frequency/communications is being utilized;
 6. Ensure that other affected emergency agencies are being notified if the pursuit appears to be entering another jurisdiction; and
 7. Ensure the pursuit is terminated if adequate information is not provided by the pursuing vehicles or the risk factor is too great to the officer or the general public to continue the pursuit.
4. The field supervisor will continue to direct the pursuit, and approve or order alternative tactics as required to maintain control.
5. As with any tactical field problem, the field supervisor need not be physically present to assert control.
6. The field supervisor shall review and approve all reports filed by the pursuing officer.

ENDNOTES

1. Statistical information provided by U. S. Department of Justice and the U. S. Department of Transportation. Analysis of the data has been conducted by Geoffrey Alpert, Ph. D. of the University of South Carolina; Kenneth Katsaris of Katsaris and Associates in Tallahassee, Florida; Police Executive Research Forum (PERF); and others.
2. Id.



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