

NOTE: This is a copy of the official IACP Sample Policy on Vehicular Pursuit, voted on and approved at the 1996 Annual Conference. This will replace the National Law Enforcement Policy Center policy on the same subject. The Policy Center will not be publishing a new policy on Vehicular Pursuit, but will instead defer to the official IACP policy on that subject.

Pursuit

Submitted by: Highway Safety Committee

AHS018.a96

WHEREAS, police pursuits have become an increased focus of attention for public safety officials, the news media and the public at large; and

WHEREAS, an acceptable balance must be obtained between the capture of fleeing suspects and the responsibility of law enforcement to protect the general public from unnecessary risks; and

WHEREAS, there is no uniform reporting criteria or system in place to accurately account for all pursuits; and

WHEREAS, many agencies have excellent comprehensive policies in place while others have minimal or no policies at all dealing with pursuits; and

WHEREAS, some states have enacted serious penalties for consciously attempting to elude the police while others have not; and

WHEREAS, there is a need to adopt a generic "sample" policy that can serve as a minimum guideline for all agencies involved with pursuits; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP), duly assembled at its 103rd annual conference in Phoenix, Arizona, encourages all agencies to adopt written policies governing pursuits, and that these policies contain at a minimum all the elements put forth in the IACP "sample" policy and that all members of the agency receive familiarization training in the policy; and be it

FURTHER RESOLVED, that the IACP and the National Highway Traffic Safety Administration (NHTSA) develop a uniform pursuit reporting criteria and form to accurately document pursuit involvements and results nationwide; and be it

FURTHER RESOLVED, that the IACP and NHTSA encourage the state legislatures to make it a criminal offense with severe punishments to evade arrest by intentionally failing to comply with the lawful order of a police officer to stop a motor vehicle; and be it

FURTHER RESOLVED, that the IACP, NHTSA and the National Association of Motor Vehicle Manufacturers work together to apply technology that will disable fleeing vehicles and minimize the need for pursuits; and be it

FURTHER RESOLVED, that the IACP adopt the attached pursuit policy as its sample and that it be made a part of the Manual of Model Police Traffic Services Policies and Procedures maintained by the Highway Safety Committee, and that this policy replace and rescind all prior IACP policies on this subject.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC.

SAMPLE

VEHICULAR PURSUIT POLICY

Effective Date: October 30, 1996

Subject: Vehicular Pursuit; **CALEA Standard Ref:** 41.2.2, 61.3.4

Reevaluation Date: October 30, 1999

I. PURPOSE:

The purpose of this policy is to establish guidelines for making decisions with regard to vehicular pursuit.

II. POLICY:

Vehicular pursuit of fleeing suspects can present a danger to the lives of the public, officers, and suspects involved in the pursuit. It is the responsibility of the agency to assist officers in the safe performance of their duties. To fulfill these obligations, it shall be the policy of this law enforcement agency to regulate the manner in which vehicular pursuits are undertaken and performed.

III. DEFINITIONS:

- A. Vehicular Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.
- B. Authorized emergency vehicle: A vehicle of this agency equipped with operable emergency equipment as designated by state law.
- C. Primary unit: The police unit which initiates a pursuit or any unit which assumes control of the pursuit.
- D. Secondary unit: Any police vehicle which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

IV. PROCEDURES:

A. Initiation of pursuit:

1. The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
2. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when properly directed to do so. Pursuit may also be justified if the officer reasonably believes that the suspect, if allowed to flee, would present a danger to human life or cause serious injury.
3. In deciding whether to initiate pursuit, the officer shall take into consideration:
 - a. road, weather and environmental conditions;
 - b. population density and vehicular and pedestrian traffic;
 - c. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
 - d. The seriousness of the offense; and
 - f. The presence of other persons in the police vehicle.

B. Pursuit Operations:

1. All emergency vehicle operations shall be conducted in strict conformity with applicable traffic laws and regulations.
2. Upon engaging in a pursuit, the pursuing vehicle shall activate appropriate warning equipment.
3. Upon engaging in pursuit, the officer shall notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The officer shall keep communications updated on the pursuit. Communications personnel shall notify any available supervisor of the pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other officers and jurisdictions.

4. When engaged in pursuit, officers shall not drive with reckless disregard for the safety of other road users.
5. Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles, a primary and a secondary unit. All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.
6. The primary pursuit unit shall become secondary when the fleeing vehicle comes under air surveillance or when another unit has been assigned primary responsibility.

C. Supervisory Responsibilities:

1. When made aware of a vehicular pursuit, the appropriate supervisor shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used, and shall have the discretion to terminate the pursuit.
2. Where possible, a supervisory officer shall respond to the location where a vehicle has been stopped following a pursuit.

D. Pursuit Tactics:

1. Officers shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall disengage when a marked unit becomes available.
3. Motorcycles may be used for pursuit in exigent circumstances and when weather and related conditions allow. They shall disengage when support from marked patrol units becomes available.
4. All intervention tactics short of deadly force such as spike strips, low speed tactical intervention techniques, and low speed channeling (with appropriate advance warning) should be used when it is possible to do so in safety and when the officers utilizing them have received appropriate training in their use.

5. Decisions to discharge firearms at or from a moving vehicle, or to use roadblocks, shall be governed by this agency's use of force policy, and are prohibited if they present an unreasonable risk to others. They should first be authorized, whenever possible, by a supervisor.
 6. Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall be aware of the necessity to utilize only reasonable and necessary force to take suspects into custody.
- E. Termination of the Pursuit:
1. The primary pursuing unit shall continually re-evaluate and assess the pursuit situation including all of the initiating factors and terminate the pursuit whenever he or she reasonably believes the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
 2. The pursuit may be terminated by the primary pursuit unit at any time.
 3. A supervisor may order the termination of a pursuit at any time.
 4. A pursuit may be terminated if the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension at a later time is feasible.
- F. Interjurisdictional Pursuits:
1. The pursuing officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line.
 2. Pursuit into a bordering state shall conform with the law of both states and any applicable inter-jurisdictional agreements.
 3. When a pursuit enters this jurisdiction, the action of officers shall be governed by the policy of the officers' own agency, specific inter-local agreements and state law as applicable.
- G. After-Action Reporting.
1. Whenever an officer engages in a pursuit, the officer shall file a written report on the appropriate form detailing the circumstances. This report shall be critiqued by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.

2. The department shall periodically analyze police pursuit activity and identify any additions, deletions or modifications warranted in departmental pursuit procedures.

H. Training:

Officers who drive police vehicles shall be given initial and periodic update training in the agency's pursuit policy and in safe driving tactics.

NOTE: *This sample policy is intended to serve as a guide for the police executive who is interested in formulating a written procedure to govern vehicular pursuit. IACP recognizes that staffing, equipment, legal, and geographical considerations and contemporary community standards vary greatly among jurisdictions, and that no single policy will be appropriate for every jurisdiction. We have, however, attempted to outline the most critical factors that should be present in every pursuit policy, including the need for training, guidelines for initiating and terminating pursuits, the regulation of pursuit tactics, supervisory review or intervention, and reporting and critique of all pursuits.*

Approved at the 103rd. IACP Annual Conference,
Phoenix, Arizona, October 30, 1996