

NUMBER: 510.2A1	<h1 style="margin: 0;">Vehicular Pursuits</h1>	A
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PURPOSE

The purpose of this policy is to state the guidelines to be followed during vehicular pursuit.

POLICY

Vehicular pursuits of fleeing suspects present a danger to the lives of the public, officers and suspects involved in the pursuit. It is the policy of this department to protect all lives to the extent possible when enforcing the law. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. To effect these obligations, it shall be the policy of this department to narrowly regulate the manner in which vehicular pursuits are undertaken and performed.

Pursuits are authorized when the pursuing officer has reasonable suspicion to believe the fleeing suspect (s) is the perpetrator of a crime Classified as a serious Part I felony. (Murder, Rape, Robbery, Felonious Assaults and other serious felonies involving bodily injury or death).

All personnel operating agency vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance and no task shall be expedited with such emphasis that the principles of safety become secondary. There are no tasks of such importance that they justify the reckless disregard of the safety of innocent persons.

DEFINITION(S)

Vehicular pursuits- An active attempt by an officer in an authorized emergency vehicle to apprehend fleeing suspects(s) who are attempting to avoid apprehension.

Reasonable Suspicion - A quantum of knowledge sufficient to induce an ordinarily, prudent and cautious man under the circumstances to believe criminal activity is at hand.

Authorized emergency vehicle - Police vehicles actually engaged in emergency activities.
S.C. 56-5-170.

Jurisdiction - For the purpose of this policy, jurisdiction is defined as the municipal limits and three (3) miles beyond.

AUTHORIZATION

No officer of this agency shall engage in a pursuit in any agency vehicle, or otherwise, unless the officer has attended and successfully completed training in hot pursuit activities as contemplated by S. C. Code 56-5-760 (e).

A. The driver of an authorized emergency vehicle, when in the pursuit of an actual or suspected violator of the law may exercise the privileges set forth in this section, but subject to the conditions of this section.

The driver of an authorized emergency vehicle may:

1. Park or stand, notwithstanding any other provision of this chapter;
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

3. Exceed the maximum speed limit if the officer does not endanger life or property;
4. Disregard regulations governing direction of movement or turning in a specified direction.

B. The exemption in this section granted to an authorized emergency vehicle apply **only** when the vehicle is making use of an audible signal meeting the requirements of section 56-5-4970 and visual signals meeting the requirements of section 56-5-4700, except that an authorized emergency vehicle operated as a police vehicle need not use an audible signal nor display a visual signal when the vehicle is being used to:

1. Obtain evidence of a speeding violation;
2. Respond to a suspected crime in progress when the use of an audible signal or visual signal, or both, could reasonably result in the destruction of evidence or escape of a suspect; or
3. Surveil another vehicle or its occupants who are suspected of involvement in a crime.

C. The provisions of section 56-5-760 do not relieve the driver of an authorized emergency vehicle from the duty to drive with the due regard for the safety of all persons.

D. This statute is extremely limited in scope; there must be an emergency or pursuit situation. The emergency vehicle must use both audible and visual signal except as exempted in the statute.

PROCEDURES:

A. The decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.

B. A Public Safety Officer in an authorized emergency vehicle will not initiate a vehicular pursuit unless the officer has reasonable suspicion to believe the fleeing suspect(s) is the perpetrator of a crime classified as a serious Part I felony. (Murder, Rape, Robbery, Felonious Assault and other serious felonies involving bodily injury or death.)

C. The pursuing officer shall consider the following factors in determining whether to initiate pursuit:

1. The performance capabilities of the pursuit vehicle;
2. The condition of the road surface upon which the pursuit is being conducted;
3. The amount of vehicular and pedestrian traffic in the area; and
4. Weather conditions.

D. An incident report must be completed for all pursuits, regardless of its length or apprehension of suspects. The report must contain the reason supporting the decision to pursue, details of the pursuit, and supplementals from all officers assisting with or supervising the pursuit.

PURSUIT OFFICER RESPONSIBILITIES

The pursuing officer shall immediately notify their immediate supervisor and the communication center that a pursuit is being initiated. The pursuing officer shall provide the following information:

- A.** Unit identification;
- B.** Location, speed and direction of travel of the fleeing vehicle;
- C.** Description and license plate number, if known of the fleeing vehicle;
- D.** Number of occupants in the fleeing vehicle, and descriptions, where possible; and
- E.** Reason(s) supporting the decision to pursue. The Public Safety Officer must rely on what they know, not what they think or sense.

Failure to provide this information will result in an immediate decision by the supervisor to order the termination of the pursuit.

ASSISTING UNIT RESPONSIBILITY

A. The dispatcher will coordinate assistance under the direction of the shift supervisor. The supervisor and primary unit will be advised of the identity and location of back-up units who can assist.

B. The active pursuit will normally involve no more than two units. If more assistance is specifically requested or needed, the amount will be determined by:

1. Nature of the offense.
2. Number of suspects.
3. Whether the participating units have more than one officer.
4. Other clear and articulated facts that would warrant the increased hazard.

C. Only the supervisor may authorize more than two units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit, but shall not actively participate and shall not respond or parallel the pursuit on adjacent streets unless specifically authorized to do so.

D. The assisting unit, upon joining the pursuit, shall immediately notify the dispatcher of its identity. If the primary unit is a one-officer unit, the assisting unit will assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

E. The assisting unit will maintain a safe distance behind the primary unit, but close enough to render back-up and assistance if and when required.

F. Assisting units will, at all costs, avoid intersecting the path of an on-coming high-speed vehicle.

G. If the primary unit becomes disabled, the assisting unit will become the primary unit. The dispatcher will advise the supervisor and the other units that a new back-up unit is needed, and the next unit to join in the pursuit will become the back-up unit.

SUPERVISOR'S RESPONSIBILITIES

A. Upon notification that vehicular pursuit incident has been initiated, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.

B. The supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.

C. In controlling the pursuit incident, the supervisor shall be responsible for coordination of the pursuit as follows:

1. Directing pursuit vehicles into or out of the pursuit;
2. Redesignation of primary, support or other backup vehicle responsibilities;
3. Approval or disapproval, and coordination of pursuit tactics; and
4. Approval and disapproval to leave jurisdiction to continue pursuit.

D. The supervisor shall be responsible for ensuring that an incident report and supplementals are properly prepared by all participating officers. The supervisor must attach a comprehensive supplemental to the report and forward copies to administration for review.

COMMUNICATIONS CENTER RESPONSIBILITIES

Upon notification that a pursuit is in progress, communication personnel shall immediately advise the supervisor of essential information regarding the pursuit.

Communication's personnel shall carry out the following activities and responsibilities during the pursuit:

- A.** Receive and record all incoming information on the pursuit and the pursued vehicle;
- B.** Control all radio communications and clear the radio channel of all non-emergency calls;
- C.** Obtain criminal records and vehicle checks of the suspects;
- D.** Coordinate and dispatch backup assistance under the direction of the public safety supervisor; and
- E.** Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality.

REGULATIONS AND TACTICS DURING PURSUIT

A. Each unit authorized to engage in a vehicular pursuit shall be required to activate headlights and **ALL** emergency vehicle equipment prior to beginning the pursuit.

B. Officers engaged in the pursuit shall at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.

C. Offensive Tactics. In the course of the pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle; boxing in, heading off, ramming or driving alongside of the pursued vehicle while it is in motion shall be prohibited unless such actions are specifically authorized by the supervisor. Such actions may be approved only when the use of deadly force would be authorized. Any pursuing vehicle shall not duplicate reckless or hazardous driving maneuvers.

D. Passing. There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the supervisor.

E. Spacing. All units in pursuit shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.

F. Unmarked Police Vehicles. If an unmarked unit initiates a pursuit, that unit shall abandon pursuit when a marked unit is in position to assume the pursuit. The unmarked unit shall then remain available to respond to the scene if the suspect is apprehended and additional help is summonsed.

G. Stinger Spike System. A supervisor must authorize deployment of the stinger system. Only officers that are trained in the proper procedures for deployment by a certified instructor are authorized to deploy the system. The deploying officer should always be in position at a predetermined location to allow sufficient time for proper deployment. Spike units shall not be deployed if safety is questionable; officers and vehicles shall be in a safe position, completely off the roadway.

H. Roadblocks. The supervisor must authorize the use of roadblocks. Generally, a roadblock will be employed **only as a last resort**. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. An **unoccupied** police vehicle with emergency lights operating will be used. The roadway shall not be completely blocked unless the use of deadly force would be authorized. In no event will privately owned or other non-police vehicles be used to establish a roadblock. Moving roadblocks are strictly prohibited. For information pertaining to **Roadside Safety Checks, refer to General Order 720.1A.**

I. Deadly Force. Departmental policy pertaining to the use of deadly force shall be adhered to during the pursuit.

TERMINATION OF PURSUIT

A decision to terminate the pursuit may be the most rational means of preserving the lives and property of the public and the officers and suspects engaged in the pursuit. The pursuing officer or any supervisor of the Public Safety Department may terminate the pursuit.

The pursuit shall be terminated immediately in any of the following circumstances:

A. Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect;

B. The distance between the pursuit and fleeing vehicle is so great that further pursuit is futile; or

C. The danger posed by continued pursuit to the public, the officers or the suspect is greater than the value of apprehending the suspect(s).

INTERJURISDICTIONAL PURSUIT

All pursuit activities will cease at or beyond the three-mile limit regardless of the nature of the crime for which pursuit was initiated.

Pursuits which lead into the county jurisdiction will be relinquished to the Sheriff's Department or the State Troopers as soon as practical after leaving the City of Spartanburg's jurisdiction.

In the event an outside agency engaged in an active vehicle pursuit enters this jurisdictions and requests our assistance, a field supervisor may authorize assisting units to respond as emergency vehicles, keeping in mind all elements of this entire policy. Officer safety and the nature of the pursuit will be taken into consideration. The outside agency must provide the supervisor with the same information our primary unit is expected to

provide. The supervisor shall prepare a written comprehensive report of the pursuit and forward it to the Director of Public Safety within the Twenty-four (24) hours of the incident.

PURSUIT REVIEW

A debriefing will be conducted of all pursuits to enable all parties involved to critique and give input.

The Captain of Patrol is responsible for reviewing all pursuits and conducting a documented annual analysis. Any revealed patterns or trends that indicate or require discipline, training needs or policy modifications will be dealt with accordingly.

Rescinds Policy 210-401 dated January 1, 1994

Rescinds Policy 510.2 dated 1/12/98

Rescinds Policy 510.2A dated 09/30/00

4th Edition Accreditation Standards 41.2.2, 41.2.3
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