

THE UNIVERSITY OF TEXAS AT AUSTIN POLICE DEPARTMENT

POLICY A-5

TITLE:	Operations	Revised 12-1-02
SUBJECT:	Emergency Driving in Non-Pursuit and Pursuit Situations	
PURPOSE:	To establish policy concerning emergency driving in non-pursuit and pursuit situations.	
REFERENCE:	System Policy II-86-14, Transportation Code 546.001–546.005, 547.305 & 547.702	
STANDARDS:	1.2.6, 1.2.6A, 11.2.1, 11.2.2, & 18.3.3	

University of Texas at Austin police officers will make every reasonable effort to apprehend a fleeing suspect and to respond to emergency calls quickly and safely. The pursuit or call response should never be carried to such an extent as to endanger the lives and property of innocent users of the street, highway, the violator, or the officer.

A. Definitions:

1. Emergency Driving in Non-Pursuit Situations: The operation of an authorized emergency vehicle with emergency lights and siren in operation by a police officer in response to a life threatening or a violent crime in progress, using due regard for the safety of others.
2. Emergency Driving in Pursuit Situations: 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 a fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing the speed of the vehicle and/or disobeying traffic laws and/or ignoring the officer and/or attempting to elude the officer.

B. Emergency Driving - General:

1. Authorization
 - a. The operation of a police vehicle, when utilized as an authorized emergency vehicle, is governed by the Texas Transportation Code Chapter 546.
 - b. Department vehicles are authorized to be operated as emergency vehicles in compliance with this policy in non-pursuit and pursuit emergency situations.
2. Emergency Mode
 - a. Visual and audible equipment on police vehicles is governed by the Texas Transportation Code Chapters 546 and 547.
 - b. When operating a department vehicle as an authorized emergency vehicle, the officer will immediately activate all emergency lights and siren.
 - c. Officers will immediately notify the dispatcher.
 - d. Officers will not operate a police vehicle in emergency status if it is occupied by any passengers other than another police officer.
 - e. Police vehicles without emergency lights and sirens will not be operated as emergency vehicles.

C. Non-Pursuit Situations:

1. Emergency responses shall be made only when the incident involves a life threatening situation or a violent crime in progress.
2. Emergency responses must be approved by a supervisor.
3. When deciding to initiate or continue driving under emergency conditions, officers will consider such factors as traffic volume, time of day, weather conditions, and potential hazard or liability to themselves and the public.
4. Officers will have sufficient information to justify the decision to drive under emergency situations.
5. Officers responding to an officer needs assistance type call must bear in mind that even though a rapid response is important, they must arrive at the scene safely in order to be of assistance.

D. Pursuit Situations:

1. Prohibitions concerning vehicular pursuits.

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- a. Probable cause must exist for the belief that a felony offense has been committed and failure to apprehend a suspect immediately may result in loss of life or serious bodily injury to another. In no case shall a crime against property alone qualify for use of pursuit.
- b. Pursuits shall only be utilized in instances of pursuing suspected perpetrators of felony crimes, which occurred on property owned, operated or controlled by the University of Texas at Austin.
- c. No pursuit will be initiated or continued on or off property owned, operated or controlled by the University of Texas at Austin by any officer unless a supervisor approves such pursuit.
2. The following factors will be taken into consideration by the officer prior to initiating a pursuit:
 - a. Performance capabilities of the vehicle.
 - b. Road, traffic and pedestrian conditions.
 - c. Environmental factors such as rain, fog, ice, snow, or darkness that would substantially increase the danger of pursuit.
 - d. Officer's familiarity of area and their ability to accurately describe location and direction of travel.
3. Once the decision has been made to become engaged in a pursuit, the following actions shall be taken:
 - a. The supervisor and shift commander on duty shall immediately be notified by the dispatcher so they are aware of and approve of the pursuit. They must also approve all units involved.
 - b. The supervisor or shift commander shall coordinate the pursuit and has the authority to order the pursuit terminated at any time.
 - c. One backup unit will respond and will be assigned by the supervisor or shift commander.
 - d. No other units will be involved in the pursuit unless authorized by the supervisor or shift commander.
4. The primary officer in the pursuit shall inform the dispatcher of the following information:
 - a. The unit identifier.
 - b. Location where the pursuit was initiated and reason for pursuit.
 - c. Direction of travel.
 - d. License number, description of vehicle and number of occupants.
 - e. Estimated rate of speed.
5. Officers will not use their unit as a ramming device, to box in or surround a suspect vehicle, to overtake or force a suspect vehicle off the roadway, or to create roadblocks.
6. Police officers shall not discharge firearms at a fleeing vehicle or its occupants.
7. The pursuit shall be terminated when continuation of the pursuit constitutes an unreasonable amount of risk or when the officer is ordered to do so by a supervisor.
8. When the suspect's identity has been established at a point where later apprehension can be accomplished, and there is no logical need for immediate apprehension, the pursuit will be terminated.
9. All officers who are involved in a pursuit will complete an incident report detailing the facts of the pursuit.
10. Pursuits involving other agencies or jurisdictions should follow the guidelines listed in the Austin Police Department Inter-Jurisdictional Pursuit Policy.
11. Supervisory Responsibilities.
 - a. It shall be the responsibility of a supervisor to make informed decisions about the pursuit and termination of pursuit for the officers.
 - b. Supervisors shall be within radio contact at all times while on duty and shall continually assess the advisability of beginning and continuing the pursuit.
 - c. A review of all pursuits will be conducted by the officer's chain of command. The purpose of the review is to determine if the pursuit was necessary and conducted within departmental and System policy, if there are training needs to be considered, or if any policy changes need to be considered.
12. Officers should not feel compelled to continue an emergency response or pursuit when conditions escalate to a degree which places the safety of the officers or others in an unacceptable level of jeopardy.

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- a. All officers involved in vehicular pursuits will be held accountable for the continuation of a pursuit when traffic hazards and other circumstances indicate, by danger level, that it should have been discontinued. Since the primary unit officer is usually concentrating on the safe operation of the police vehicle, the secondary unit officers should consider it a responsibility for advising the primary unit officer when they feel the pursuit is exceeding reasonable limits.

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Chief of Police