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## Vehicle Pursuit Model Policy

### I. PURPOSE

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

### II. POLICY

Vehicular pursuit of fleeing suspects presents 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 persons' 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 the department to regulate the manner in which vehicular pursuit is undertaken and performed.

Unless a greater hazard would result, a pursuit should not be undertaken if the subject can be identified to the point where later apprehension can be accomplished. A pursuit should not be initiated if the dangers of pursuing or continuing the pursuit are too great. Examples of such times may be inclement weather, commute traffic, or when the capabilities of the violator's vehicle far exceed the capabilities of the patrol car.

Sworn officers of the department shall conduct pursuits in compliance with U.C.A. Section 41-6-14, sound professional judgment, and the procedures outlined in this policy.

### III. OBJECTIVE OF POLICE PURSUIT

The objective of a police pursuit is to apprehend the violator without unnecessarily endangering the officers involved or other persons or property. If officers become involved in a collision, they will not only fail to accomplish that objective but will certainly incur property damage and very likely injury to themselves or others. When officers are pursuing an offender, they must continually weigh the collision risk involved against the nature of the offense which prompted the pursuit. Although it is good police practice to apprehend a person who is attempting to evade arrest when it is reasonable to do so, a pursuit must be terminated when the risk of injury and accident outweighs the benefits of apprehension. Officers need not, and must not, feel that they have to continue a chase under all circumstances and at all costs.

### IV. DEFINITIONS

A. Vehicular Pursuit: An active attempt by one or more officers operating a Department motor vehicle to apprehend a fleeing suspect operating a motor vehicle while trying to avoid apprehension by using high speed driving or other evasive tactics, such as driving

off a highway, extinguishing his lights, turning suddenly or driving in a legal manner but willfully failing to yield to the officer's signal to stop.

B. Emergency: A situation in which there is a high probability of death or personal injury to an individual, or of the loss or destruction of property, and action taken by a police officer may avert or reduce the seriousness of the occurrence or situation.

C. Authorized Emergency Vehicle: any police vehicle that, when responding to an emergency call or pursuing an actual or suspected law violator, has in operation the emergency roof lights and/or siren.

D. Initiating Pursuit Unit: The officer operating an enforcement vehicle who first attempts to stop the pursued vehicle.

E. Primary Pursuit Unit: The officer operating an enforcement vehicle in close proximity to and immediately following the suspect vehicle (may be other than the initiating unit).

F. Secondary Pursuit Unit: An officer operating an enforcement vehicle actively participating in the pursuit.

G. Trail or Trailing: To follow a pursuit at any distance without supervisory approval (includes paralleling).

H. Forcible Stop: a general term meaning the termination of a pursuit through the use of physical force or presence. Includes roadblocks, channelization, ramming, boxing the use of firearms.

1. Roadblock - Establishing a physical impediment to traffic as a means for stopping a vehicle using signs, devices, actual physical obstructions, or barricades.
2. Ramming - The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.
3. Boxing-in - A technique designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.
4. Channelization - a technique similar to a roadblock where objects such as barricades, flarepots, pylons, or vehicles are placed in the anticipated path of a pursued vehicle which tend to alter its direction.

I. Supervisor: For the purposes of this policy a supervisor is a uniformed employee of this Department of the rank of sergeant or above, or a designated officer-in-charge (OIC).

## **V. PROCEDURES**

### **A. Restrictions**

1. Officers will not engage in a motor vehicle pursuit while there is a citizen occupant in the Department vehicle, including, but not limited to, family, suspects, arrestees, victims, complainants, witnesses or non-sworn members of the Department. This prohibition applies whether or not the passenger has signed a waiver of liability.
2. Police officers operating unmarked Department vehicles may only engage in a motor vehicle pursuit in the event of an extreme emergency (e.g., when the fleeing motor vehicle represents an immediate and direct threat to life or property, or wherein a substantial loss of property has occurred). Whenever a marked Department vehicle becomes available to take over a vehicle

pursuit, then the unmarked Department vehicle operator will withdraw from active pursuit and will serve in a support function for the marked vehicle.

-OR

2. Unmarked units shall Not engage in vehicular pursuits.

3. The use of forcible stops such as roadblocks and ramming are a last resort measure and should be used only when the use of deadly force is justified.

a. Forcible stops may be undertaken only when the officer or a supervisor has reason to believe that the continued movement of the pursued vehicle would place others in imminent danger of great bodily harm or death

AND

b. When the apparent risk of harm to other than the occupants of the pursued vehicle is so great as to outweigh the apparent risk of harm involved in making the forcible stop

AND

c. After all reasonable alternative means of apprehension have been considered, and rejected as impractical.

4. Roadblocks are prohibited unless the circumstances would otherwise warrant the use of deadly force. Roadblocks may only be established with a supervisor's approval. If a roadblock is established, officers must:

a. Allow the suspect vehicle reasonable stopping distance.

b. Not place themselves in the roadblock in line with the oncoming suspect vehicle.

c. Reasonably ensure the safety of non-involved pedestrians and motorists.

5. Officers shall not discharge a firearm at or from a moving vehicle unless the use of deadly force is justified and both of the following requirements can be met:

a. There is a substantial likelihood that the projectile will not strike any person other than the suspect.

b. The risk of the suspect vehicle going out of control after being hit is less than the risk of the suspect not being captured immediately.

#### B. Initiation of Pursuit

1. The decision to initiate 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.

2. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when ALL of the following criteria are met:

a. The suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension for an alleged felony or misdemeanor that would normally require a full custody arrest;

b. The suspect operating the vehicle refuses to stop at the direction of the officer, and

c. The suspect, if allowed to flee, would present a danger to human life or cause serious injury.

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

a. The seriousness of the violation.

b. The performance capabilities of the pursuit vehicle and the other vehicle involved;

c. The condition of the road surface upon which the pursuit is being conducted and the speed involved;

- d. The amount of vehicular and pedestrian traffic in the area; and
  - e. Weather conditions.
4. Officers shall clearly indicate their intent to stop the vehicle and arrest the subject by employing the use of both overhead lights and siren.
  5. If the driver of a vehicle fails to stop as required, officers shall continue to follow until the violator voluntarily stops, or until relieved, or until the circumstances warrant either a forcible stop or voluntarily aborting the pursuit.

#### C. Pursuit Officer Responsibilities

1. The pursuing officer shall immediately notify communications center personnel that a pursuit is underway. The officer shall provide communications personnel with 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. Reasons supporting the decision to pursue.
2. Failure to provide this information to communications personnel may result in an immediate decision by a field supervisor assigned to monitor the pursuit to order its termination.
3. The primary pursuit unit shall reduce the level of pursuit to that of support or backup unit where another vehicle has been assigned primary pursuit responsibility.
4. Any primary or backup unit sustaining damage to, or failure of essential vehicular equipment during pursuit shall not be permitted to continue in the pursuit. The unit shall notify communications so that another unit may be assigned to the pursuit.
5. Unless relieved by a supervisor, the senior officer in the initiating or primary unit shall be responsible for the control of the pursuit tactics. This includes the decision to pursue and whether or not unusual circumstances exist warranting more than the one or two police units.

#### D. Secondary Unit Responsibilities (where available)

1. The officers in the second and subsequent units entering the pursuit shall immediately notify the dispatch center that they are joining the pursuit.
2. Although the actual role may vary, it is usually desirable for a secondary unit to assume responsibility for radio contact between the dispatch center and the pursuing units. This will allow the primary unit to concentrate fully on driving and keeping the pursued vehicle in sight. It also allows officers of the primary unit to make the arrest or further apprehend the suspects on foot without first notifying dispatch of their movements when the vehicle pursuit is terminated.

#### E. Communications Center Responsibilities.

1. Upon notification that a pursuit is in progress, communications personnel shall immediately advise a field supervisor of essential information regarding the pursuit.
2. Communications 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 channels of all nonemergency calls;
- c. Obtain criminal record and vehicle checks of the suspects;
- d. Coordinate and dispatch backup assistance under the direction of the field supervisor; and
- e. Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality.
- f. Record all portions of the dispatch tape dealing with the pursuit and transfer the recording to the field supervisor or officer in-charge.

#### F. Field Supervisor's Responsibilities During Vehicular Pursuit

1. Upon notification that a vehicular pursuit is in progress, the field supervisor shall assume responsibility for the monitoring and control of the pursuit. Control in this sense does not require the supervisor to broadcast over the radio during the pursuit as long as he or she feels the continuance of the pursuit is justified.
2. The field supervisor shall ensure that proper radio channels and procedures are in use.
3. The field supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.
4. In controlling the pursuit, the field supervisor shall be responsible for coordination of the pursuit as follows:
  - a. Directing pursuit vehicles into or out of the pursuit;
  - b. Redesignation of primary, support or other backup vehicle responsibilities;
  - c. Approval or disapproval, and coordination of pursuit tactics; and
  - d. Approval or disapproval to leave jurisdiction to continue pursuit.
5. The field supervisor may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles, where available, based on an analysis of:
  - a. The nature of the offense for which pursuit was initiated;
  - b. The number of suspects and any known propensity for violence;
  - c. The number of officers in the pursuit vehicles;
  - d. Any damage or injuries to the assigned primary and backup vehicles or officers;
  - e. The number of officers necessary to make an arrest at the conclusion of the pursuit; and
  - f. Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles.

#### G. Traffic Regulations During Pursuit

1. Each unit authorized to engage in vehicular pursuit shall be required to activate headlights and all emergency vehicle equipment prior to beginning pursuit
2. Officers engaged in 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.
3. Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect.
4. Officers shall operate their vehicles at speeds and in a manner in accord with weather and local conditions so that complete control of the vehicle is

maintained at all times.

#### H. Pursuit Tactics

1. Unless expressly authorized by a field supervisor, pursuit shall be limited to the assigned primary and backup vehicles. Officers are not otherwise permitted to join the pursuit team, or follow the pursuit on parallel streets.
2. All units involved in the pursuit should operate on the statewide radio channel.
3. Departmental policy pertaining to use of deadly force shall be adhered to during the pursuit.

#### I. Termination of Pursuit

1. A decision to terminate pursuit may be the most rational means of preserving the lives and property of both the public and the officers and suspects engaged in pursuit. The officers involved in the pursuit must continually question whether the seriousness of the violation and the other factors considered in initiating the pursuit reasonably warrant continuation of the pursuit. Pursuit may be terminated by the pursuing officer, the field supervisor or chief executive officer of the department.
2. Pursuit shall be immediately terminated 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 vehicles is so great that further pursuit is futile; or
  - c. The danger posed by continued pursuit to the public, the officers or the suspect(s) is greater than the value of apprehending the suspect(s).
3. The pursuing or supervising officer must consider present danger, seriousness of the crime, length of the pursuit and the possibility of identifying the suspect at a later time when determining whether or not to continue the pursuit.
4. The pursuing officer shall relay this information to communications personnel, along with any further information acquired which may assist in an arrest at a later date.

#### 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 state line.
2. Pursuit into a bordering state or neighboring jurisdiction shall conform with the departments' interjurisdictional pursuit agreements and state law.
3. When a pursuit extends into another jurisdiction, the responsible supervisor, or the primary unit if a supervisor is not available, shall determine if the other jurisdiction should assume the pursuit. The following should be considered:
  - a. The distance and speed involved.
  - b. The pursuing officer's possible unfamiliarity with the new area.
  - c. The willingness and capability of the other jurisdiction to take over the pursuit.
4. If it is determined that the conduct of the pursuit should be relinquished to the other jurisdiction, the request shall be clearly relayed to the other jurisdiction. Confirmation of the acceptance of that mission should be obtained.
5. If the pursuit is assumed by another jurisdiction, the initiating officer and the participating supervisor should proceed (at legal speeds) to the termination point, if within a reasonable distance, to provide guidance and information required for the arrest.

6. The participation of your jurisdiction in an allied agency's pursuit is appropriate only in response to a specific request for participation. Mere notification of the existence of a pursuit shall not be construed as a request for participation. The issue of whether your jurisdiction is being requested to assist in the pursuit shall be clarified upon such notification. This information and/or request will be relayed to field units by the communications operator. The communications operator will ensure the on-duty field supervisor is advised of the information and/or request from the allied agency. The field supervisor will determine the degree of your jurisdiction's involvement and provide appropriate direction. The supervisor or primary unit shall attempt to cancel allied agency units if control of the pursuit is assumed by your jurisdiction.

K. The field supervisor shall prepare a comprehensive report and analysis of all pursuits. All officers involved in the pursuit shall submit supplemental reports. The field supervisor or officer-in-charge shall insure that dispatch tape is recorded and forward it, together with the reports, to the chief executive officer of the agency.

## **VI. TRAINING REQUIREMENT**

Officers shall not engage in a pursuit until they have successfully completed a department sponsored Emergency Vehicle Operation Course that includes pursuit tactics. Officers shall also be required to attend an annual course that specifically covers the department's pursuit policy.







