**SAMPLE POLICE DEPARTMENT**

**Vehicle Pursuits**

NOTE: The following guidelines address both safety and policy and are for internal use only. This document does not nor is intended to enlarge an employee’s civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of these guidelines if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.

1. **PURPOSE**

To establish guidelines which regulates emergency vehicle operations involved in pursuit driving.

1. **POLICY**

It is the policy of this department to protect all persons’ lives and property to the extent possible when enforcing the law. In addition, it is the responsibility of this department to assist officers in the safe performance of their duties. To attain this objective, it is the policy of the department to narrowly regulate the way vehicular pursuit is undertaken and performed.

1. **DEFINITIONS**
2. Authorized Emergency Vehicle: Any police vehicle equipped with operable emergency equipment, including audible siren and emergency flashing lights (blue or blue and red) while a police officer is operating such vehicle pursuant to CODE of Alabama §32-1-1.1.
3. Communications: The central dispatch center or personnel staffing the central dispatch center of a police agency in the jurisdiction the pursuit is occurring.
4. Full Custody Arrest: Taking a person into custody to book into jail.
5. Primary Pursuit Unit: Any police vehicle operated by a police officer that initiates a motor vehicle pursuit or any police vehicle operated by a police officer that assumes control of a motor vehicle pursuit.
6. Pursuit: An incident will be classified, defined, and reported as a pursuit when sufficient elements are present to support a charge of fleeing or attempting to elude a police officer as provided in CODE of Alabama §13A-10-52, whether an apprehension is made (e.g., the pursuit is terminated, or the suspect successfully evades pursuing officers.) Note: The term pursuit does not include the actions of an officer to alert a driver for a routine vehicle stop or to overtake a vehicle prior to initiating a stop.
	1. High-speed pursuit: for the purpose of the written directive is defined as an event in which one or more sworn officers attempt to apprehend the driver and/or occupants of a vehicle who are willfully attempting to flee or elude a police officer by using evasive tactics such as high-speed driving, driving off of the roadway, making sudden unexpected turns, disobeying traffic control devices, or shutting off headlights during hours of darkness, and thereby causing a substantial risk of serious physical harm to persons or property.
	2. Low-speed pursuit: for the purpose of this written directive is defined as an event in which one or more sworn officers attempt to apprehend the driver and/or other occupants of a vehicle who willfully failing to comply with the order of a police officer to stop the vehicle but are not using any of the evasive tactics listed above and are not causing a substantial risk or serious physical harm to persons or property.
7. Pursuit Intervention Technique (PIT): The forced rotation of a moving vehicle. A maneuver, which involves intentional, vehicle-to-vehicle contact and consists of a pursuing officer applying lateral pressure with the front corner of their vehicle to the rear quarter panel of the fleeing suspect’s vehicle resulting in a spin.
8. Secondary Pursuit Unit: Any police vehicle operated by a police officer that becomes involved in a motor vehicle pursuit as a backup to the primary pursuit unit and follows the primary unit at a safe and reasonable distance.
9. Supervisor: A person designated by the police agency to have supervisory control over the operation of the agency’s vehicles during a motor vehicle pursuit.
10. **PROCEDURE**
11. Initiation of a Motor Vehicle Pursuit
	1. The decision to initiate pursuit must be based on the pursing 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 the following criteria are met:
		1. 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.
		2. The suspect operating the vehicle refuses to stop at the direction of the officer.
		3. The suspect, if allowed to flee, would present a danger to human life, or cause serious injury.
	3. Any law enforcement officer in an authorized emergency vehicle may initiate a low-speed vehicular pursuit whenever there is reasonable belief that:
		1. Any occupant of the fleeing motor vehicle has committed any violation or offense under the criminal or traffic laws of this state and,
		2. The safety risk created by the low-speed pursuit is minimal.
	4. 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.
		4. Weather conditions.
		5. Seriousness of the offense.
		6. Time of day.
		7. Geographic location.
		8. Population density.
		9. Familiarity with the area.
	5. If a motor vehicle pursuit is initiated, the pursuing officer shall continually reconsider the factors listed above. Once made, the decision to pursue is not irrevocable. Along with the above factors, training, experience, and knowledge shall guide the pursuing officer’s decision to pursue or not to pursue.
	6. Before initiating a pursuit of any motorcycle, officers shall consider the performance capability of their vehicle and the motorcycle to include speed and maneuverability.
		1. Pursuits that are the result of minor traffic violations are strictly prohibited, however a low-speed pursuit in which the motorcycle does not attempt evasive tactics such as exceeding the posted speed limit, driving off the roadway, making sudden unexpected turns, disobeying traffic control devices, or shutting off headlights during hours of darkness or similar tactics, may occur for other more serious offenses unless the pursuing officer or the supervisor determines the pursuit should be terminated.
		2. If the pursuit speed exceeds the posted speed limit or other tactics as described herein occur, the pursuit should be terminated immediately unless the need to apprehend the suspect is greater than the risk presented by the pursuit such as of a known violent felon. This risk determination should be based on information known by the officer at the time of the pursuit decision and not based on speculation and if not immediately apprehended the felon pursued poses a serious risk to the general public apart from the reckless driving of the motorcycle.
12. Responsibilities of the Primary Pursuing Unit
13. Upon initiating a motor vehicle pursuit, the primary pursuing officer shall be responsible for the following:
	1. Immediately activating the primary pursuing unit’s emergency lights and siren. The primary pursuing unit shall utilize both the emergency lights and siren throughout the entire motor vehicle pursuit.
	2. Officers, whose vehicle is equipped with video recording equipment, will ensure that the system is recording. Under no circumstances will the video camera be disengaged from its recording mode until the pursuit has been concluded.
	3. Immediately notify communications about the initiation of the motor vehicle pursuit. Keeping their voice as normal and coherent as possible, the primary pursing unit shall provide and continually update communications throughout the entire pursuit on the following factors:
	4. Location and direction of travel,
	5. Pursuit speed
	6. Description of the vehicle being pursued and tag number if obtainable.
	7. Weather conditions
	8. Road conditions
	9. Vehicular/pedestrian traffic conditions,
	10. If possible, the number of occupants in the pursued vehicle,
	11. Initial purpose for stopping the pursued vehicle.
14. Operating the primary pursuing unit with due regard for the safety of persons and property. The primary pursuing unit shall maintain a reasonable distance from the pursued vehicle.
15. Assume a secondary unit status should the pursued vehicle come under police air surveillance or if another unit has been assigned as the primary pursuit unit.
16. The primary pursuit unit shall continually re-evaluate and assess the pursuit situation, including all the initiating factors. Whenever the primary pursuing unit believes that the risks associated with the continued pursuit are greater than the public safety benefit of making an immediate apprehension, the motor vehicle pursuit shall be terminated immediately.
17. A primary pursuing unit may terminate the pursuit at any time. Upon terminating a motor vehicle pursuit, the primary pursuing unit shall disengage the unit’s emergency lights and siren, communicate the location they terminated their involvement, provide the last known direction of travel for the pursued vehicle, and return to normal patrol.
18. Responsibility of the Secondary Pursuing Unit
19. Authorized secondary pursuing units shall:
	* 1. Update communications of their locations, once assigned as a secondary pursuing unit.
		2. Respond, preferably on a route that converges with the pursuit.
		3. Assist the primary pursuing unit should a confrontation with the pursued vehicle be encountered,
		4. Assist the primary pursing unit should it become disabled,
		5. Assume position as a primary unit if circumstances warrant or if authorized by a supervisor.
		6. Secondary pursuit unit(s) shall have its headlights, emergency lights and siren activated, but shall attempt to use a siren variation different than the primary pursuit unit.
20. Additional Units
21. Unless authorized by a supervisor, no more than three (3) pursuing units shall normally be involved in a department-initiated motor vehicle pursuit.
22. Unmarked Police Units
23. Unmarked police units equipped with emergency lights and audible sirens can participate in a motor vehicle pursuit. Once a marked police cruiser enters the pursuit, the unmarked unit shall yield its primary pursuit status to the marked cruiser at a time and place when it is safe to do so.
24. The unmarked unit shall terminate its role in the pursuit, except when there is no available backup to act as a secondary pursuing unit. As soon as a marked secondary pursuing unit enters the pursuit, the unmarked unit shall terminate its involvement in the pursuit.
25. Communications Center Responsibility
	1. Upon notification that a pursuit is in progress, communications personnel shall immediately advise a supervisor of essential information regarding the pursuit. In addition, the Communications Officer shall:
		1. Receive and record all incoming information on the pursuit and the pursued vehicle.
		2. Control all radio communications and clear the radio channels of all nonemergency calls.
		3. Obtain criminal record and vehicle checks of the suspects.
		4. Coordinate and dispatch backup assistance; and
		5. Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality.
26. Supervisor Responsibilities
	1. Upon notification that a pursuit is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
	2. The supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.
	3. 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. Re-designation of primary, support or another backup vehicle responsibility.
		3. Approval or disapproval, and coordination of pursuit tactics; and
		4. Approval or disapproval to leave jurisdiction to continue pursuit.
	4. The supervisor may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles based on an analysis of:
		1. The nature of the offense for which pursuit was initiated,
		2. The number of suspects and any known propensity for violence.
		3. The number of officers in the pursuit vehicles.
		4. Any damage or injuries to the assigned primary and backup vehicles or officers.
		5. The number of officers necessary to make an arrest at the conclusion of the pursuit; and
		6. Any clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles.
	5. The supervisor will request an outside agency be contacted to conduct an investigation of any crash or collision resulting from the pursuit.
	6. If a pursuit results in death, serious injury, or extensive property damage, the supervisor will notify the Chief of Police immediately.
27. Traffic Regulations and Pursuit Tactics
28. Each unit authorized to engage in vehicular pursuit shall be required to activate headlights and all emergency vehicle equipment prior to beginning pursuit.
29. Officers engaged in pursuit shall at all time drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
30. Officers are permitted to suspend conformance with normal traffic regulations during pursuit if reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect.

NOTE: The operation of emergency vehicles is governed by CODE of Alabama §32-5A-7, which authorizes emergency vehicles with activated blue lights and siren when in the pursuit of an actual or suspected violator of the law to exceed the posted speed limit but does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons. It does not relieve the driver of an emergency vehicle from the consequences of their reckless disregard for the safety of others.

1. Diversion / Stopping Tactics
	* 1. Selecting a method to stop a fleeing vehicle should be based on an evaluation of all known factors influencing the event, and the method selected should offer the greatest probability of success with least likelihood of injury to all persons involved.

NOTE: Some methods may be considered a use of force including deadly force. Officers must be mindful of the totality of the circumstances when determining the specific method or techniques utilized in attempt to stop the fleeing vehicle.

* + 1. When practical, an attempt may be made to divert the fleeing vehicle using cones or other traffic control devices to an area where greater control and a higher probability exists for safe termination of the pursuit.
		2. A vehicle disabling device, such as a mechanical tire deflator, may be used to terminate a pursuit; however, any officer using such a device must be trained in its application and must use the device in accordance with that training and Sample Police Tire Deflation Equipment – Spike System SOP.
		3. The Pursuit Intervention Technique “PIT” Maneuver of a fleeing vehicle is a specific trained technique and shall be considered only in extreme situations when the suspect has created a high probability of serious injury to the public.
			1. Using the Pursuit Intervention Technique “PIT” Maneuver on a fleeing vehicle is considered an application of deadly force; it shall be employed only by an officer trained in the procedure and it must be performed in accordance with such training.
			2. Intentionally striking a person or another vehicle with a police vehicle is also considered an application of deadly force and shall be employed only under circumstances which justify the use of deadly force.
1. Due to the risk or serious bodily injury, a roadblock should not be utilized except in serious felony cases when serious bodily injury or loss of life to citizens appears probable if the pursuit is not forcibly terminated.
	* + 1. A roadblock is considered an application of deadly force and must be approved by a field supervisor prior to initiation.
			2. An adequate distance to see the roadblock must be afforded in all circumstances. Roadblocks shall never be placed around a curve, over a hill crest or in any location restricting visibility.
			3. A gap (avenue of escape) shall be in the roadblock which requires the violator to decrease speed to bypass.
			4. If patrol vehicles are used officers shall not be in them.
2. Boxing in a fleeing vehicle, i.e., a rolling roadblock, is prohibited due to the inherent danger to the officers involved, unless deadly force is allowed.
3. Pursuits Initiated by Other Agencies
	1. Upon learning that another agency’s pursuit has entered the Sample Police jurisdiction, the primary responsibility for Sample officers is, whenever possible, to alert and control traffic at major intersections or other hazardous points along the anticipated route of the pursuit.
	2. Officers shall not become directly involved in pursuits initiated by other law enforcement agencies unless:
	3. Assistance is requested by the initiating agency.
	4. The pursuit would otherwise be justified under this written directive; and
	5. Authorized by a supervisor.
4. If the fleeing suspect is stopped within the Sample Police jurisdiction, officers should provide appropriate assistance in taking the suspect into custody and protecting the scene.
5. Termination of Pursuit
6. 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 pursuing officer, the shift commander/supervisor, or the Chief of Police may terminate pursuit.
7. Pursuit shall be immediately terminated in any of the following circumstances:
	1. Weather or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect.
	2. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; or
	3. The danger posed by continued pursuit to the public, the officers, or the suspect is greater than the value of apprehending the suspect(s).
	4. Officers knows the identity of the offender and can obtain a warrant/UTC for later arrest.

K. After-Action Reporting and Review

* 1. All officers participating in a vehicle pursuit will file a written after-action report (Attachment A), or supplement to the report of the primary officer, on the appropriate form detailing the circumstances, actions taken, and observations. This report is required as defined herein regardless of outcome, and shall be submitted as soon as possible, but no later than the end of duty.
	2. The primary pursuit unit’s officer shall complete the after-action report regarding the vehicle pursuit including, but not limited to:
1. The violation that prompted the pursuit.
2. All officer(s) involved in the pursuit.
3. The rank and name of the supervisor authorizing the pursuit.
4. The outcome of the pursuit.
5. Any officer, suspect, or bystander injuries or deaths.
6. Any crash or pursuit related property damage.
7. Related criminal or civil legal actions.
8. The case number(s) of all reports related to the pursuit.
9. Listing of all body-worn or in-car camera recordings and their file numbers.
	1. The on-duty supervisor shall complete a review and critique and attach the findings to the after-action report, including:
10. Review all available recordings from the pursuit to assess circumstances of the initiation of the vehicle stop and the initiation, continuation, and termination of the pursuit. The supervisor will bookmark the relevant video for future review.
11. Review each officer’s after-action report and any supplement.
12. A brief summary of the pursuit.
13. What control they extended over the pursuit.
14. Whether the decision to initiate and/or maintain pursuit of an eluding vehicle was within policy.
15. Recommendations: training, commendation, policy or violations observed or noted.
	1. The supervisor will attach any associated administrative reports to the after-action report and forward the entire report to the Patrol Commander.
	2. After receiving copies of the after-action report and all available sources of information about the pursuit, including any video of the incident, recordings of 911 calls and/or police radio transmissions, reports, officer or other witness statements, medical records, or related documents, the Patrol Commander shall conduct a complete and meaningful review of the pursuit and surrounding circumstances.
	3. The Patrol Commander will attach any associated administrative reports to the after-action report and forward to the Chief of Police.
	4. The Chief of Police shall conclude the review with recommendations for any action to be taken including policy revisions, remedial training, disciplinary action, administrative action, or other action as appropriate.
16. Other Reporting
	1. The Chief of Police shall be responsible for ensuring timely notification to the Alabama Municipal Insurance Corporation (AMIC) under the terms of the city’s liability coverage concerning all pursuits that involve a crash regardless of injury.
17. Training and Review
	1. All agency personnel shall receive comprehensive mandatory instruction on this policy on a biennial basis or when changes to Federal, State, local law or policy occurs.
	2. This directive, along with evaluations of all pursuits, shall be reviewed at least annually, and revised, as necessary.

APPROVED: CHIEF OF POLICE DATE

I HAVE READ AND UNDERSTAND THIS ORDER

SIGNATURE OF OFFICER DATE

***DISCLAIMER***

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**VEHICLE PURSUIT- POST INCIDENT REVIEW ATTACHMENT A**

Pursuit Date: Time: AM PM

Officer initiating pursuit:

**INCIDENT**

Reason for initiating pursuit (traffic violation, reckless driving, suspected DUI, misdemeanor, felony, suspected felon, violent felony, other. Explain:

Prior to initiating pursuit, did offender present a clear and immediate serious threat to the safety of the public or Officer(s), or did offender commit/committing a violent felony: YES NO

Explain:

If pursuit continued, did Officer(s) continually question whether the seriousness of the crime(s) reasonably warranted continuation of the pursuit? YES NO

Explain:

Number of units involved in pursuit. Unit #s

**SUPERVISOR**

Was supervisor notified and understood justification for pursuit? YES NO

Did supervisor terminate or authorize continuation of pursuit? Terminate Continuation

If terminated, did all Officer(s) terminate pursuit per supervisor and SOP? YES NO

Explain:

**CONSEQUENCES**

Number of units damaged/wrecked because of pursuit Unit #s

Number of other vehicle’s damaged/wrecked because of pursuit: Vehicle(s)

Did offender wreck during pursuit? YES NO Officer(s): YES NO Other: YES NO

List other property damaged because of pursuit:

# of Officer(s) injured/killed in pursuit or apprehension: Officer(s)

# of citizens injured/killed because of pursuit: Citizen(s)

# of offender(s) injured/killed in pursuit or apprehension: Offender(s)

**DOCUMENTATION**

CAD #: Case #:

 In-Car Video Available  Body Camera Video Available  Dispatch Audio Available

If not available, explain

 Audio / Video Reviewed by:  Preserved  Copied

Report(s) included in packet? YES NO

Accident report(s) included, if applicable? YES NO

Injury report(s) included, if applicable? YES NO

Other documents YES NO

**SUPERVISORY REVIEW**

Supervisor’s determination (was pursuit justified and within policy)? YES NO

Explain:

Supervisor’s signature: Date:

**ADMINISTRATIVE REVIEW**

Patrol Commander determination (was pursuit justified and within policy)? YES NO

Explain:

Signature: Date:

**POLICE CHIEF REVIEW / ACTION**

Chief’s Review/Action: □ Pursuit authorized & in compliance with SOP

 □ Pursuit not in compliance with SOP

 □ SOP revisions

 □ Disciplinary action

□ Other Action

Explain:

Chief’s Signature: Date:

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