



POLICY AND PROCEDURE

Subject:
VEHICLE PURSUITS

Policy Number:
102

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By the Authority of:

Chief of Police: Zachary Owen

I. PURPOSE

To provide guidelines for law enforcement officers when engaged in a vehicle pursuit to minimize any potential danger to the officers, the general public, and fleeing suspects involved in a vehicle pursuit.

II. POLICY

Officers shall pursue fleeing suspects in a manner that is reasonable and necessary to accomplish lawful objectives, while protecting their lives and the lives of others. Forcible stops are only authorized when deadly force is justified

III. DEFINITIONS

Deadly Force – Any use of force that is likely to cause death or serious physical injury.

Forcible Vehicle Stop – Use of a vehicle to force another vehicle to stop. Forcible vehicle stops are considered Deadly Force.

Primary Pursuit Officer – Officer who begins a pursuit or any other officer who assumes control of a pursuit.

Pursuit Supervisor – Any officer holding a supervisory rank.

Pursuit Vehicle – Any authorized law enforcement emergency vehicle which is involved in pursuing a fleeing vehicle.

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Secondary Pursuit Officer – Officer(s) who assists the Primary Pursuit Officer.

Vehicular Pursuit – An active attempt by an officer to apprehend a driver or operator of a motor vehicle, who having been given a visual or audible signal by the officer to bring his/her vehicle to a stop, but willfully fails to obey the officer's direction, increases his/her speed, extinguishes his lights, or otherwise flees or attempts to elude the officer.

IV. VEHICLE PURSUIT

- A. Officers engaged in a pursuit are not relieved from the duty to drive with due regard for the safety of all persons.
- B. A pursuit is justified only when the need to apprehend the suspect outweighs the danger of continuing the pursuit.
- C. The decision to pursue shall lie with the Primary Pursuit Officer. The Primary Pursuit Officer shall also evaluate and determine whether to continue a pursuit unless otherwise instructed by the Pursuit Supervisor to terminate the pursuit.
- D. The Primary Pursuit Officer must consider the following circumstances and conditions before initiating a pursuit, and during a pursuit to determine if the pursuit should be continued:
 1. the threat posed by the fleeing subject;
 2. whether the identity of the suspect is known;
 3. the seriousness of the original offense that led to the pursuit;
 4. the time, day and location of the pursuit;
 5. the weather and road conditions;
 6. the presence and volume of vehicular and pedestrian traffic;
 7. the officer's familiarity with the pursuit area;
 8. the presence of passengers in the fleeing vehicle;
 9. the known mechanical condition of the Pursuit Vehicle including its emergency and communication equipment;
 10. the likelihood of apprehending the fleeing suspect through continued pursuit or identifying and finding the suspect at a later date (the futility of the pursuit without the ability to apprehend);
 11. other circumstances or conditions which may present a hazard;
 12. his/her personal driving capability; and
 13. the availability of other law enforcement.
- E. Officers shall not duplicate willful and/or wanton hazardous driving maneuvers performed by the suspect(s).

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- F. No more than two law enforcement vehicles – primary and secondary pursuit officers – shall actively engage in a vehicle pursuit unless otherwise authorized by the pursuit supervisor.

V. PRIMARY PURSUIT OFFICER RESPONSIBILITIES

A. The Primary Pursuit Officer shall:

1. Be in control of the pursuit.
2. Immediately notify the appropriate communications center of the pursuit. The following information will be reported, if known:
 - a. Description and license plate of the fleeing vehicle;
 - b. Location, direction of travel and approximate speed of the fleeing vehicle;
 - c. Initial reason for the stop/pursuit;
 - d. Number of occupants and their description; and
 - e. Any other pertinent information.
3. Continuously use blue lights and siren during pursuit, unless specific permission to do otherwise is received from the supervisor.
4. Communicate complete, accurate, and timely information that describes not only traffic conditions and speed, but events occurring within the pursuit to telecommunications personnel throughout the pursuit. The Primary Pursuit Officer may delegate this task to the secondary pursuit officer.
5. Provide or arrange for assistance to persons who may be injured during the pursuit if there is no other officer in the immediate area to provide or arrange for assistance.
6. Terminate the pursuit, if necessary, in accordance with Sections IV and VIII of this policy.
7. The pursuit shall be terminated immediately if a Pursuit Supervisor is not available to monitor and direct the pursuit unless a supervisor is actively engaged in the pursuit as described in Section VII.

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- B. Officers who have video equipment in their patrol vehicles shall activate their video recorder upon initiating or responding to assist with a pursuit and shall record all activities until the pursuit is terminated, the suspect is apprehended and transported to the appropriate location, or the officer is no longer involved in the pursuit.

VI. SECONDARY PURSUIT OFFICER RESPONSIBILITIES

- A. Prior to engaging in a pursuit, the Secondary Pursuit Officer shall consider his/her distance from the pursuit and the location of other officers in relation to the pursuit.
- B. The secondary pursuit officer will:
 - 1. Notify telecommunications personnel and the supervisor when joining the pursuit.
 - 2. Maintain a reasonable following distance from the primary pursuit vehicle to ensure proper reaction time and braking distance.
 - 3. Take responsibility for radio communications if assigned to do so by the Primary Pursuit Officer.
 - 4. Provide first aid to any person(s) injured during the pursuit and, if necessary, notify telecommunications personnel to dispatch an ambulance to the scene.
 - 5. Assume the primary pursuit vehicle position if instructed to do so or it becomes necessary.

VII. PURSUIT SUPERVISOR RESPONSIBILITIES

- A. The Pursuit Supervisor shall:
 - 1. Proactively seek the information outlined in Section (V)(A) of this policy as necessary to evaluate the pursuit;
 - 2. Order the termination of the pursuit when the danger of continuing the pursuit outweighs the need to apprehend the suspect;
 - 3. Evaluate the circumstances surrounding the pursuit to determine the need for additional law enforcement assistance.

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4. Consider the training, experience, and capability of the pursuit officer(s);
- B. A Pursuit Supervisor shall not engage in an active pursuit unless the supervisor initiated the pursuit or circumstances dictate engagement to ensure the safety of department personnel. If the Pursuit Supervisor is engaged in the pursuit, he/she shall relinquish the pursuit to other officers as soon as practical and assume a supervisory role.

VIII. REASONS FOR TERMINATING A PURSUIT

- A. The pursuit shall be terminated for the following reasons:
1. When the Primary Pursuit Officer determines that it is necessary or when directed by the Pursuit Supervisor;
 2. The danger of continuing the pursuit outweighs the need to apprehend the suspect based on the elements outlined in Section VII of this policy;
 3. The subject's vehicle stops or crashes; or
 4. The distance between the pursuing officer and the suspect is so great that further pursuit is futile (suspect eludes).
- B. The Primary Pursuit Officer shall notify telecommunications personnel that the pursuit has been terminated and state the time and location where the pursuit was terminated.

IX. FORCIBLE STOPS

- A. Forcible stops involve the use of a vehicle or weapon to force another vehicle to stop. Forcible stops constitute deadly force and are not authorized unless the use of deadly force is justified.
- B. The implementation of a forcible stop should be carefully weighed by the Pursuit Supervisor against the safety of all officers involved in the pursuit and other persons in the area.
- C. There shall be no deliberate contact made between vehicles involved as a means of attempting to stop the suspect's vehicle except when there is substantial likelihood that neither vehicle will strike another vehicle.

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- D. Officers shall not discharge their firearms at or from a moving vehicle unless deadly force is justified. Even under such circumstances, the officer who elects to use deadly force must reasonably evaluate the safety of non-involved pedestrians, motorists and property and the risk of the suspect vehicle going out of control is less than the risk of the suspect not being captured immediately.

X. PURSUITS INVOLVING OTHER AGENCIES

- A. Officers shall comply with authorities, rights, privileges, and immunities as they pertain to officer jurisdiction when in pursuit of offender S.C. Code Ann. §17-13-40 (1976).
- B. The pursuing officer shall notify communications and a shift supervisor when it is likely that a pursuit will continue across any jurisdictional line.
- C. Pursuit into a bordering jurisdiction shall be limited in scope to that of support, unless sworn personnel with appropriate jurisdiction are in the pursuit vehicle.
- D. Officers shall not assist in an active pursuit unless requested by the pursuing agency and a supervisor approves such assistance.
- E. At no time shall an officer become actively engaged in a pursuit if two vehicles from another agency are already in active pursuit, unless otherwise instructed by a supervisor.
- F. The assigned supervisor shall constantly evaluate the pursuit and terminate if necessary.

XI. VEHICULAR PURSUIT REVIEW

- A. The applicable supervisor will require personnel who were involved in the pursuit to provide documentation as soon as possible to ensure that operational or training deficiencies (if any) are identified.
- B. All reported vehicular pursuits will be reviewed by the appropriate supervisors to ensure that:
 - 1. Division rules, policy, and procedures were adhered to
 - 2. The relevant policy was clear and effective
 - 3. Training is adequate

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- C. All findings from such review shall be reported to the agency head and other appropriate authority annually.