


PINE BLUFF POLICE DEPARTMENT POLICY & PROCEDURES MANUAL

	SUBJECT:	POLICY NUMBER 231
	POLICE VEHICLE – PURSUIT DRIVING	ISSUE DATE 02/19/2008
	CHAPTER: PATROL	EFFECTIVE DATE 02/19/2008
	ISSUED By: Chief of Police John E. Howell	TOTAL PAGES 5

I. 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 narrowly regulate the manner in which vehicular pursuit is undertaken and performed.

II. PROCEDURES

A. INITIATING THE 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 offense; or
 - b) The suspect operating the vehicle refuses to stop at the direction of the officer; and
 - c) The suspect, if allowed to flee, could 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 performance capabilities of the pursuit vehicle;
 - b) The condition of the road surface upon which the pursuit is being conducted;
 - c) The amount of vehicular and pedestrian traffic in the area; and
 - d) Weather conditions.

B. 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 supervisor assigned to monitor the pursuit to order its termination.
3. 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.

C. SUPERVISOR'S RESPONSIBILITIES DURING VEHICULAR PURSUIT

1. Upon notification that a vehicular pursuit incident 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:
 - a) Directing pursuit vehicles into or out of the pursuit;
 - b) Re-designation 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.
4. The supervisor may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles 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 vehicle or officers;
 - e) The number of officers necessary to make an arrest at the conclusion of the pursuit; and
 - f) Any other clear and articulateable facts that would warrant the increased hazards caused by numerous pursuit vehicles.

D. 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. NOTE: This agency's primary concern in pursuit situations is the protection of lives and safety of all citizens and officers. The operation of emergency vehicles is governed by ACA 27-51-202, which authorizes emergency vehicles (activated blue lights and siren) to exceed the posted speed limit, but does not relieve the driver of an authorized emergency vehicle from the duty to drive the due regard for the safety of all persons. It also does not relieve the driver of any emergency vehicle from the consequence of a reckless disregard for the safety of others.

E. PURSUIT TACTICS

1. Unless expressly authorized by a 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. **Controlled Deflation Devices.**
 - a) Controlled-deflation devices shall not be used to stop fleeing motorcycles unless the use of deadly force is warranted as described in the Use of Force Policy.
 - b) The controlled-deflation device should be deployed sufficiently in advance of a fleeing vehicle to protect the deploying officer and prevent the suspect from seeing the unit deployed.
 - c) Deploying officers shall notify pursuing vehicles the location of the controlled-deflation device to ensure the safety of deploying and pursuing officers and citizens in the area.
 - d) The deployment location should be a straight and level roadway with adequate sight and stopping distance behind the area where the controlled-deflation device is deployed.
 - e) Upon notification of a controlled-deflation device deployment, pursuing officers should maintain sufficient distance from the pursued vehicle to permit de-activation or removal of the device upon passage of the suspect vehicle.

- f) If another vehicle, other than the target vehicle, runs over the activated controlled-deflation device, the officer shall:
 - i. Obtain assistance for the citizen to effect repairs, if possible;
 - ii. Provide an explanation to the citizen of the reason for the controlled-deflation device use and the procedure for filing a claim for damage to their vehicle;
 - iii. Notify a supervisor of the situation and document the damage in the offense/information report for the incident.
 - iv. The deploying will be responsible for recovery of and checking the condition of the controlled-deflation device after use.
 - g) Controlled-deflation devices may be used to prevent a vehicle from being moved by a suspect attempting to flee a scene.
3. The **Pursuit Intervention Technique (PIT)** shall only be used as a last resort to stop a fleeing vehicle, and only under the following circumstances:
- a) The occupant(s) of the vehicle are reasonably believed to have been involved in the commission of a dangerous felony involving the use or threatened use of deadly force; or
 - b) The continuing manner of operation of the fleeing vehicle is creating a substantial risk of death or great bodily harm to the public that would not be alleviated by terminating the pursuit; or
 - c) The occupant(s) of the fleeing vehicle pose a significant threat of death or great bodily harm to the public for reasons unrelated to the pursuit, if not immediately apprehended.
4. In addition, the pursuit intervention technique may be used if:
- a) The suspect's vehicle is traveling less than 35 miles per hour.
 - b) Doing so would not create an unreasonable risk of harm to uninvolved motorist, pedestrians or incur significant property damage to residential property or businesses.
 - c) Prior to the use of the pursuit intervention technique officers shall have authorization from a supervisor.
 - i. As provided for in this policy's Section II, Paragraph B, Sub-paragraph 3 it is the supervisor's responsibility for the approval or disapproval, and coordination of pursuit tactics
 - d) The officer performing the PIT has been trained in the technique.
5. Use of the pursuit intervention technique at speeds greater than 35 miles per hour is considered deadly force and shall only be used under authorized deadly force circumstances.
6. Use of any other ramming technique to contact a suspect vehicle and/or force it off a road is considered deadly force.

7. Departmental policy pertaining to use of deadly force shall be adhered to during the pursuit.
8. Only units with emergency lighting and sirens shall be involved in a pursuit. Police motorcycle or unit with only dash and/or grill lights will relinquish control or pursuit to any unit displaying overhead, (bar lights), emergency lights and siren and will become a backup or terminate their pursuit driving.

F. 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. Pursuit may be terminated by the pursuing officer, or any supervisor of this 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 is greater than the value of apprehending the suspect(s).
3. 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.

G. INTERJURISDICTIONAL PURSUITS

1. The pursuing officer shall notify the shift commander when it is likely that a pursuit will continue into a neighboring jurisdiction.
 2. Pursuit into a neighboring jurisdiction shall conform with state law.
- H. The shift commander shall prepare a comprehensive analysis of the pursuit, and forward it to the Assistant Chief of Police. Personnel involved in any pursuit shall submit a report of their actions to the shift commander.