

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public, and fleeing suspects.

307.1.1 DEFINITIONS

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

Ramming - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

High Speed pursuit – pursuits conducted at excessive speeds for the prevailing conditions or driving with no regard for traffic control devices, such as red lights.

307.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

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307.3 OFFICER RESPONSIBILITIES

Officers shall only engage in a vehicle pursuit while operating an authorized police department emergency vehicles equipped with emergency lighting and sirens as required by law unless exempt under Tex. Transp. Code § 546.004 (Tex. Transp. Code § 546.003). Upon engaging in a pursuit, officer(s) shall immediately activate both their emergency lights and siren.

Officers shall drive with due regard for the safety of all persons and property. Officers and supervisors shall carefully evaluate the circumstances and apparent risks associated with each vehicle pursuit and shall not begin or continue a pursuit if the danger posed by the pursuit is unreasonable or outweighs the value of immediate apprehension or as restricted by this general order. The apprehension of a suspect or violator in pursuit is secondary to the risk to the safety of citizens and officers.

307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when the officer has reason to believe that a suspect has been given an appropriate signal to stop by a law enforcement officer, and the driver is attempting to evade arrest or detention by fleeing in a vehicle at high speeds or other evasive maneuvers.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists, and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones), and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic, and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.

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- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce the visibility of the vehicle, such as a visor or dash-mounted lights, concealable or temporary emergency lighting equipment, and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders, and hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

307.3.2 WHEN TO TERMINATE A PURSUIT

- A. Pursuits shall be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.
- B. Officers shall immediately discontinue a pursuit when a supervisor directs the pursuit to be terminated.
- C. Unless the suspect is believed to be a violent threat to the community, or unless the vehicle is identified as a priority vehicle (via Flock hotlist), officers shall discontinue pursuits for misdemeanors charges and/or the state-jail felony charge of evading when the violator engages in extremely hazardous maneuvers, including but not limited to:
 - 1. Driving against oncoming traffic.
 - 2. Driving at excessive speeds for the prevailing conditions.
 - 3. Driving with no regard for traffic control devices, such as red lights.
 - 4. Driving in areas with a high number of pedestrians, including parking lots.
 - 5. Driving during poor weather, slippery streets, and low visibility.
 - 6. Driving when children are known to be in the suspect vehicle unless the officer has reason to believe the situation involves a child abduction.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves, and the public when electing to continue a pursuit.

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In addition, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursuing vehicle is driving against oncoming traffic.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards posed to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers, or the suspect, balanced against the risk of allowing the suspect to remain at large.

307.4 PURSUIT VEHICLES

Unless approved by a supervisor, no more than three (3) police vehicles will be actively involved in the pursuit at any time. This includes the officer initiating the pursuit, a backup officer, and a sworn supervisor. If the supervisor is unable to be actively involved in the pursuit, a third unit may be a backup officer.

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

When on-duty, one Police K-9 unit may respond to the pursuit CODE 1 to assist the other involved officers in the event the suspect(s) flee on foot. A sworn supervisor has the authority to increase the response of the K-9 unit from **Code 1 to Code 3** if the emergency response is likely to prevent or curtail the risk of serious injury or death to a member of the public and/or a member of this department or other law enforcement agency.

307.4.1 MOTORCYCLES

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

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307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and sirens are prohibited from initiating or joining in any pursuit.

307.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated and, as soon as practicable, provide information including, but not limited to:

- (a) The location, direction of travel, and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) The use of firearms, threat of force, violence, injuries, hostages, or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) If the identity of the suspect(s) is known.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

307.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.

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- (d) Broadcasting the progress of the pursuit, updating known or critical information, and providing changes in the pursuit unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

307.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- (d) Notify other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

307.5.2 AIR SUPPORT ASSISTANCE

When available, air support assistance may be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will

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maintain operational control but should consider whether the participation of air support warrants their continued proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether to continue the pursuit. If officers on the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

307.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not involved in the pursuit shall not become involved unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

The primary pursuit vehicle, secondary pursuit vehicle, and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The supervisor will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertain all reasonably available information to continuously assess the situation and risk factors associated with the pursuit.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines, or additional resources, if requested, is available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.

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- (j) Controlling and managing Garland Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

307.7 THE DISPATCH CENTER

If the pursuit is confined within the city limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.7.1 RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (g) Assigning an incident number.

307.8 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.9 RULES

- (A) Officers shall discontinue the pursuit if any pursuing officer reasonably believes the risk of injury or death to any person outweighs the need for the immediate apprehension of the suspect(s).
- (B) Pursuing Officers shall not drive the wrong direction on a divided roadway, any one-way roadways, or highway unless allowing the suspect to escape may place citizens and/or other law enforcement personnel at risk of serious injury or death. Officers may parallel a vehicle traveling the wrong way when safe to do so.

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- (C) Officers shall not pursue a vehicle through active school zones unless allowing the suspect to escape may place citizens and/or other law enforcement personnel at risk of serious injury or death.
- (D) During the pursuit, officers shall not use a spotlight or "take down lights" unless deadly force is authorized.
- (E) The Garland PD recognizes that pursuits policies vary between other outside law enforcement agencies. During a pursuit by another jurisdiction, Garland officers shall assist the initiating agency by acting as a backup unit in accordance with the **Inter-Jurisdictional Pursuit Policy** or as directed by a sworn supervisor. If the reason or nature of the pursuit conflicts with GPD's pursuit policy, officers may continue in the pursuit until sufficient backup has arrived (no more than 3 total pursuing units) or until the pursuit has left the Garland City Limits. Officers may assist in the pursuit outside of the City Limits if the pursuing unit is alone in the pursuit.
- (F) If the identity of the suspect(s) fleeing in any vehicle is known, officers shall discontinue the pursuit unless the officer(s) involved in the pursuit have specific, articulable facts which indicate that the suspect(s) have committed:
1. A violent crime, or
 2. the suspect(s) are known to be a violent threat to the community through previous actions or crimes
- (G) If the suspect vehicle is a **motorcycle**, officers shall discontinue the pursuit if the motorcycle is occupied by one or more passengers (in addition to the driver) unless the officer(s) involved in the pursuit have specific, articulable facts which indicate that the occupant(s) of the motorcycle have committed a violent crime or allowing the suspect(s) to escape may place citizens and/or other law enforcement personnel at risk of serious injury and/or death. The suspect(s) simply evading arrest in a vehicle is not sufficient by itself to meet this last standard.
- (H) Except for the use of the PIT maneuver when authorized by a sworn supervisor, officers involved in a vehicle pursuit shall not intentionally or recklessly bump, or ram unless the use of deadly force is authorized.

307.9 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

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307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance, including, but not limited to, scene control, coordination and completion of supplemental reports, and any other assistance requested or needed.

307.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming, or roadblock procedures.

307.10.1 WHEN USE IS AUTHORIZED

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers, and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

307.10.2 USE OF FIREARMS

Firearms shall not be discharged at a moving vehicle in an attempt to disable the vehicle. Officers shall not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force.

307.10.3 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

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- (a) *Blocking or boxing in* a vehicle should only be considered in cases involving violent felony suspects or impaired drivers who pose an imminent threat to the public's safety and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed after considering the following:
1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers, or others.
 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
 3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
 4. The suspect vehicle is stopped or traveling at a low speed.
 5. Only law enforcement vehicles should be used in this tactic.
- (b) The *PIT* is limited to use by properly trained officers with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public, and occupants of the pursued vehicle. The PIT maneuver shall only be used when necessary to attempt to immediately end the vehicular pursuit of a violent, felony offender, and the failure to immediately apprehend would pose a risk of serious bodily injury or death to member(s) of the public and/or law enforcement personnel.
- (d) Unless deadly force is authorized in accordance with policy, officer(s) shall not utilize the PIT maneuver on motorcycles, large trucks, semi-tractors, buses, or vehicles known to be carrying hazardous materials.
- (c) Except for the use of the PIT maneuver when authorized by a sworn supervisor, officer involved in vehicle pursuits shall not intentionally or recklessly bump, ram, or use a vehicle as a barricade or roadblock to terminate a pursuit unless the use of deadly force is authorized.
- (e) *Tire deflation devices* should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment and in a manner that:
1. Should reasonably only affect the pursued vehicle.
 2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
 3. Takes into account the limitations of such devices as well as the potential risk to officers, the public, and occupants of the pursued vehicle.

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4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children.

307.12 REPORTING REQUIREMENTS

A written critique of a vehicular pursuit (the Pursuit Critique form) shall be completed by the responsible superior as soon as possible after the pursuit has been concluded. The supervisor shall review the elements of the pursuit to ascertain if the pursuit was conducted in compliance with this order.

The supervisor will forward the report to the Assistant Chief of the appropriate division via the Chain of Command for additional review by the Captain and the Assistant Chief. In the report, the supervisor shall document any performance issues and/or areas in need of training for any police personnel involved.

307.13 VEHICLE PURSUIT REVIEW BOARD

- (a) The purpose of the Vehicle Pursuit Review Board is to review vehicle pursuits to determine if proper tactics were used and to determine training needs.
- (b) The Assistant Chief of a Division may conduct an Administrative Review with his/her Command Staff members and determine if a particular vehicle pursuit does not need to be forwarded to the Vehicle Pursuit Review Board.