	<u>SUBJECT</u> PURSUIITS		<u>NUMBER</u> 402/39
	EFFECTIVE DATE: 08-26-09	AMENDS: 07-09-08	RESCINDS:
DISTRIBUTION: Administration, CID, Patrol, Communications, Clerical		REFERENCES: CALEA 41.2.1, 41.2.2, 41.2.4 IACLEA 41.2.1, 41.2.2 / TPCFA 7.13.1, 7.14.1	


FOUNDATION:

[EMERGENCY VEHICLE OPERATION – TEXAS TRANSPORTATION CODE](#)


[ALAMO COLLEGES POLICE DEPARTMENT OPERATIONS MANUAL SECTION 402-20 EMERGENCY VEHICLE OPERATION](#)

- .10 The policy of the Department is to minimize the risk of loss of life, personal injury and property damage associated with vehicular pursuit. The necessity to engage in a pursuit must be balanced objectively between the risk involved in the pursuit and the value of apprehending the violator, the severity of the underlying offense, and the danger of allowing the suspect to remain at large.
- .20 It is the view of the Department that although many pursuits incur too much risk to be justified, occasionally there are urgent circumstances when a proper law enforcement response requires a pursuit, and the degree of risk involved becomes justified. This policy is to be used as a guide to making intelligent and acceptable decisions on whether or not to pursue.
- .21 It is essential that Officers **not** assume that an individual observed for a traffic violation must be involved in something more serious because he is fleeing. Officers must rely on what they know, not what they think or sense. Increasing risks during a pursuit can only be justified by what is known.
- .22 The key factors to be considered when continuing a pursuit are justification, public and personal safety, alternatives and control. Be aware that it is not a disgrace to break off a pursuit that has become too dangerous; such action is proper police procedure.
- .30 A pursuit is defined as a situation where the driver of a vehicle is aware that an Officer driving a police vehicle with emergency lights and siren is attempting to apprehend him or her and the driver of this vehicle attempts to avoid apprehension by increasing speed or taking other evasive action and refuses to stop.
- .40 Officers will not continue pursuits unless there is sufficient information available to associate the vehicle or its occupants with the commission of a violent felony offense or a life-threatening situation.

A. THE DEPARTMENT DOES NOT RECOGNIZE A DRIVER FLEEING FROM POLICE AS A LIFE THREATENING SITUATION IN AND OF ITSELF AS IT MAY BE DETERMINED LATER THAT A LIFE THREATENING SITUATION WAS CREATED BY THE CONTINUATION OF A PURSUIT.

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- .41 Only police vehicles equipped with and utilizing operable emergency lights, flasher equipped headlights, and operable siren will participate in the pursuit of a fleeing violent felon. A pursuit will be limited to the primary unit and a secondary unit. All other units have support roles. Any unmarked unit involved shall relinquish close pursuit to a marked unit as soon as possible.
- .42 Officers will notify the Dispatcher immediately whenever they become involved in a pursuit. The primary unit will be responsible for updating the Dispatcher with information concerning the pursued vehicle's location, direction of travel, and driving behavior. When a secondary unit becomes involved in the pursuit, the secondary unit will assume the responsibility for all radio communications with the Dispatcher. If the secondary unit is separated from the pursuit or disengages, he will notify the Dispatcher and the primary unit will assume the radio communications.
- .43 Pursuits will not be continued without the authority of a Supervisor or higher authority. In the absence of an on-duty Supervisor, Officers shall weigh the circumstances of the pursuit and discontinue if the provisions of this policy are not met.
- .44 Supervisors will monitor and constantly evaluate a pursuit's progress. Supervisors will order a pursuit discontinued when circumstances or facts do not justify continuing the pursuit or when the risk created by the pursuit exceeds the immediate danger of the violator remaining at large.
 - A. The primary consideration in determining whether to continue a pursuit is the nature and severity of the offense that gives rise to the pursuit.
 - B. The decision to continue or terminate a pursuit must be based on all available known facts and will be constantly re-evaluated by the controlling supervisor as conditions or circumstances change.
 - C. Supervisors shall go to the scene of a pursuit apprehension and take control.
- .45 It is emphasized that Officers must terminate a pursuit when the risk created by the driving outweighs the need for immediate apprehension of the suspect. Pursuits will be immediately terminated when:
 - A. There is a clear and unreasonable hazard to an Officer, suspect, or the public. There is an unreasonable hazard when the speed dangerously exceeds the normal flow of traffic, or when vehicular or pedestrian traffic necessitates erratic maneuvering, exceeding the performance capabilities of the vehicle or driver.
 - B. Type of vehicle being pursued is a motorcycle or high performance vehicle.
 - C. The suspect is known or identified as an irresponsible juvenile.

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- D. Distance between the Officer and the suspect is such that continuing pursuit would require speeds endangering the Officer and the public.
- E. Officer loses visual contact with the suspect for an extended time (fifteen seconds). The Officer may continue to look for the suspect, but at normal speed.
- F. The suspect goes the wrong way down a freeway, freeway access ramp or frontage road, divided highway, or one-way street. This does not preclude an Officer from following from a parallel roadway as long as the Officer is traveling with the direction of traffic.
- G. Pursuit vehicle experiences equipment failure or malfunction involving lights, siren, radio, brakes, steering, or other essential equipment.
- H. Visibility, weather conditions and/or road conditions limit the probability of a safe and successful end to the pursuit.
- I. Officer is unfamiliar with the area and is unable to notify the Dispatcher of his location or direction of pursuit.
- J. Pursuing unit(s) lose radio contact with the Dispatcher.
- K. There no longer exists reasonable cause to believe that the suspect has committed, has attempted to commit, or is committing a violent felony.
- L. In the absence of a supervisor, a higher authority cannot be contacted to approve a pursuit's continuance.
- M. A supervisor or higher authority orders the pursuit terminated.

.46 Officers are prohibited from the following practices during the course of an authorized pursuit:

- A. Roadblocks (moving or stationary)
- B. Attempting to force a vehicle from the roadway by driving alongside or in front of fleeing vehicle.
- C. Bumping or ramming a fleeing vehicle.
- D. Duplicating impetuous or reckless, erratic driving of the pursued vehicle.
- E. Discharging of weapons at a moving vehicle other than provided for in the Use of Force policy.

.47 When a decision is made to terminate a pursuit or disengage from a pursuit for any reason, Officers will reduce the speed of their police unit to the posted speed limit and turn off all emergency lights and sirens.

.50 Unless specifically requested by the originating agency, no Officer will join in a pursuit which was originated by another agency. This does not preclude an Officer being assigned to a point of advantage or to the scene of termination.

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- .51 Officers authorized to assist outside agencies engaged in pursuits will do so only within the guidelines set forth by this policy and will terminate the pursuit at which time the pursuit leaves the boundaries of Alamo Colleges property.
- .52 Officers will respond to the termination point of an outside agency's pursuit if within the boundaries of Alamo Colleges property to obtain pertinent information concerning the pursuit, investigate accidents, or investigate crimes that may have occurred during the course of the pursuit as it was within the boundaries of Alamo Colleges property.
- .60 The primary Officer involved in a pursuit is to initiate a report of the pursuit in addition to any offense reports prepared prior to the end of his tour of duty, regardless of whether an arrest was made, outlining specifics of the pursuit. Where a secondary unit was involved, that Officer is to complete a supplement to the primary Officer's report, outlining specifics of his involvement.
- .61 All reports prepared concerning the pursuit will be forwarded to the Deputy Chief of Police/Administration who will make arrangements for a [Review Board](#) to critique the pursuit and actions taken by an Officer(s). The [Review Board](#) will be made available all reports concerning the pursuit and any other writings or recordings (phone/radio tapes/video tapes) that will provide information concerning the pursuit.
- .62 The Deputy Chief of Police/Administration will prepare a report to the Chief of Police documenting the findings of the [Review Board](#) and any recommendations as a result of those findings. The Chief of Police will have the final decision in all matters concerning vehicular pursuits.