THE RALEIGH POLICE DEPARTMENT

1106-10

PURSUITS

PURPOSE

To provide regulations concerning the operation of Police Department vehicles under pursuit conditions and to establish policy and procedural guidelines for the implementation and deployment of tire deflation devices (TDD).

VALUES REFLECTED

This directive reflects our values of Service, Courage, Fairness, and Integrity. The safe operation of our vehicles will lessen the risk of injury and property damage. We recognize the risks inherent in vehicle pursuits and will take the necessary steps to minimize the risk to the public while still seeking to bring offenders to justice.

UNITS AFFECTED

All Sworn Officers

REFERENCES/FORMS

G.S. 20-145 “When Speed Limit Not Applicable”
G.S. 20-156 “Exceptions to Right-of-Way”
G.S. 20-135.2A “Mandatory Seat Belt Use”
City Policy 100-10A “Seat Belt Use Mandatory”
GENERAL POLICIES

A respect for human life shall guide officers in determining whether to engage in or terminate a vehicular pursuit. Officers will act within the boundaries of legal guidelines, good judgment, and accepted practices when engaging in or determining whether to engage in a vehicular pursuit or stopping tactic. Officers engaged in a vehicle pursuit shall operate their vehicle with due regard for safety of others at all times.

A pursuit is justified only when the necessity of immediate apprehension outweighs the level of danger created by the pursuit.

PURSUIT INITIATION

Vehicular pursuits are prohibited except under circumstances where there is probable cause to believe that an occupant of the vehicle has committed a felony involving the infliction, attempted infliction, or threatened infliction of serious physical harm to a person. Pursuits will be initiated only if one of the criteria listed above is met.

The Watch Commander may authorize a vehicular pursuit that does not meet the above criteria only in exceptional circumstances. In authorizing a pursuit that does not meet the criteria set out above, the Watch Commander shall carefully consider the seriousness of the suspected initial offense; the applicable speed limit, intersections, and traffic control devices; road conditions, congestion, and weather; type and condition of vehicles used; the speed of the vehicles; the experience and ability of the pursuing officer(s); the use of warning signals and lights; whether the suspect is known; the danger presented to the public by continuing the pursuit and the danger to the public presented by the suspect if he/she is not immediately apprehended.

A pursuit is defined as any attempt by a police officer to follow or apprehend a moving vehicle that is attempting to avoid apprehension or obstruct the authority of a police unit by ignoring the police officer’s attempt to stop the vehicle. This definition applies regardless of the speed of the suspect or the police officer.

Violators who refuse to comply with a traffic stop for lesser offenses will not be pursued or followed regardless of speed. There is no distinction between a pursuit and a refusal to stop.

BALANCING OF RISKS

In deciding the degree of physical and legal risk which will be accepted in initiating a pursuit that meets the above criteria, it is necessary to balance the dangers associated with non-apprehension with the dangers to officers and the public associated with high-speed vehicle operation.

The appropriate balancing of risks shall include consideration of the following: seriousness of the suspected offense; the applicable speed limit, intersections and traffic control devices; road conditions, congestion, and weather; type and condition of vehicles used at high speeds; preparedness of the involved officer(s) condition to drive with reasonable safety at high speeds; and the use of warning signals and lights.
Officers will use their judgment to evaluate and assess the need to continue a pursuit. Consideration shall be given to the risks listed above in determining whether or not to continue a pursuit. Any officer or a supervisor will terminate the pursuit if unwarranted risks are present.

Pursuits shall be immediately terminated when: directed by a field supervisor; there is a clear and unreasonable hazard to officers, violator, or the public; the dangers created outweigh the necessity for immediate apprehension; or the emergency response vehicle experiences equipment failure or malfunction involving lights, siren, radio, brakes, steering or other essential equipment.

**PURSUIT PROCEDURES**

When engaged in vehicle pursuit, officers will utilize blue lights, headlights and sirens. Vehicles without this emergency equipment will not become involved in a pursuit. Any vehicle transporting non sworn personnel will not engage in a pursuit. Unmarked police units involved in a police pursuit will terminate their involvement once marked units are available.

An officer initiating a pursuit will immediately notify Emergency Communications. The officer will give the location, direction of travel, speed, the reason for the pursuit, and available suspect vehicle information, and the traffic and weather conditions then existing.

Emergency Communications will broadcast that a police pursuit is in progress and will assign a single secondary unit to assist the initiating officer. Communications will also notify the State Highway Patrol and surrounding jurisdictions when it appears as though the suspect may flee the City. Requesting another law enforcement agency to respond and take over a pursuit in our jurisdiction is prohibited.

A field supervisor will monitor all pursuits to ensure compliance with pursuit policy. A field supervisor will assess and evaluate the totality of the circumstances involved in a pursuit and take into consideration the risk factors listed above in determining whether or not the pursuit should continue. The supervisor may assign or withdraw units as the supervisor deems necessary.

No more than two police vehicles (a primary unit and a secondary unit) shall become actively involved in a pursuit, unless otherwise specifically directed by the supervisor assigned to direct the pursuit. The purpose of the secondary unit is to provide backup for the primary unit. The secondary unit will remain far enough behind the pursuing officer, so as not to become involved in any collision that might result. The assisting unit will act as a check in for securing the vehicle and persons in the event the suspect vehicle is stopped.

Once the secondary unit becomes actively involved in a pursuit that unit shall take over all radio communication, to the extent feasible. It shall be the responsibility of the secondary unit to continuously update Emergency Communications of location, direction of travel, traffic, speed, traffic violations committed by the suspect, weather and road conditions then existing. If there is no secondary unit, or it is not feasible for the secondary unit to update Emergency Communications, it shall be the responsibility of the primary unit to provide these notifications to Emergency Communications.

Police vehicles actively involved in a pursuit will come to a complete stop at all controlled intersections displaying a red light or stop sign in the officer's direction of travel. Officers should safely clear these intersections prior to continuing the pursuit. Officers will reduce the speed of
their police vehicle when confronted with traffic congestion. Officers will not follow behind any fleeing vehicle that is traveling into opposing traffic (e.g. suspect traveling north in the south travel lane of the roadway).

Only assigned units are to become involved in the pursuit. Other units should move to strategic locations. If the initiating officer drops out of pursuit and another officer assumes pursuit, Emergency Communications is to be notified.

**Uncommitted Patrol Units**

Uncommitted vehicles are all vehicles that are not directly involved in the pursuit as a primary or secondary unit.

Uncommitted patrol units may not engage in any pursuit that already has a primary and secondary unit unless authorized by the supervisor who is monitoring the pursuit.

Uncommitted patrol units will not make an emergency response towards an active pursuit in order to become a secondary unit in the pursuit unless authorized by a supervisor.

Uncommitted patrol units in the area may move toward the vicinity of the pursuit while obeying all traffic laws and not engaging emergency equipment.

All other uncommitted units will remain aware of the direction and progress of the pursuit, but will not actively participate unless specifically authorized as described above.

After a pursuit has been terminated any further attempt to follow or maintain visual contact with a violator or suspect vehicle is prohibited. All pursuing officers are to turn off all emergency equipment, pull off the roadway, come to a complete stop and not continue in the direction of the suspect vehicle.

**Roadblocks, Ramming and Forcing a Vehicle Off the Roadway:**

Roadblocks shall not be used.

Deliberately ramming or forcing a vehicle off the highway can be interpreted as a use of deadly force. Such actions may result in the activation of air bags and/or loss of vehicle control and shall not be undertaken.

**USE OF TIRE DEFLATION DEVICES**

The Raleigh Police Department recognizes that the proper use of tire deflation devices may result in the prevention of police pursuits. The use of this device seeks to increase safety to officers and the general public, the reduction of property damage, and a decrease in liability. For these reasons, guidelines have been established to assist officers in the proper utilization of Tire Deflation Devices (TDD).
Use Of TDD On Stationary Vehicles

Tire deflation devices may ONLY be used as a pursuit prevention measure for stationary vehicles.

TDD shall ONLY be assigned to select personnel within the Special Operations and the Detective Division.

They may be used for the following:

- Control at traffic/DWI checkpoints
- Suspect surveillance
- Buy/Bust drug operations
- Warrant Service
- Mental Suspects/Barricaded Suspects
- Other situations where movement of a vehicle must be prevented.

Officers Must Consider the Following Prior to the Deploying of the TDD

- The officer must predetermine an effective and safe location for the placement of the TDD.
- Deployment locations should have reasonably good sight distance to enable the officer deploying the TDD to observe the vehicle and other traffic as it approaches.
- Traffic congestion, special events, and/or activities may create situations where the use of the TDD would not be appropriate.
- The TDD will not be deployed on any vehicle with less than four tires; such as a motorcycle.
- Position and vulnerability of the public, private property, and other assisting units and equipment must be considered.

Deployment Procedures

- Decision to use the TDD must be approved by a supervisor/Watch Commander before the device is to be deployed.
- When the decision is made to deploy the TDD, at a predetermined location, perimeter units will be notified by the officer deploying the TDD as far in advance as possible.
- The officer deploying the TDD will be in position at the predetermined location in sufficient time for proper deployment.
- Prior to using the TDD, officers must have completed training for the use of the devices.
• The TDD will be deployed only according to the manufacturer’s recommendations and Departmental training guidelines.

• After deployment of the TDD the officers at the scene should seek immediate protection.

• The officers deploying the TDD will be responsible for immediate removal after its use.

Post TDD Deployment Guidelines

Each use of the TDD shall be documented in a Use of Force Report and forwarded through the proper chain of command.

The report should include the following information: date, time and location of deployment; reason for deployment; damage to vehicles and/or TDD; and the name of the supervisor/Watch Commander authorizing use of the TDD.

Once used, the officer is responsible for restoring the TDD to operational condition.

PURSUIT BY OUTSIDE AGENCIES

Officers of this Department will not become directly involved in a pursuit being undertaken by a concurrent or adjacent police agency. Instead, they should move to strategic locations and be prepared to render assistance once the vehicle is stopped. Officers not directly involved in the pursuit shall follow the directives outlined above for Uncommitted Patrol Units.

VEHICLE PURSUIT REPORT

As soon as possible following a pursuit, each officer participating in the pursuit will submit a Vehicle Pursuit Report. The Watch Commander will evaluate each incident and forward a review to the Division Commander.

The Crash Reconstruction Unit Sergeant will conduct an annual analysis of these reports.

TRAINING

This policy will be reviewed annually with all sworn members of the Department.