



San Diego Community College District Police Department Policy and Procedures

1.05 POLICE PURSUITS

EFF. 10/01/19

I. PURPOSE

This Department procedure establishes guidelines to enhance the effectiveness of a pursuit and reduce the likelihood of incidents that could lead to potential liability.

II. SCOPE

This procedure applies to all sworn and Communications Division members of the Department.

III. BACKGROUND

- A. A police vehicle pursuit exposes the officers, fleeing violators, pedestrians, and occupants of other motor vehicles to the potential risk of death, serious injury, or damage to personal property. Officers may be subject to administrative action for negligent emergency vehicle operation and the City may be found liable in civil actions. Should improper emergency vehicle operations rise to the level of criminal negligence, officers could be subject to criminal prosecution.
- B. During a pursuit, the violator frequently refuses to give up and the officer feels an obligation to succeed in the pursuit. This psychological phenomenon can cloud one's judgment and may cause the officer to continue the chase beyond the point where common sense and good judgment would require the pursuit to be terminated.
- C. When engaged in a pursuit, officers must balance the seriousness of the violator's suspected crime against the inherent risks of engaging in a pursuit, including potential for death or injury if the chase is continued. Officers should not assume that all persons who flee from the police and refuse to yield are serious criminal suspects. Frequently, termination of a pursuit in the interest of safety is most appropriate.

IV. DEFINITION

- A. Vehicle Pursuit – an event involving one or more law enforcement officers attempting to apprehend a suspected or actual violator of the law in a motor vehicle while the
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driver is using evasive tactics, such as high speed driving, driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to the officer's signal to stop (emergency lights and siren).

V. **PROCEDURES**

A. Initiating a Pursuit

1. An officer may initiate a pursuit when a vehicle fails to yield to a police vehicle operating with emergency lights and siren activated. The officer must have probable cause to believe the driver, or occupants of the vehicle have committed an infraction or misdemeanor in his/her presence, or have probable cause to believe a felony has been, or is being, committed.
2. The decision to initiate a pursuit should take into account the need to protect the public, and balance the known or suspected offense and the apparent need to immediately capture the suspect against the risks to peace officers, innocent motorists, and others. Factors to consider include: pedestrian and vehicular traffic patterns and volume; location of the pursuit; time of day; speed of fleeing suspect; weather and visibility; road conditions; and whether the identity of the suspect is known and can be apprehended at a later time .

B. Participating in a Pursuit

1. A police vehicle shall not be used in a pursuit unless the vehicle is equipped with emergency lights that are activated and a siren sounding as reasonably necessary (21055 CVC).
2. Officers engaged in a pursuit have a duty to drive with due regard for the safety of all persons using the highway (21056 CVC).
3. Only two units shall be actively involved in a pursuit unless a field supervisor, Lieutenant, or the Chief of Police approves additional units.
4. Uninvolved units shall remain alert to the location of the pursuit, but shall not join the pursuit unless requested by the primary pursuit unit, or if authorized by a field supervisor.
5. Officers with prisoners or non-law enforcement passengers should not engage in a pursuit unless the offender poses an immediate life threatening risk to public safety.

C. Communications Procedures and Responsibilities

When a pursuit begins, the following radio procedures will apply:

1. Dispatch will announce “Emergency Traffic Only”, which will be repeated every 30-60 seconds (or as often as reasonably needed), and assign a field supervisor as the supervisor of record to assume control and monitor the pursuit. Any field supervisor may cancel unnecessary “Code 3” cover units or terminate the pursuit, when circumstances require it.
2. If no Lieutenant is on-duty at the time of a pursuit, Dispatch will notify the Lieutenant. The Lieutenant will monitor pursuits under most circumstances, when available. The Lieutenant and/or Chief of Police may order termination, if warranted.
3. The pursuing officer(s) shall remain on the original radio talkgroup unless directed otherwise. The second assisting unit behind the primary unit should “call the pursuit.” Whenever possible, passenger officers should operate the radio allowing the driver to concentrate on driving tactics and officer safety.
4. Once a pursued vehicle is overtaken by a law enforcement helicopter, the aircraft can assist by broadcasting ongoing radio updates along the route of travel. If a canine unit is involved in the pursuit, the radio dispatcher shall broadcast that information for officer safety purposes.
5. If a SDPD officer is requested to deploy spike strips or stop sticks, Dispatch must be advised of the deployment location. The dispatcher shall immediately rebroadcast this location to pursuing units. This allows for pursuing units to tactically prepare for the apprehension of the suspect(s) while avoiding the tire deflation devices placed in the roadway. Dispatch will rebroadcast any spike strip/stop stick location updates.
6. Officers not actively engaged in the pursuit should remain off the air, giving priority radio traffic to pursuing units.
7. If a field supervisor orders a pursuit to be terminated, it shall be terminated immediately. The dispatcher will rebroadcast that the pursuit has been terminated.

VI. PURSuing OFFICER'S RESPONSIBILITY

- A. The initiating pursuit unit shall state, on the radio, specific information identifying the suspect(s), involved vehicle, what the vehicle is wanted for, the pursued vehicle's speed, and a description of the area through which the pursued vehicle is traveling.

B. Speed

Many pursuits begin after an officer observes a vehicle traveling at an excessive speed, while others stem from suspects attempting to evade capture for criminal activity. Pursuits frequently involve high-speed driving maneuvers as suspects attempt to evade officers. The majority of these pursuits involve one or more additional police vehicles, and result in several vehicles traveling at a speed near or greater than the speed the initiating officer identified as hazardous, or at a speed that becomes hazardous during the course of the pursuit.

Prior to pursuing a violator at high speeds, officers must evaluate the risks associated with operating the police vehicle(s), and the fleeing vehicle at high speeds. Officers must consider environmental factors when making their assessment as to whether to begin, continue, or terminate a high-speed pursuit. This assessment should include present, and potential surrounding and adjacent areas the pursuit might reach, and the hazards that multiple vehicles traveling at high speeds through the areas might pose. These areas may include but are not limited to nearby school zones, high pedestrian traffic areas, shopping center parking lots, public parks, street fairs, and sporting events.

Officers must continually evaluate whether they should begin, continue, or terminate pursuits involving high speeds in these and all other areas in order to ensure public safety, officer safety, safety of occupants in the fleeing vehicle, and effective pursuit tactics. Officers responding to assist in a pursuit shall drive with due regard for public safety (21056 CVC).

VII. TACTICS

- A. Driving on the wrong side of a divided roadway is generally prohibited, except in the most grievous circumstances when imminent danger to life exists. Driving the wrong way on freeways is strictly prohibited. Officers shall not pursue in opposing lanes of traffic on any freeway or divided highway separated by a raised island and/or center divider. Emergency vehicle operators may not be immune from prosecution if involved in a wrong-way collision that results in injury or death (21651 CVC).
- B. Due to the extreme hazards and potential risks for serious injury, police vehicles, generally, may not be used to “box in”, “ram” or “bump” suspect vehicles in any pursuit situation. A supervisor's approval shall be obtained prior to implementing any such action.
- C. Officers shall not use a police vehicle to perform a Pursuit Intervention Technique (PIT) Maneuver under any circumstances.

- D. Only one cover unit may follow the primary pursuing unit unless additional cover units are authorized by a supervisor. The cover unit(s) shall use emergency lights and siren in compliance with 21055 CVC and 21056 CVC.
- E. When appropriate, a better-positioned unit may become the cover (second) unit. When the primary pursuit and cover unit(s) are in position, all others shall drop out of the pursuit and cease "Code 3" operation, unless directed otherwise by a supervisor.
- F. Additional units should be prepared to:
 - 1. Provide adequate cover for a pursuing unit for purposes of officer safety, keeping radio traffic to minimum;
 - 2. Become the primary unit if the original pursuing unit loses the suspect vehicle or becomes disabled, notifying Dispatch that they are the primary pursuit unit; and,
 - 3. Attempt to station themselves at strategic points when the suspect is stopped.
- G. The pursuit unit(s) shall not be passed by other units unless the supervisor authorizes the maneuver. The primary pursuit unit should remain in position until the status is relinquished to another unit, either by the primary pursuit unit or as directed by a supervisor.

VIII. TERMINATING THE PURSUIT

- A. Officers involved in a pursuit have the responsibility to terminate the pursuit when the benefits of immediate apprehension are outweighed by the hazards of continuing the pursuit.
- B. Officers must continually evaluate whether the seriousness of the offense and the benefits of immediate apprehension are outweighed by the risk to pursuing officers and public safety in continuing the pursuit. In determining when to terminate or discontinue a pursuit, factors to consider include:
 - 1. The seriousness of the offense for which the suspect is wanted;
 - 2. Vehicular or pedestrian traffic safety and volume, weather conditions, traffic conditions, roadway limitations, environmental conditions, time of day, and speed;
 - 3. Suspect is known to be a juvenile;
 - 4. Suspect whose identity is known and apprehension can be accomplished at a later time, or when location of the pursuit vehicle is no longer known;

5. Availability of air support;
 6. Results of ongoing evaluation of risk to the public or pursuing officer(s); and,
 7. The protection of the public, given the known or reasonably suspected offense and apparent need for immediate capture against the risks to the public and peace officers.
- C. Officers ordered to terminate the pursuit shall immediately discontinue “Code 3” operation and fully abandon the pursuit. Officers shall not “trail” or follow the suspect after being ordered to terminate the pursuit. The dispatcher will rebroadcast that the pursuit has been terminated.
- D. Officers are prohibited from pursuing vehicles across the International Border into Mexico under any circumstances. Pursuits shall be terminated before reaching the Border. In order to terminate the pursuit safely before crossing the Border, the pursuit should be terminated before the last U.S. exit, (Siempre Viva for I-905 or Camino de la Plaza for I-5). The appropriate Border agencies will be notified by Dispatch of any approaching pursuits.

IX. SUPERVISORY RESPONSIBILITY

- A. Upon notification of a pursuit in progress, the field supervisor, Lieutenant, or Chief of Police shall verify the following:
1. Upon initiation of a pursuit, a supervisor shall proceed to the vicinity of the pursuit without becoming actively involved in it. That supervisor will assume responsibility as supervisor of record. The supervisor of record will periodically request specific information necessary to evaluate the pursuit.
 2. Supervisors should respond to the location at the end of the pursuit to ensure compliance with post-pursuit reporting requirements. Supervisors should debrief officers and ensure injuries, vehicle and property damage, and any use of force are properly documented.
 3. Verify the speed of the pursuit, and make a determination as to whether it is safe to continue the pursuit given the same factors used to initiate the pursuit, and any other changing factors necessary to ensure public safety, officer safety, safety of the fleeing violator(s), and effective pursuit tactics.
 4. Verify that no more units than necessary are involved. The primary pursuit unit and a cover unit are usually sufficient for the actual pursuit. Additional units may be added to the pursuit only upon the supervisor's authorization. The supervisor

of record must state on the air that he or she is authorizing additional units to become involved in the pursuit, and the specific number authorized. Supervisors should cancel any units operating Code 3 that have not been authorized. The additional authorized units shall identify themselves over the radio.

5. Factors to be considered by the supervisor in deciding whether to add units include the number and type of vehicles being pursued, the seriousness of the offense, and the danger occupants of the vehicle(s) being pursued continue to pose to others.
6. When more than two units are permitted to participate in a pursuit, the supervisor shall direct the additional units to discontinue the pursuit as soon as possible, based upon tactical requirements and safety aspects.
7. All field supervisors, Lieutenants, the Chief of Police, and the initiating/pursuing officers have the authority to terminate a pursuit when the potential safety risks outweigh the need for apprehension. If a situation arises where supervisors do not agree over whether to terminate a pursuit, the Lieutenant or Chief of Police shall make the final determination on whether to terminate the pursuit. Lacking a response from a Lieutenant or the Chief of Police, the supervisor of record shall make the final determination on whether to continue or terminate the pursuit.

X. JOINT AGENCY AND INTER-JURISDICTIONAL PURSUITS

- A. County-wide pursuit protocols have been established for inter-agency pursuits within the County of San Diego (See DP 2.01 Communications & Dispatch Procedures.) The initiating agency should generally retain jurisdiction and responsibility for a pursuit in progress, in the event the pursuit enters another agency's jurisdiction.
- B. College Police units shall not join in an active pursuit initiated by another agency unless specifically requested and then only with the approval of a field supervisor, Lieutenant, or Chief of Police.
- C. The Communication Centers of the other agencies shall be promptly notified of any pursuit approaching their jurisdiction by the dispatcher, but such notification shall not constitute a request for assistance. The primary unit or the field supervisor shall be responsible for determining if assistance is needed from another agency and shall specify what is needed to accomplish the task.
- D. The College Police dispatcher shall promptly direct pursuit assistance requests to the respective agency. Pursuing units and supervisors shall consider relinquishing the pursuit to that agency when their units are in position to assume control.

1. If the primary pursuit unit wishes to relinquish the pursuit to another agency, that agency must be willing to accept it. Such acknowledgment shall be announced on the radio talkgroup in use.
 2. If the pursuit is actually turned over to another agency, the initiating officer shall abandon the pursuit totally, but must remain available to coordinate with the arresting units if the suspect is arrested.
- E. When a pursuit enters another law enforcement jurisdiction (including military facilities), personnel of this Department shall immediately abandon the pursuit when a supervisor of that agency orders termination of the pursuit. Officers shall cease Code 3 operation and return to their service area. This includes pursuits on the freeway assumed by the CHP.
- F. In joint agency pursuits, there shall be no more than two pursuing units directly involved, including vehicles from other agencies.
1. A field supervisor of this Department shall assume command of such pursuits to assess safety considerations, ensure compliance with Department policy, and coordinate with supervisors of other involved agencies.
 2. The field supervisor shall direct operations for all officers involved, or transfer that responsibility to the supervisor of the agency taking over responsibility for the pursuit.
 3. Whenever possible, communications between different agencies should be established car-to-car. The appropriate talkgroup will be determined by College Police Dispatch. Pursuits initiated by College Police will primarily remain on the radio talkgroup of the unit who initiated the pursuit, or any available frequency as directed by the dispatcher.
 4. Pursuits initiated by other agencies, utilizing a non-College Police dispatcher, will remain under the jurisdiction of that agency even upon entering District property. Upon notification, the dispatcher shall select and patch an appropriate College Police tactical talkgroup with the controlling dispatcher's agency.
 5. Field supervisors, the Lieutenants, and the Chief of Police may order a pursuit entering District property terminated if they recognize a condition that constitutes an immediate and life threatening danger to the officers or public. The dispatcher shall communicate any such directive to the dispatcher of the other agency.

XI. SHOOTING AT VEHICLES

Shooting at or from moving vehicles is prohibited, except when reasonably necessary to protect persons from death or serious bodily injury (DP 1.07, Firearms Procedure).

XII. BARRICADING ROADWAYS

- A. Barricading a roadway must be considered a use of force likely to result in death or serious bodily injury. This method may be used only as a last resort to apprehend a dangerous known felon who poses an immediate serious threat to the safety of the public.
- B. Barricading a roadway is strictly prohibited unless approved by a field supervisor, Lieutenant, or the Chief of Police. In the case of joint agency pursuits, barricading a roadway is prohibited unless specifically authorized by the agency having jurisdiction over the pursuit.
- C. Under no circumstances may a roadway be barricaded by occupied vehicles or vehicles belonging to private citizens. If barricading is deemed necessary, police vehicles or more suitable equipment may be used. The dispatcher must notify all officers by radio broadcast of the barricaded roadway location.

XIII. GENERAL PRECAUTIONS

A. If a police vehicle “bottomed out” during a pursuit, the driver shall inspect it for possible damage and notify a supervisor. If damage occurred, the supervisor shall direct the preparation of the appropriate documentation (i.e., Vehicle Damage and/or Collision Report). The supervisor should consider having a damage and safety inspection conducted at the District Service Center garage prior to allowing the vehicle to return to the field. Any questions regarding such incidents and reporting requirements should be directed to the Fleet Safety Sergeant.

B. Apprehension of Suspect(s)

At the conclusion of a pursuit, officers should use caution when attempting to apprehend an offender or their passenger(s). Safety of the public and peace officers during the effort to capture an offender are important factors. Officers must exercise self-control, and adhere to existing Department Procedures regarding the Response to Resistance (DP 1.06), Handcuffing, Restraining, Searching & Transporting (DP 6.01), and Crime Scene Protection and Preliminary Investigation Reporting (DP 6.05).

XIV. PURSUIT REPORTING AND ANALYSIS REQUIREMENTS

A. Vehicle Code Section 14602.1 requires that all police pursuits, including non-collision pursuits, be reported on a California Highway Patrol Pursuit Report CHP-187A.

1. The driver of the unit who initiated the pursuit, or assumed the pursuit from another agency, is responsible for filling out the top half of form CHP-187A. This form shall be submitted to the driver's immediate supervisor for approval prior to the end of the officer's workday. The supervisor shall ensure the entire incident history number is entered in the box designated for "Vehicle Pursuit Number" at the top right of the form.
 - a. Identification numbers of College Police Department drivers involved in the pursuit shall be included on the form (line "15"). Officers' names shall not be used. Information on officers of other law enforcement agencies shall not be listed, since other involved agencies will submit their own forms.
 - b. The reporting officer shall list up to five violations (section 25) for which the suspect/driver was arrested or cited, listing the most serious violation first. In multi-agency pursuits, this may require contacting the agency that made the actual apprehension to obtain the charge information.
2. The pursuing officer's immediate supervisor shall complete the CHP-187A Pursuit Data Sheet form and include a brief synopsis of the event and a factual evaluation concerning compliance with the Department's pursuit policy. Violations shall be identified and listed in the report narrative. The report should be forwarded to the Commanding Officer for his/her approval and signature within three days of the incident.
3. The Fleet Safety Sergeant is the collection point for statistical data and the repository for Department-wide pursuit reports. The Fleet Safety Sergeant conducts a post-pursuit review and analysis of each Pursuit Report, and provides feedback to Lieutenants when needed. The Fleet Safety Sergeant directs the mailing of collected CHP-187A Pursuit Data Sheet forms to:

California Highway Patrol, Production Controls, P.O. Box 942898,
Sacramento, CA 94298-0001, within 30-days of the pursuit occurrence.

B. Pursuit Collision Reporting

A SDPD Traffic unit shall conduct the collision investigation of record on all injury and non-injury traffic collisions resulting from pursuits that are initiated by

College Police. If the collision involves serious injury or death, a SDPD Traffic Division supervisor will respond to the scene and notify the SDPD TIU Sergeant.

XV. MANDATORY TRAINING REQUIREMENTS

Section 17004.7(b) (1) of the California Vehicle Code mandates annual vehicle pursuit training for all sworn employees. The College Police Training Sergeant shall ensure that every sworn employee receives pursuit training annually. The training enables the Department to maintain immunity from liability for civil damages due to the injury or death of any person, or the damage of any property resulting from the collision of a vehicle being pursued by an officer of this agency.