



# Training Bulletin

Los Angeles Port Police

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## Vehicle Pursuit Policy Annual Review and Attestation

### **PURPOSE:**

The purpose of this Training Bulletin is to provide employees with an annual review of Port Police Policy Manual § 314, Vehicle Pursuits.

### **INTRODUCTION:**

California Commission on Peace Officer Standards and Training requires all law enforcement employees to receive a minimum of one hour of training for vehicle pursuits annually. Additionally, per Vehicle Code § 17004.7, in order to obtain immunity for vehicle pursuits, you are required to document that you received, read, understand, and acknowledge Port Police Policy Manual § 314, Vehicle Pursuits.

### **CONCLUSION:**

Each employee shall acknowledge Training Bulletin 24-005 in Lefta Shield and sign the attached Senate Bill 719 Pursuit Policy Training Attestation for 2024. Once the attestation is completed and signed, scan the form and email it to [laportpdtraining@portla.org](mailto:laportpdtraining@portla.org) in order to document your compliance with this annual requirement.

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## Vehicle Pursuits

### 314.1 PURPOSE AND SCOPE

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

#### 314.1.1 DEFINITIONS

Definitions related to this policy include:

**Vehicle Pursuits-** The California Highway Patrol defines a vehicular pursuit as, "An event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is attempting to avoid arrest (or detention) 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 the officer's signal to stop".

**Driver Responsibility -** Vehicle Code § 21055 specifies that in emergency situations the driver of an authorized emergency vehicle is exempt from the "Rules of the Road" as specified in Division 11 of the Code, when the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front. Vehicle Code § 21056, however, specified that this exemption "...does not relieve the driver from the duty to drive with due regard for the safety of all persons using the highway, nor does it protect him from the consequences of an arbitrary exercise of the privileges granted in Vehicle Code § 21055."

### 314.2 INITIATION OF A VEHICLE PURSUIT

Officers should not initiate a pursuit based only on an infraction, misdemeanor evading (including failure to yield), or reckless driving in response to enforcement action taken by Department personnel.

Officers may pursue felons and misdemeanants, including law violators who exhibit behaviors of illegally driving under the influence of drugs or alcohol. If reasonable suspicion or probable cause exists that a misdemeanor (significant caution should be exercised for pursuing misdemeanor evading or reckless driving in response to enforcement action by Department personnel) or felony has occurred, is occurring or is about to occur, officers may pursue a suspect vehicle.

**Note:** Unmarked units without emergency equipment shall not engage in a pursuit. Dual-purpose, hybrid vehicles, and motorcycles may engage in a vehicle pursuit, however, the unit shall relinquish the role of primary unit when a marked black and white vehicle arrives on scene.

In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle shall, when practicable, be within close proximity to the vehicle before attempting the stop. When circumstances indicate a high potential for a pursuit, e.g., felony want on vehicle, possible stolen vehicle, felony suspect, officers shall determine the availability and estimated time of arrival of

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an air unit and, if tactically possible, wait for its arrival prior to initiating the vehicle stop. Additionally, officers should request a back-up unit.

### 314.2.1 FACTORS IN INITIATING A PURSUIT

Officers must also weigh the seriousness of the offense against the potential dangers to themselves or members of the community and should consider the following factors when assessing whether to initiate a pursuit:

- (a) Whether there is an unreasonable risk to the public's safety, to the pursuing officers' safety or the safety of the occupant(s) in the fleeing vehicle.
- (b) The speed of the fleeing vehicle, relative to other roadway conditions and factors.
- (c) Whether vehicular and/or pedestrian traffic safety is unreasonably compromised.
- (d) The traffic conditions: volume of vehicular traffic, volume of pedestrian traffic, and road conditions.
- (e) Nature of the area of the pursuit: residential, commercial, or rural.
- (f) Whether the suspect can be apprehended at a later time.
- (g) If weather conditions such as rain, fog, snow, etc., create an unreasonable risk of injury to the public or the pursuing officers.
- (h) The seriousness of the crime and its relationship to community safety.
- (i) Whether the lack or quality of communication between the primary unit and the Communications Center or the primary unit and a supervisor causes an unreasonable risk to the public.
- (j) The familiarity of the primary pursuing unit with the area of the pursuit.

The same liability and potential danger inherent in a vehicle pursuit is also present when following a vehicle. Officers shall not violate the rules of the road, e.g., Vehicle Code Division 11, when following a vehicle. Exemption from provisions of the Vehicle Code Division 11 is granted only when officers sound a siren as may be reasonably necessary and the officer's vehicle displays a lighted red lamp visible from the front. The decision whether or not to initiate a pursuit should be made as soon as it is clearly evident that the law violator is intending to flee.

### 314.3 CONTROL OF A VEHICLE PURSUIT

#### 314.3.1 GENERAL GUIDELINE

The Communications Center will be responsible for requesting and assigning to the pursuit the back-up units, an air support unit, and an available supervisor in close proximity to the pursuit. Responding back-up units may respond Code Three. However, once all authorized units have joined the pursuit, all other units shall discontinue their Code Three response. Officers in all other units shall stay clear of the pursuit, but remain alert to its progress and location.

Note: When available, any unit in a pursuit should be a two-officer unit. Tactically, two officers (driver and passenger) are better able to evaluate and control activities in a pursuit.

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If the unit initiating the pursuit cannot continue as the primary unit, the secondary unit shall become the primary unit. The secondary unit shall advise the Communications Center that it is the primary unit. Another unit may then enter the pursuit and shall advise the Communications Center that it is involved in the pursuit. All authorized units are required to advise the Communications Center of their participation.

In the event a pursuit is initiated by an officer on a motorcycle or in a hybrid or dual-purpose vehicle, the pursuing motor officer or driver of the hybrid or dual-purpose vehicle shall relinquish the role as the primary unit when a four-wheeled, black-and-white unit equipped with external roof-mounted emergency lights has joined the pursuit. Absent exigent circumstances, officers on a motorcycle or in a hybrid or dual-purpose vehicle shall not remain actively involved in the pursuit after they become aware of the arrival of a secondary black-and-white, four-wheeled unit equipped with emergency lights.

### **314.3.2 TRACKING MODE OF A PURSUED VEHICLE**

Whenever possible, air units should assume responsibility for tracking a suspect vehicle. During this tracking mode, authorized ground units should continue their Code Three response, but should reduce their speed and, if reasonable, maintain a position out of the line-of-sight of the suspect's vehicle to maximize public safety. The Department shall make every effort to provide immediate supervisory oversight at the beginning of the pursuit and through its termination.

When tracking does not produce the desired result of slowing the suspect's driving or the suspect's driving actions are contributing to an increasingly hazardous situation, the Incident Commander, at their discretion may direct units to re-engage the suspect vehicle. Absent exigent circumstances, Incident Commander approval during the tracking mode is required by the primary and/or secondary unit to re-engage the pursuit of the vehicle. Should the situation dictate the air unit's discontinuance of the tracking mode, (e.g., visibility, restricted air space, aircraft mechanical issues, etc.), the air unit shall notify the Communications Center and the Incident Commander of the circumstances.

### **314.4 CONTINUATION/TERMINATION OF THE PURSUIT**

Pursuits should 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.

Officers involved in a pursuit shall continually evaluate the necessity for continuing the pursuit. The following factors should be considered when evaluating speeds throughout a pursuit and assessing whether to continue or terminate a pursuit:

- (a) Whether there is an unreasonable risk of injury to the public's safety, the pursuing officers' safety or the safety of the occupant(s) in the fleeing vehicle.

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- (b) Whether speeds dangerously exceed the normal flow of traffic.
- (c) Whether vehicular and/or pedestrian traffic safety is unreasonably compromised.
- (d) Whether the suspects can be apprehended at a later time.
- (e) If the weather conditions such as rain, fog, snow, etc., create an unreasonable risk of injury to the public or the pursuing officers.
- (f) The seriousness of the crime and its relationship to community safety.
- (g) The traffic conditions: volume of vehicular traffic, volume of pedestrian traffic, and road conditions.
- (h) Nature of the area of the pursuit: residential, commercial, or rural.
- (i) Loss of radio communications between the pursuing units and the Communications Center,
- (j) The familiarity of the primary pursuing officer with the area.
- (k) 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 and/or distance.
- (l) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (m) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (n) The availability of an air unit.
- (o) The loss of pursued vehicle, or unknown location of the pursued vehicle.

Since driver officers are usually concentrating on the safe operation of the police vehicle, passenger officers are particularly responsible for advising drivers when they feel the pursuit is exceeding reasonable limits.

### **314.5 SPEED LIMITS**

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds should take into consideration public safety, officer safety, and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors should also consider these factors when determining the reasonableness of the speed of the pursuit:

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the officer.
- (c) Pursuit speeds are beyond the capabilities of the pursuit vehicles thus making its operation unsafe.

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### **314.6 AUTHORIZED UNITS IN THE PURSUIT**

Vehicle pursuits should be limited to three vehicles (or less as directed by a supervisor), however, the number of units involved may vary with the circumstances.

An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it reasonably appears that the number of officers involved may be insufficient to safely arrest the suspects. All other officers should 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 and with supervisory approval, proceed to the termination point at legal speeds, following the appropriate rules of the road.

#### **314.6.1 MOTORCYCLE OFFICERS**

When involved in a pursuit, Department motorcycles should be replaced by marked four-wheel emergency vehicles as soon as practicable.

#### **314.6.2 UNMARKED UNITS**

Unmarked units with emergency equipment (dual-purpose or hybrid), when involved in a pursuit, should be replaced by a marked four-wheel emergency vehicle as soon as practicable.

Unmarked units without emergency equipment shall not engage in a pursuit. However, officers in unmarked units without emergency equipment may become involved in emergency activities involving a serious crime or a life-endangering situation. In those rare instances, it may be necessary to follow a suspect vehicle while summoning assistance from a black-and-white, four-wheeled unit equipped with external roof-mounted emergency lights. Officers in an unmarked unit without emergency equipment shall not violate the rules of the road as defined in Division 11 of the Vehicle Code.

When officers in an unmarked unit without emergency equipment become aware that a unit with emergency equipment has arrived and will attempt to stop the suspect vehicle, the unmarked unit shall disengage.

#### **314.6.3 PRIMARY UNIT RESPONSIBILITIES**

The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the management of the pursuit. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to any person.

The primary unit shall notify the Communications Center, 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 license plate number, if known.
- (c) The reason for the pursuit.
- (d) Known or suspected weapons. Threat of force, violence, injuries, hostages, or other unusual hazards.

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- (e) The suspected number of occupants and identity or description.
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or secondary unit, the officer in the primary unit is responsible for the broadcasting of 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 a secondary unit or air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

### 314.6.4 SECONDARY UNIT RESPONSIBILITIES

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

- (a) The officer in the secondary unit should notify the dispatcher of entry into the pursuit as soon as reasonably practicable.
- (b) Remaining a safe distance behind the primary unit unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting the progress, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- (d) Identifying the need for additional resources or equipment as appropriate.
- (e) Serving as back-up to the primary pursuing officer once the suspect has been stopped.

### 314.6.5 ADDITIONAL APPROVED UNIT(S) RESPONSIBILITIES

All additional approved units in the pursuit are responsible to:

- (a) Notify the dispatcher of entry into the pursuit as soon as reasonably practicable.
- (b) Remain a safe distance behind the other units unless directed to assume the role of primary or secondary pursuit vehicle or if the primary or secondary pursuit vehicles are unable to continue the pursuit.
- (c) Identifying the need for additional resources or equipment as appropriate.
- (d) Serving as back-up to the primary pursuing officer once the suspect has been stopped.

### 314.7 VEHICLE PURSUIT DRIVING TACTICS

During the course of the pursuit, officers shall continuously assess the road conditions and the actions of the suspect. Primary responsibility for pursuit activities shall be restricted to the primary unit, secondary units, and involved supervisor. All other units **shall remain clear of the pursuit**, but shall remain alert to the location and progress of the pursuit. Units remaining clear of the pursuit shall follow the rules of the road and shall not drive Code Three. Unless requested by the primary unit, secondary units, or involved supervisor, all other units shall not become involved in the pursuit.



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### **314.7.1 PARALLELING**

Units shall not parallel nor pass units engaged in the pursuit and shall follow the rules of the road as required by Vehicle Code § 21052 for purposes of this order, paralleling is defined as any law enforcement vehicle positioned alongside a pursued or pursuing vehicle, or along an adjacent street so as to be parallel to the suspect's or pursuing vehicle's position.

Tactics employed to stop a pursued suspect, such as establishing a physical barricade (road block), boxing in, heading off, ramming, or driving alongside the pursued vehicle are strongly discouraged. These tactics are extremely hazardous and should only be considered in those rare instances when warranted to save a life, and then only as a last resort.

### **314.7.2 WRONG-WAY TRAFFIC**

Generally, officers shall not pursue a vehicle the wrong way on a freeway, nor shall officers pursue the wrong way on a one-way street. In the event a pursued suspect enters the freeway the wrong way, the following options should be considered:

- (a) Requesting an air unit to assist and coordinate field activities.
- (b) The Estimated Time of Arrival (ETA) of the air unit.
- (c) Maintaining visual contact with the suspect vehicle by driving on the correct side of the freeway.
- (d) Requesting other units to observe the exits available to the suspect vehicle.
- (e) Notifying the California Highway Patrol and other police agencies as appropriate.

### **314.7.3 PURSUIT TRAILING**

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspects and reporting the incident.

## **314.8 UNITS NOT INVOLVED IN THE PURSUIT**

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. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

The primary and secondary units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit.

## **314.9 AIR SUPPORT/TRACKING A PURSUIT**

The use of an air unit to track a suspect vehicle is a valuable law enforcement tool intended to enhance public and officer safety by encouraging a fleeing suspect(s) to operate their vehicle responsibly and/or terminate the pursuit.

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Note: Upon the air unit's arrival at the scene of a pursuit, the air unit will assess the situation, advise the Incident Commander of the number of police units in the pursuit, and request if tracking should be initiated. Exigent circumstances may preclude tracking.

Whenever possible, air units shall assume responsibility for tracking a suspect vehicle. In the absence of exigent circumstances (e.g., armed suspect, murder suspect, hostage situation, etc.), which may require pursuing units to remain in pursuit of the suspect's vehicle, authorized ground units shall continue Code Three, and attempt to remain out of the suspect's line of sight, but remain in close proximity to the suspect's vehicle. Authorized ground units shall broadcast whatever information is necessary to assist the air unit.

To assist the Incident Commander in controlling the pursuit, the air unit shall:

- (a) Assume pursuit broadcast responsibilities during the tracking mode.
- (b) Advise the Incident Commander regarding suspect actions and applicable tactical considerations.
- (c) Identify all law enforcement vehicles involved in the pursuit and record the corresponding shop numbers (or vehicle descriptions when shop numbers are not available).
- (d) Respond, as practicable,

Note: An air unit assigned to the pursuit shall, if necessary, advise non-department aircraft monitoring the pursuit that the Department's air unit is in tracking mode.

### **314.10 SUPERVISORY CONTROL AND RESPONSIBILITIES**

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

The first available supervisor will become the Incident Commander of the pursuit and will be responsible for:

- (a) Immediately notifying involved units and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit.
- (b) Engaging in the pursuit, only when necessary and appropriate.
- (c) Exercising management and control of the pursuit and providing on-scene supervision at the termination point of the pursuit.
- (d) Ensuring that not more than the required number of units are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated, if, in the supervisor's judgment, it is unreasonable to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines, or additional resources is requested, if available and appropriate.

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- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Watch Commander is notified of the pursuit as soon as practicable.
- (i) Ensuring the notification an/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this Department.
- (j) Controlling and managing Los Angeles Port Police units when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit.
- (l) If a suspect vehicle flees for an infraction, misdemeanor evading (including failure to yield), or reckless driving in response to enforcement to enforcement action taken by Department personnel, ensure an Investigative Report is filed by the involved officer.
- (m) Supervisors should initiate follow-up or additional review when appropriate.

### **314.11 WATCH COMMANDER RESPONSIBILITIES**

Upon becoming aware that a pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. Once notified, the Watch Commander will continuously monitor the pursuit and consider taking over the role of Incident Commander in the pursuit if appropriate.

Watch commander should ensure the terminal Facility Security Officer and appropriate Harbor Department stakeholders are notified of all active pursuits within the area of the port complex so they can take precautions to secure Maritime Transportation Security Act regulated terminals. An automated system text message is considered adequate to make this notification.

The Watch Commander shall review all pertinent reports for content and forward to the Division Commander.

### **314.12 THE COMMUNICATIONS 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, or if the responding units determine that use of a tactical frequency is more appropriate. If the pursuit leaves the jurisdiction of this Department or such is imminent, involved units should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies and units.

#### **314.12.1 THE COMMUNICATIONS CENTER RESPONSIBILITIES**

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

- (a) Requesting and assigning to the pursuit the back-up units, an air support unit, and an available supervisor.
- (b) Clearing the radio channel of non-emergency traffic.
- (c) Coordinating pursuit communications of the involved units and personnel.

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- (d) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (e) Ensuring that a field supervisor is notified of the pursuit.
- (f) Notifying and coordinating with other involved or affected agencies as practicable.
- (g) Ensure the Watch Commander is notified as soon as practicable.
- (h) Assigning an incident number and logging all pursuit activities.

### **314.13 LOSS OF PURSUED VEHICLE**

When a pursued vehicle is lost, officers in the primary unit shall immediately broadcast the necessary information to the Communications Center. The primary unit shall broadcast supplemental information on the appropriate tactical frequency and coordinate the search as needed. When an air unit is assisting, descriptive and directional information shall be specifically broadcast to the air unit. If it is determined that the location of the pursued vehicle is unknown or the vehicle has been lost, the pursuit shall be discontinued.

### **314.14 INTER-JURISDICTIONAL CONSIDERATIONS**

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration 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 officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

#### **314.14.1 PURSUITS EXTENDING INTO THIS JURISDICTION**

The agency that initiates a pursuit is responsible for conducting the pursuit. Units 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 unit from the initiating agency is in pursuit. Under this circumstance, a supervisor may authorize units from this Department to join the pursuit until sufficient units from the initiating agency join the pursuit or until additional information is provided allowing or requiring withdrawal of the pursuit.

When a request is made for this Department to assist or take over a pursuit that has entered the jurisdiction of Los Angeles Port Police, the supervisor should consider:

- (a) If it meets our pursuit policy criteria.
- (b) The public's safety within this jurisdiction.
- (c) The safety of the pursuing officers.
- (d) Whether the circumstances are serious enough to continue the pursuit.
- (e) Whether there is adequate staffing to continue the pursuit.
- (f) The ability to maintain the pursuit.

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As soon as practicable, a supervisor or the Watch Commander should review a request for assistance from another agency. The Watch Commander or supervisor, after considering the above factors, may decline to assist in, or assume the other agency's pursuit.

Assistance to a pursuing allied agency by officers of this Department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this Department may continue only until sufficient assistance is present.

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

### **314.15 VEHICLE INTERVENTION TECHNIQUES**

Officers shall obtain approval from a supervisor prior to deploying a Vehicle Intervention Technique (VIT), unless exigent circumstances exist that require immediate action and preclude officers from seeking prior supervisor approval.

A VIT may be deployed when the officer believes that the continued movement of the vehicle would place persons in imminent danger of great bodily harm or death and/or the risk of harm to persons outweighs any risks created by the application of a VIT. The decision to deploy a VIT shall be based on careful consideration of the situation, while maintaining a significant regard for public and officer safety. Only officers who have successfully completed Department approved practical application training are authorized to deploy these methods.

Currently, the Department has authorized the following:

- (a) Tire Deflation Devices - A Tire Deflation Device (TDD), commonly referred to as a Spike Strip is used to impede or stop the movement of vehicles by deflating the tires.
  - 1. The TDD normally should not be deployed for a pursued vehicle traveling at speeds in excess of 65 mph.
  - 2. Absent exigent circumstances, the TDD should generally not be used in adverse terrain or where geographic configurations increase the risk of injury to the suspect (e.g., on roadways bounded by steep descending embankments, curves), or at any location where safety of proceeding or opposing traffic cannot be assured. Absent exigent circumstances where lethal force is authorized, officers shall not use a TDD on two or three wheeled vehicles.
- (b) Pursuit Intervention Technique - The Pursuit Intervention Technique (PIT) is designed to be executed by a pursuing police vehicle. The PIT is a technique in which the officer's rotate and come to a stop. If the technique is properly executed, damage to the officer's vehicle should be minor or negligible. The location chosen to implement a PIT is of paramount importance. The area should be clear of pedestrians and other occupied vehicles, and road conditions should be in good condition (e.g., free from loose gravel, significant road repair). Unless exigent circumstances exist, the PIT should not be attempted when the following exists:
  - 1. The pursued vehicle is traveling in excess of 35 mph.

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2. The size of the pursued vehicle is significantly heavier than the primary unit's police vehicle (e.g., buses, motor homes, semi-trucks, dual-rear-wheel pick-up trucks).
3. Vehicles with a higher center of gravity.
4. The pursued vehicle is transporting hazardous material.
5. Since deploying the PIT will cause officers to be in close proximity to the suspect, a PIT should not be used on a suspect who is known to be armed.
6. The pursued vehicle is a motorcycle (includes motor scooters or three-wheeled cycles).

### **314.16 USE OF FIREARMS**

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. When possible, officers should take actions to remove the need to use deadly force such as avoiding being in the path of the vehicle.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle (see policy manual § 300).

### **314.17 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 subject to the policies guiding such use. Officers should consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

- (a) Blocking should only be used after giving consideration to the following:
  1. The technique should only be used by officers who have received training in the technique.
  2. The need to immediately stop the suspect vehicle or prevent it from leaving reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
  3. It reasonably appears the technique will contain or prevent the pursuit.
- (b) The PIT should only be used after giving consideration to the following:
  1. The technique should only be used by officers who have received training in the technique, including speed restrictions.
  2. Supervisory approval should be obtained before using the technique.

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3. The need to immediately stop the suspect vehicle reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
  4. It reasonably appears the technique will terminate or prevent the pursuit.
- (c) Ramming a fleeing vehicle should only be done after giving consideration to the following:
1. Supervisory approval should be obtained before using the technique.
  2. The need to immediately stop the suspect vehicle reasonably appears to substantially outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
  3. It reasonably appears the technique will terminate or prevent the pursuit.
  4. Ramming may be used only under circumstances when deadly force would be authorized.
  5. Ramming may be used when all other reasonable alternatives have been exhausted or reasonably appear ineffective.
- (d) Before attempting to box a suspect vehicle during a pursuit the following should be considered:
1. The technique should only be used by officers who have received training in the technique.
  2. Supervisory approval should be obtained before using the technique.
  3. The need to immediately stop the suspect vehicle reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
  4. It reasonably appears the technique will terminate or prevent the pursuit.
- (e) Tire deflation device should only be used after considering the following:
1. Tire deflation devices should only be used by officers who have received training in their use.
  2. Supervisory approval should be obtained before using tire deflation devices.
  3. The need to immediately stop the suspect vehicle reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
  4. It reasonably appears the use will terminate or prevent the pursuit.
  5. Tire deflation devices should not be used when the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, except in extraordinary circumstances.
  6. Due to the increased risk to officers deploying tire deflation devices, such deployment should be communicated to all involved personnel.
- (f) Roadblocks should only be used after considering the following:

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1. Roadblocks should only be used by officers who have received training in their use.
2. Supervisory approval should be obtained before using the technique.
3. The need to immediately stop the suspect vehicle reasonably appears to substantially outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
4. It reasonably appears the technique will terminate or prevent the pursuit.
5. Roadblocks may be used only under circumstances when deadly force would be authorized and other reasonable alternatives have been exhausted or reasonably appear ineffective.

### **314.18 POST - PURSUIT CONDUCT**

Safety is critical at the termination of a pursuit, therefore, the need for decisive action, self-control, and strict personal discipline is essential. Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects.

The responsibility for maintaining command and control at the termination point of a vehicle pursuit must remain with the Incident Commander. The officers in the secondary units shall be responsible for backing up the primary unit and broadcasting pertinent information at the termination of the pursuit.

Note: Responding plainclothes personnel shall ensure that they are readily identifiable as police officers by affixing proper identification on their outer garment.

When the pursuit is terminated and the suspect(s) flees on foot, the air unit, when involved, shall broadcast any information which may assist in the deployment of ground units.

When the Communications Center broadcasts the location and other information indicating that the vehicle pursuit is terminated, involved units shall consider temporarily switch their radios to the appropriate tactical frequency. When appropriate, the tactical frequency should be used to coordinate the search for a suspect(s) fleeing on foot.

### **314.19 APPREHENSION OF SUSPECTS**

Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to accomplish the apprehension of evading suspects.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspects.



## *Vehicle Pursuits*

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### **314.20 HOSTAGE - INVOLVED VEHICLE PURSUIT**

It must be emphasized that the safety of the hostage must be the primary consideration in determining the tactics that will be employed to effect the release of the hostage and apprehend the suspect(s).

#### **314.20.1 HOSTAGE - INITIAL NOTIFICATION**

When a member of the Department becomes aware that a hostage is, or may be, in a pursued vehicle, the Communications Center shall be advised immediately. All available information shall be reported, including a physical description of the hostage, manner of dress, and the exact location of the hostage within the vehicle (when known).

#### **314.20.2 HOSTAGE - THE COMMUNICATIONS CENTER'S RESPONSIBILITY**

The Communications Center shall ensure all hostage-related information is immediately broadcast. The fact that a hostage may be involved in a pursuit shall be periodically transmitted during the subsequent pursuit status broadcasts. In instances where the taking of a hostage has not been confirmed, the Communications Center shall attempt to obtain additional information from the original reporting person via telephone. If a callback number is not available, or the reporting person cannot be contacted, the Communications Center shall assign a specific unit to respond to the scene of the initial occurrence to verify the taking of a hostage.

#### **314.20.3 HOSTAGE - PRIMARY UNIT'S RESPONSIBILITY**

The primary unit shall broadcast any known information regarding the hostage's position within the vehicle, a description of the hostage, suspect information, and information regarding the suspect's weaponry. The presence of a hostage in the pursuit magnifies the importance of the primary unit maintaining maximum control and ensuring that nonessential units do not become involved in the pursuit.

#### **314.20.4 HOSTAGE - SUPERVISOR'S RESPONSIBILITY AT TERMINATION OF PURSUIT**

Upon arrival at the termination point, the supervisor shall immediately assume responsibility for controlling police action at the scene and ensuring adherence to Departmental policies. The supervisor shall retain these responsibilities until the suspect is booked or released and all reports are completed. The supervisor shall submit a CHP Pursuit Report Form No. CHP 187A and complete any required agency supervisor pursuit report.

### **314.21 POST VEHICLE PURSUIT SAFETY INSPECTION**

The supervisor managing the pursuit shall consider if the vehicles involved in the pursuit should be taken out of service for a safety inspection (see policy manual § 704.2). Factors to consider for this include speed of the pursuit, vehicles striking curbs or other impacts that occurred during the pursuit, and input/feedback from the officers in those vehicles.

### **314.22 REPORTING REQUIREMENTS**

All appropriate reports should be completed to comply with applicable laws, policies, and procedures.

## Vehicle Pursuits

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- (a) The primary officer should complete appropriate crime/arrest reports, including the Allied Agency Vehicle Pursuit Report (CHP Form No. CHP 187A).
- (b) The involved supervisor shall ensure that an Allied Agency Vehicle Pursuit Report (CHP Form No. CHP 187A) is filed with the CHP no later than 30 days following the pursuit (Vehicle Code § 14602.1). The primary officer should complete as much of the required information on the form as is known and forward the report to the supervisor managing the pursuit, who will review it and then forward it to the Watch Commander for review and distribution.
- (c) After first obtaining the available information, the involved supervisor shall promptly complete the agency's supervisor pursuit report. The information included in the agency's supervisor pursuit report should include, at a minimum:
  - 1. Date and time of pursuit.
  - 2. Initial reason and circumstances surrounding the pursuit.
  - 3. Length of pursuit in distance and time, including the starting and termination points.
  - 4. Involved units and officers, including air support and tracking details.
  - 5. Outside Agencies or Areas involved.
  - 6. Alleged offenses.
  - 7. Whether a suspect was apprehended, as well as the means and methods used.
  - 8. Any use of force that occurred during the vehicle pursuit.
    - (a) Any use of force by a member should be documented in the appropriate report (see policy manual § 300).
  - 9. Any show of force that occurred during the vehicle pursuit.
    - (a) Any show of force by a member should be documented in the appropriate report (see policy manual § 344).
  - 10. Any injuries and/or medical treatment.
  - 11. Any property or equipment damage.
  - 12. Name of supervisor at scene or who handled the incident.
- (d) After receiving copies of reports, logs, and other pertinent information, the Deputy Chief of Operations or their authorized designee should conduct a post pursuit review.

Annually, the Chief of Police should direct a documented review and analysis of Department vehicle pursuit reports to minimally include policy suitability, policy compliance, and training or equipment needs.

### **314.23 VEHICLE PURSUIT INTERVENTION REPORT GUIDELINES**

In the event that a PIT or deployment of a tire deflation device, or other intervention technique is attempted, the Vehicle Pursuit Report shall include the heading, "Pursuit Intervention." It shall be included in the report immediately following the, "Circumstances of Pursuit Termination" section.

## *Vehicle Pursuits*

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Additionally, the following information shall be provided:

- (a) Who authorized the deployment.
- (b) The date and time of the deployment.
- (c) The specific location of the deployment.
- (d) The direction of the suspect's travel.
- (e) The estimated speed of the suspect's vehicle at the time of deployment.
- (f) The results of the deployment.
- (g) Any damage to any vehicle resulting from an intervention.
- (h) A description of where in the roadway the deflation device was placed.
- (i) Any unintended traffic collisions that occurred.
- (j) Any injuries observed or complained of that are or could be related to the intervention.

Note: Since the PIT maneuver is an intentional act, it is not considered a traffic collision unless a third party is struck in the process.

### **314.23.1 SUPERVISOR'S RESPONSIBILITY VEHICLE PURSUIT INTERVENTION REPORT GUIDELINES**

- (a) The Incident Commander controlling the pursuit is responsible for managing, and when possible, approving a PIT or the deployment of a tire deflation device. In the event a PIT is employed, the controlling supervisor shall ensure that a detailed description of the method used is contained in the CHP Report Form No. CHP 187A.
- (b) Photographs shall be taken of all vehicles affected by any intervention attempt.
- (c) Photographs are intended to show any damage resulting from the intervention or the lack thereof.
- (d) Photographs should be stored in accordance with policy manual § 804.
- (e) In the event damage occurs to Department vehicles, it shall be recorded in accordance with established guidelines in policy manual § 706.7.

Note: Medical treatment shall be provided to the injured parties and photographs of the injuries shall be obtained.

### **314.24 ANNUAL VEHICLE PURSUIT POLICY TRAINING AND ELECTRONIC SENATE BILL 719 PURSUIT POLICY TRAINING ATTESTATION**

All sworn personnel shall comply with Vehicle Code § 17004.7, which mandates that in order to obtain immunity for vehicle pursuits, all California law enforcement officers must receive Annual Vehicle Pursuit Policy Training and certify that they have "received, read, and understand" the pursuit policy on an annual basis. Accordingly, all sworn personnel shall complete and sign the Annual Vehicle Pursuit Policy Training and Senate Bill 719 Pursuit Policy Training Attestation (Attestation).

## *Vehicle Pursuits*

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### **314.25 POLICY ADMINISTRATION**

Adherence to this policy is under the chain of command of the Commanding Officer of Patrol Operations Division or their authorized designee.

Adherence to the administrative reporting compliance of this policy is under the chain of command of the Deputy Chief of Training and Emergency Management Group or their authorized designee.