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Last Revised 09/15/2019

**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER NUMBER 4-2**

PURSUIT PROCEDURES

SUBJECT: Police Vehicle Pursuit Procedures

PURPOSE: To provide guidelines relative to vehicle pursuit procedures for officers of this Department.

POLICY: It is the policy of this Department to apprehend violators of the law with reasonable regard for the dangers to innocent persons who may be in the area of the vehicle being pursued. Officers are to use these guidelines and their own judgment whenever they are faced with a fleeing suspect, in an attempt to minimize the risks to all involved parties.

PROCEDURE:

I. When to Pursue

- A. It is generally accepted that police pursuits can present extremely hazardous conditions and Police Officers of this Department should pursue only in the most extreme and justifiable situations. The Police Officer must maintain an awareness of the potential for danger and carefully judge the worth of continuing a pursuit. The Police Officer may, at personal discretion, discontinue a pursuit at any time, without consequences.
- B. A pursuit should be initiated only when a law violator clearly exhibits an intention to avoid apprehension by using a vehicle to flee or when a suspected law violator refuses to stop. The Police Officer must have a reasonable suspicion that the suspected violator committed a crime. In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle shall, when practical, be within close proximity to the vehicle when attempting the stop.
- C. The following factors should be considered when determining whether a pursuit should be initiated, continued or terminated:
 - 1. The seriousness of the originating crime and its relationship to community safety;
 - 2. Safety of the public in the area of the pursuit;
 - 3. Safety of the pursuing officer(s);
 - 4. Volume of vehicular traffic;
 - 5. Volume of pedestrian traffic;
 - 6. Location of pursuit;
 - 7. Speeds involved;
 - 8. Time of day;

9. Weather conditions;
10. Road conditions;
11. Familiarity of the officer and supervisor with the area of the pursuit;
12. Quality of radio communications between the pursuing unit(s) and the dispatcher and supervisor; and
13. The capability of the police vehicle(s) involved.

II. Pursuit Units.

- A. Normally, pursuits should be limited to two (2) vehicles.
- B. A pursuit initiated by a motorcycle or unmarked unit should be abandoned by them when a marked car unit has joined in and has taken over the pursuit. The motor unit or unmarked unit may then proceed to the termination point of the pursuit at a legal speed.
- C. Officers in all other units shall stay clear of the pursuit, but remain alert to the progress and location.
- D. The on-duty Supervisor shall respond to the end of pursuit location whether termination of pursuit is on or off campus.

III. Initiating Pursuit Unit (Primary Unit) Responsibilities

- A. The unit initiating the pursuit shall immediately notify the dispatch center that a pursuit is underway, the officer will switch to RED Channel and advise the following information:
 1. The known law violation or reason for the pursuit.
 2. Description of the vehicle.
 3. Location and direction of travel.
 4. Speed of the fleeing vehicle.
 5. Number of known occupants of the vehicle.
 6. Activate emergency equipment (lights and siren) and run them continuously until termination of the pursuit.
- B. The officer will continue contact with the dispatcher (RED Channel) throughout the pursuit, advising of any change in direction of travel and any change in the status of the pursuit.
- C. The responsibility of the officer in the primary unit is the apprehension of the suspect(s) without unreasonably endangering themselves or others.
- D. Unless relieved by a supervisor, the primary unit shall be responsible for controlling pursuit tactics.
- E. The primary unit's responsibility also includes the decision to become involved in a pursuit and whether the pursuit should be abandoned.

IV. Secondary Back-up Unit Responsibilities

- A. The officer(s) in the second unit joining the pursuit shall immediately notify the dispatch center that there are two units in the pursuit.
- B. The secondary unit shall be responsible for assisting the primary unit and broadcasting pertinent information at the termination of the pursuit.
- C. If the suspect(s) attempts to flee on foot, the secondary unit shall assist and coordinate efforts of the apprehension.

V. Supervisory Responsibilities

- A. Appropriate supervisory control shall be exercised over any pursuit.
- B. The supervisor shall monitor the pursuit and continuously assess the situation and ensure that the pursuit is conducted within established Department guidelines.
- C. Upon being notified of the pursuit, the supervising officer shall assure that:
 - 1. No more than the required units are involved in the pursuit.
 - 2. Available aircraft have been requested.
 - 3. The proper radio frequency is being utilized.
 - 4. Affected allied agencies are being notified.
- D. If necessary, the supervisor shall assert control by directing specific units out of the pursuit, reassigning the primary and secondary units, requesting assistance from other jurisdictions or terminating the pursuit.
- E. The supervising officer should proceed to the termination point of the pursuit, if at all practicable, to provide guidance and the necessary supervision.

VI. Dispatcher Responsibilities

- A. The dispatcher upon the initiation of the pursuit will advise the officer to go to Red Channel and immediately notify the on-duty supervisor of the pursuit.
- B. The dispatcher will clear all radio traffic for emergency use only until such time as the Police Officer ceases the pursuit or has the vehicle stopped.

VII. Aerial Surveillance

- A. Maximum use of any law enforcement aircraft should be made as quickly as possible.
- B. The pilot shall notify the dispatch center as soon as he/she is in position to follow the pursued vehicle. The aircraft, when feasible, will become responsible for communicating the progress of the pursuit.

VIII. Pursuits into Other Jurisdictions

A. When a pursuit enters another agency's jurisdiction, the supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether or not to request the other agency to assume the pursuit.

1. If the pursuit is assumed by the other agency, the units involved will discontinue the pursuit unless assistance is requested by the other agency.
2. Upon discontinuing the pursuit, the initiating unit may proceed to the termination point at a legal speed, unless otherwise directed by his/her supervising officer.
3. The supervising officer at the termination point shall determine if the initiating officer or other officers involved in the pursuit are needed for report purposes.

B. Notification by another agency of a pursuit in progress shall not be construed as a request to join the pursuit.

1. Officers shall not assist the outside jurisdiction unless they are specifically requested to do so and are authorized by a supervisor.
2. Officers may not "caravan" or become an active part of the other agency's chase.

IX. Pursuit Vehicle Operations and Tactics

A. Offensive tactics are prohibited unless use of deadly force is justified.

B. Prohibited actions include:

1. Passing or pulling beside or in front of the violator's vehicle or other police vehicles;
2. Ramming or nudging the violator's vehicle or following too closely;
3. Forcibly stopping the violator's vehicle;
4. Roadblocks; and
5. Duplicating reckless or hazardous driving maneuvers performed by the pursued vehicle.

C. The use of firearms to stop fleeing vehicles would only be authorized if the use of deadly force against the occupants would be authorized.

X. When to Discontinue a Pursuit

A. Under most circumstances, pursuits should be discontinued when:

1. In the opinion of the primary officer or supervisor, there is a clear and unreasonable danger to the officer and other users of the streets that outweighs the necessity for immediate apprehension.

2. The suspect's identity has been established to the point that later apprehension can be accomplished and there is no longer any need for immediate apprehension or the vehicle's tag number has been obtained and the offense is an infraction, misdemeanor or non-serious felony.
 3. The prevailing traffic, roadway and environmental conditions indicate the futility of continued hot pursuit.
 4. The pursued vehicle's location is no longer known (i.e. the officer no longer has visual contact with the vehicle).
 5. The officer knows or is reasonably certain, that a juvenile operates the vehicle and the offense is an infraction, misdemeanor or non-serious felony.
- B. The on-duty supervisor may, with discretion, order a pursuit terminated. When so ordered, the pursuing officer will immediately terminate the pursuit.

XI. Post Pursuit Reporting Procedures

- A. When a pursuit results in an injury or traffic collision, the on-duty supervisor shall notify the appropriate Command Staff as soon as possible.
- B. The on-duty supervisor shall comply with Vehicle Code Section 14602.1 by completing a CHP 187 Pursuit Report, and shall ensure that the primary officer completes all applicable Department paperwork.
- C. A copy of all reports will be forwarded to the appropriate Command Staff for review.
- D. Administrative Review
 1. The Operations Lieutenant will conduct a documented annual review of pursuit policies and reporting procedures to ensure that the pursuit was conducted in compliance with Department policies and to determine patterns or trends that indicate training needs and/or the need for policy modifications.
 1. The administrative review should include a critique of the incident and utilization of the critique as a training tool.
 2. Annually, the appropriate Command Staff will conduct a documented analysis of all pursuit reports to determine patterns or trends that indicate training needs and/or the need for policy modifications.
- E. Training
 1. Penal Code (PC) §13519.8 and Vehicle Code (VC) §17004.7, requires all peace officers to receive the training annually in order to qualify for immunity.

2. POST Commission Regulation 1081 states that annual training on the department's pursuit policy has to be at least one hour in duration.

REVIEWED BY:

N. Williams

APPROVED:

A handwritten signature in black ink, appearing to read "Raymund J. Aguirre". The signature is written in a cursive style with a large initial 'R' and 'A'.

Raymund Aguirre
Chief of Police