

<h1>City Vehicles</h1>		
	<h2>Vehicle Pursuits</h2>	<h2>Order 07.111</h2>

A. Purpose

This order outlines guidelines, procedures, and responsibilities for Department personnel regarding vehicle pursuits.

B. Definitions

1. **Deadly Force:** Force that is used with the purpose of causing death or serious physical injury or in the manner of its use or intended use is capable of creating a substantial risk of causing death or serious physical injury. (ARS § 13-105.14)
2. **Due Regard:** The driver of an authorized emergency vehicle has the duty to operate the vehicle with reasonable care, attention, and safety for all persons. There is no protection from the consequences of any driver found to have reckless disregard for the safety of others while engaged in a pursuit, or emergency driving, even with lights and/or siren activated.
3. **Failure to Stop:** The operator of a motor vehicle who knowingly fails or refuses to bring the operator's motor vehicle to a stop after being given a visual or audible signal or instruction by a peace officer or duly authorized agent of a traffic enforcement agency. (ARS § 28-1595.A)
4. **Pursuit:** A pursuit occurs when an officer activates their emergency lights and siren to conduct a lawful traffic stop, and the suspect willfully flees or attempts to elude police, with the officer continuing efforts to stop the vehicle using emergency equipment.
5. **Unlawful Flight:** A driver of a motor vehicle who willfully flees or attempts to elude a pursuing official law enforcement vehicle. (ARS § 28-622.01)
6. **Vehicle Ramming:** An intervention tactic that uses law enforcement vehicles to forcibly stop a fleeing vehicle and poses a high level of risk to both the officers and suspects. Controlled low speed contact to pin a suspect vehicle, with minimal risk of damage to vehicles, is not classified as ramming.

C. General Considerations

1. Pursuit driving will be done in accordance with Arizona Revised Statutes, including but not limited to § 28-624, and department policy.
 - An authorized emergency vehicle is required for a pursuit and must be equipped with at least one lighted lamp displaying a red or red and blue light or lens visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red or red and blue light or lens visible from in front of the vehicle. (ARS § 28-624.C)
2. Pursuit driving requires officers to operate an emergency vehicle with due regard for the safety of all persons. (ARS § 28-624.D)
3. While involved in a vehicle pursuit and upon approach to a controlled intersection, officers are responsible for the following procedures:
 - If the light is green or there is a yield sign, officers will reduce speed when necessary for safe operation and drive with due regard for the safety of all persons while evaluating risks and conditions which may interfere with the safe passage and take appropriate steps to ensure safe passage through the intersection.
 - If the light is red or there is a stop sign, officers shall come to a complete stop prior to the stop line and drive with due regard for the safety of all persons while evaluating risks and conditions which may interfere with safe passage (e.g., ensuring each lane of traffic is clear or has yielded) and take appropriate steps to ensure safe passage through the intersection.
4. The safe operation of police vehicles is the priority in all situations.

D. Procedures

1. Pursuits
 - a. Officers are prohibited from engaging in a pursuit of non-violent felony crimes, misdemeanor crimes, and civil traffic infractions unless the officer has probable cause to believe that the suspect poses an immediate threat of death or serious physical injury to the officer or others.
 - b. Pursuits may be initiated in cases where a violent felony has occurred, and the officer has probable cause to believe that apprehension is necessary as the suspect poses an immediate threat of death or serious physical injury to

the officer or others in the community.

c. Officers will follow the listed guidelines regarding pursuits:

- 1) Pursuits are prohibited when the police vehicle is occupied by:
 - a) A prisoner.
 - b) A civilian observer.
 - c) Any other person not on-duty as a police officer.
- 2) The initiating unit will be the unit responsible for the initiation of the pursuit and is required to advise via radio immediately upon initiating a pursuit.
- 3) With the permission of a monitoring supervisor, unmarked police vehicles, motorcycles, and other specialized police vehicles designated for highway use and equipped with emergency lights and siren may participate in the pursuit as the primary unit until a marked police vehicle equipped with emergency lights and siren can take over as the primary unit.
 - a) Officers who are in an unmarked vehicle and involved in a pursuit must advise over the radio that they are in an unmarked vehicle.
 - b) Marked patrol cars will take over primary unit responsibility from a motorcycle unit or other specialty vehicle once arriving at the location of the pursuit. The initiating motorcycle unit or other specialty vehicle may continue as the secondary unit and control communications with Dispatch.
 - c) Marked police vehicles may act in a traffic control capacity by stopping traffic and clearing intersections in the path of the pursuit.
- 4) All officers involved will continuously evaluate the pursuit conditions to protect the public.
- 5) When approaching a school zone or other hazardous area, officers will slow down or come to a complete stop, if necessary, to ensure safe passage through the area.
- 6) A supervisor or any unit involved in the pursuit may terminate the pursuit.
- 7) The initiating unit will advise the dispatcher of the following information at the start of the pursuit:

- a) Description of the vehicle.
 - b) Description and number of suspects in vehicle, if known.
 - c) Offense for which the suspect is wanted.
 - d) Location, speed, and direction of travel of the vehicle.
 - e) Traffic violations and hazards as they are observed.
- 8) The supervisor monitoring the pursuit shall ensure an appropriate number of police units are participating in the pursuit.
- Severity of the crime, number of occupants in the fleeing vehicle, location, time of day, and other facts and circumstances shall be considered by the monitoring supervisor in determining the number and type of units participating in the pursuit.
- 9) The secondary unit will be responsible for the following:
- a) Assuming radio communications.
 - b) Taking over as primary, if necessary.
 - c) Providing back-up at the conclusion of the pursuit.
 - d) Initiating a high-risk vehicle stop.
 - e) Calling for additional units and/or setting up perimeter.
- 10) Additional support units may parallel the pursuit while driving with due regard and adhering to the pursuit policy.
- 11) Support unit responsibilities may include, but are not limited to the following:
- a) Anticipating the pursuit path to control intersections and ensure the safe passage of pursuing units.
 - b) Establishing perimeter positions to contain the suspect(s).
 - c) Assisting with a high-risk vehicle stop.
 - d) Assisting with the safe apprehension of suspect(s) at the pursuit's conclusion.

12) All officers involved in a pursuit, to include officers who are paralleling or responding to assist in the incident, will activate their body worn camera (BWC) throughout the duration of their involvement in the pursuit and will adhere to [Order 17.105 Body Worn Camera](#).

13) Officers will not shoot from or at a moving vehicle, with the following exceptions:

a) When an occupant of the suspect vehicle is utilizing deadly force against police officers or other persons.

b) When no reasonable alternative exists to prevent death or substantial harm to themselves or other persons.

c) When no reasonable alternative exists to apprehend a violent felon who the officer has probable cause to believe has just committed a crime resulting in death or serious physical injury, and there is an imminent risk that the person will cause additional death or serious physical injury if not immediately apprehended.

d. Supervisors shall monitor the progress of all pursuits and will avoid being the initiating unit if possible.

- An initiating supervisor shall be the primary unit until another marked patrol unit is able to take over as primary.

e. Supervisors are responsible for the following:

1) Controlling the conduct of the pursuit, including:

a) Acknowledging and supervising the pursuit via radio.

b) Number of units.

c) Type of units.

d) Closing radio channel, if not already done.

2) Requesting additional support (K-9, air support, etc.).

3) Terminating pursuits that create an undue hazard to the public or otherwise not justified under law or policy.

4) Maintaining post pursuit discipline.

5) Briefing on-duty Bureau Lieutenant and/or Commander.

6) Supervisor's Authorization of Prohibited Actions

- a. Sworn supervisors may authorize deviation from policy, to include actions which are prohibited, when no reasonable alternative exists to apprehend a violent felon who the supervisor has probable cause to believe has just committed a crime resulting in death or serious physical injury, and/or there is probable cause to believe an imminent risk exists that the person will cause death or serious physical injury if not immediately apprehended. Any deviation from policy which allows these actions must be clearly voiced via radio.

Prohibited actions include:

- 1) Overtaking, driving next to, or forcing the suspect vehicle off the roadway.
 - 2) Intentionally ramming a suspect vehicle.
 - 3) Blocking the roadway.
 - 4) Boxing in or surrounding a moving vehicle.
- f. Communications personnel shall be responsible for the following during pursuits:
 - 1) Controlling radio communication relative to the pursuit.
 - 2) Closing the channel to all traffic not related to the pursuit.
 - 3) Contacting outside agencies, if necessary.
 - 4) Maintaining accurate records of the pursuit.
 - 5) Making copies of recordings of the radio traffic from the pursuit.

2. Inter-Jurisdictional Pursuits

- a. When a pursuit that begins in Tempe enters another jurisdiction, the primary unit will advise Communications. Communications will notify the affected agency and specify:
 - 1) The location and direction of the pursuit and the number of units involved.
 - A supervisor may approve additional backup units to follow the pursuit into another jurisdiction based on the facts and circumstances of the

pursuit.

2) Any requests for assistance must specify exactly what is needed (e.g., stationary roadblocks, air support, K-9, etc.).

b. In the event another jurisdiction becomes involved in a pursuit within Tempe, the following guidelines apply:

1) Tempe police units will not become involved in the pursuit unless specifically requested to do so by the pursuing agency and authorized by a Tempe supervisor.

2) The pursuit must follow Department policy for Tempe units to directly participate.

3) If the involved agency is pursuing outside of Tempe guidelines, police units will provide the following support:

a) Setting up perimeter to contain suspects.

b) Assisting with a high-risk vehicle stop.

c) Blocking or stopping traffic at intersections by units in the path of the pursuit to facilitate the safe passage of the pursuit.

d) Paralleling pursuit route in order to enhance public safety.

3. Terminating Pursuits

a. Once a pursuit has been initiated, strong and continuing consideration will be given to termination of the pursuit under the following conditions:

1) When the risks to the public outweigh the need for apprehension.

2) Environmental factors that substantially increase the danger of the pursuit.

3) An officer's unfamiliarity with the area and inability to accurately notify Communications of the location and direction of the pursuit.

4) Hazardous road conditions (rain, debris, poor lighting, etc.), congestion by traffic or pedestrians, and proximity to schools/school zones that substantially increase the danger of the pursuit.

5) When the violator proceeds the wrong way on any interstate highway, divided highway, or one-way street.

- b. Pursuits will be immediately terminated under the below conditions:
- 1) When the risks to the public outweigh the need for apprehension.
 - 2) The suspect is known to the officer and does not pose an immediate threat to the public.
 - When these facts are present at the beginning of a stop then a pursuit should not occur.
 - 3) The employee loses visual contact with the suspect for an extended period of time.
 - 4) There is an equipment failure involving the police vehicle's emergency lights, siren, radio, brakes, steering, or other essential mechanical equipment.
- c. Upon terminating the pursuit, the location where terminated will be given to Communications.
- d. All emergency lights and sirens will be shut off and any involved officer(s) will reduce speed and comply with traffic laws. Additionally, verbal acknowledgement of the instruction to terminate the pursuit must be transmitted by the initiating officer.
- e. After a pursuit is terminated, marked units will not make any attempts to follow the suspect vehicle.
 - With supervisor approval, unmarked units may circulate the surrounding area while obeying traffic law.
- f. Pursuits will only be reinitiated with supervisor approval when:
- 1) There is a significant improvement in the risk factors that led to the decision to terminate the pursuit; or
 - 2) Updated information is received regarding the seriousness of the crime or danger to others.

4. Roadblocks

- a. Under certain circumstances, the blocking of vehicles or barricading of a roadway using patrol vehicles may be necessary.
- b. Due to the potential dangers associated with the use of stationary roadblocks, supervisory approval is required, and the following procedures

will be adhered to:

- 1) Stationary roadblocks are used when it is necessary to force vehicles to stop in order to maintain a perimeter, locate suspects, or for other authorized law enforcement purposes.
 - a) Only marked patrol vehicles will be used.
 - b) An avenue of escape will be provided.
 - c) All personnel shall be a safe distance away from the blocking vehicles.
 - d) Roadblock location shall be in an area where it can be clearly seen as vehicles approach.
 - e) When approaching the roadblock, vehicles should have enough room and time to slow down.
 - f) High visibility will be maintained throughout the use of vehicle emergency lights and headlights, traffic cones, and flares as necessary.
- c. When a stationary roadblock is used during a pursuit, the monitoring supervisor will include the information in the Post-Incident Report.

5. Post-Pursuit Documentation

- a. In all cases, whether the suspect was apprehended or not, a Vehicle Pursuit entry into Blue Team will be completed by the supervisor who monitored the pursuit.
- b. The General Offense report will be titled appropriately and contain the following information:
 - 1) Date, time, and location where the pursuit was initiated.
 - 2) The violation(s) observed and the reason for the pursuit.
 - 3) Why the risks associated with a pursuit were warranted.
 - 4) Lighting and conditions at the onset of the pursuit.
 - 5) Vehicle and suspect descriptions.
 - 6) Path of the pursuit.

- 7) If the pursuit was terminated, the reasons for its termination.
 - 8) Where the pursuit was terminated and why OR why taking the risks associated with a pursuit were warranted.
 - 9) How the suspects were taken into custody or last known location.
- c. Post-pursuit reviews will be completed as follows:
- 1) When a lieutenant was involved in the pursuit, the commander of the lieutenant is responsible for assigning the post-pursuit review to an uninvolved lieutenant.
 - 2) The Professional Standards Unit is responsible for completing the post-pursuit review when a serious injury or death occurs during the pursuit.
- d. For the purposes of a post-pursuit review, all units responding to a pursuit are considered involved in the pursuit. This includes any units paralleling, attempting to catch up to, or circling the area of the pursuit.
- e. The reviewing lieutenant or employee shall gather necessary information to complete a post-pursuit review for the Force Review Committee. The reviewing employee will complete a written report in a timely manner.
- f. The report shall contain the following:
- 1) A copy of the General Offense report.
 - 2) A digital copy of all pursuit related radio communications.
 - 3) Length and duration of the pursuit.
 - 4) Number of units involved.
 - 5) Reason for the pursuit.
 - 6) How it was terminated.
 - 7) A critique of actions taken during the pursuit.
 - 8) Whether the pursuit was within policy.
 - 9) Any other unusual circumstance (e.g., roadblocks).

- g. The Force Review Committee will review the post-pursuit review and determine whether the pursuit fell within pursuit guidelines.
- h. The report will be forwarded up the chain of command and reviewed by the appropriate Assistant Chief/Director.

E. Annual Review

1. This order and applicable state laws will be reviewed annually by the Department and the policy will be updated as necessary.
2. Each year, the Personnel Services Bureau Commander will oversee a pursuit analysis to identify trends, enhance training, improve safety, and address potential issues related to vehicle pursuits.