

Law Enforcement Vehicle Pursuits – Policies, Training, Tactics and Technology

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Abstract

Vehicle pursuits have been and continue to be a hotly debated topic in law enforcement circles. Law Enforcement agencies have to continually assess the need to pursue offenders against the public outcry that result from the tragedies of pursuits. In the mid-1990's technology began to play a role in pursuit conduct. Tire deflation devices and electronic vehicle disablers have and are still being developed to quickly bring pursuits to a safe conclusion. In addition to technology, tactical maneuvers have been devised and are currently utilized to terminate pursuits and in some cases prevent pursuits from occurring altogether. Through training, policy setting and properly using technology and tactics currently available, law enforcement agencies can apprehend criminal suspects while keeping the general public's safety a priority.

Introduction

Law enforcement related pursuits have been controversial since the 1960's. Each year hundreds of deaths and thousands of injuries are directly attributed to pursuits. High profile television shows that dramatize and even romanticize pursuits have given the general public an inaccurate view of the harsh reality of pursuits. The deaths, injuries and personal tragedies of innocent persons are carefully avoided in these "reality" television specials.

In the past decade pursuit issues have become the focus of State Supreme Court rulings and million dollar lawsuits. Law enforcement administrators throughout the nation are having to re-think their policies and practices. The main dilemma they are facing is trying to balance the necessity for apprehending criminal suspects against public safety concerns.

Many law enforcement agencies have adopted restrictive policies where fleeing suspects may only be pursued if they have committed a violent felony. This may suit the needs of many jurisdictions, but consider the case of the Tampa, Florida Police Department. In 1992, the Tampa Police Department instituted a pursuit policy that restricted officers from pursuing all criminal suspects except those who had committed violent felonies ("New police chief wants high-speed chases curbed," 1992). Two years later Tampa's per capita auto theft rate was the second highest in the nation ("Tampa's racing towards," 1994). During this time period individuals could burglarize homes, businesses and commit thefts at will, and as long as they fled the scenes in a vehicle, they did not have to be concerned about being pursued by Tampa police officers. In 1995, following the election of a new mayor, the pursuit policy was changed to allow for

all felony suspects to be pursued. The effects were immediate and auto thefts and other property crimes began a steady decline (“Tampa car theft decreases,” 1995).

The dilemma is not one that will be easily resolved. This paper will focus on existing and emerging technology, tactics and training involving vehicle pursuits. It will provide a framework that will allow law enforcement administrators to create policies, procedures and training programs that meet the specific needs of their agency.

Legal Issues

Approximately 40 percent of all pursuits end in a collision; 20 percent end with injuries; and one half to one percent end with a fatality (Dunham & Alpert, 1998). With these large volumes of injuries and collisions, legal concerns are legitimate and real. Since a consequence of pursuits is that innocent third parties are frequently injured or killed, inevitably, lawsuits follow and law enforcement agencies often find themselves the subject of intense scrutiny. For the most part these civil actions allege civil rights violations under Title 18, section 1983, of the U.S. Code. In these cases the plaintiffs claim unreasonable seizure under the Fourth Amendment and fundamentally unfair treatment that is guaranteed by the Fourteenth Amendment. Most states already have multiple cases ruled upon by their State Supreme Court which attempt to define what reasonable law enforcement actions regarding pursuits should be.

In 1998, the United States Supreme Court decision in *Sacramento v. Lewis* set the federal standard for law enforcement pursuits. The Court held that “the issue in this case is whether a police officer violates the Fourteenth Amendment guarantee of substantive due process by causing death through deliberate or reckless indifference to life in a high speed automobile chase aimed at apprehending a suspected offender. We answer no and hold that in such circumstances only a purpose to cause harm unrelated to the legitimate object of arrest will satisfy the element of arbitrary conduct shocking to the conscience necessary for a due process violation” (Pipes & Papes, 2001). This “shocks the conscience” standard, set by the Supreme Court, still stands today and allows for individual states to have great breadth in pursuit related legislation.

Currently, the majority of states do not have pursuit-related legislation. In the states that do, the laws generally address requirements for legal immunity. One of the more comprehensive pursuit-related laws is Wisconsin Act 88. This Act required the creation of a law enforcement pursuit council that monitors pursuit-related issues and sets standards. There is also a reporting requirement which mandates that the states 633 law enforcement agencies must provide timely data following a pursuit. One of the most important requirements of Act 88 is that all law enforcement agencies conduct mandatory training every two years. Officers failing to complete the training face decertification. Act 88 also requires individual agencies to have written policies based on a state model policy (Witczak, 2003).

In Florida, pending legislation would relieve law enforcement agencies from liability if they meet certain requirements. Law enforcement officers could only pursue suspects that committed a forcible felony; the pursuit cannot be conducted in a reckless manner; and agencies must have a written policy that all officers receive training on (“Police chase bill headed to house,” 2006).

Although there have been several organized efforts seeking federal legislation that would regulate pursuits on a national level, none of the proposals have made it through congressional committees.

Policies

Pursuit policies vary widely across the country. In the United States alone, there are over 20,000 separate law enforcement agencies. (Reaves & Hickman 2002). This equates to potentially 20,000 separate policies that address vehicle pursuits. Policies serve a variety of functions. They provide an agency with clear direction for action; when to, and when not to pursue. Generally, pursuit policies require law enforcement officers to first consider the reason for the pursuit, the nature of the suspected offense, as well as the time of day, traffic and weather conditions, and whether or not the identity of the suspect is known. The critical role pursuit policies play in law enforcement are simply put forth by pursuit researcher Geoffrey Alpert who wrote: "On the one hand, too many restrictions placed on police use of pursuit could place the public at risk from dangerous individuals escaping apprehension. On the other hand insufficient controls on police pursuits could result in needless accidents and injuries (Police pursuit: policies and training, 1997).

It would be safe to assume that most agencies allow pursuits under certain circumstances. In 1997, the Pursuit Management Task Force (PMTF), under the direction of The National Institute of Justice, surveyed 422 local, state and county law enforcement agencies in the western United States regarding pursuit practices and policies. These 419 agencies represented 57,555 law enforcement officers. The survey indicated that 99 percent of the agencies allowed their officers to engage in pursuits and that 97 percent of the agencies had a written policy addressing pursuits. Additionally, 85 percent of the agencies had a supervisory oversight component in their policy. (Pursuit Management Task Force Report, 1998).

Another survey, sponsored by the National Institute of Justice examined pursuit issues at 436 different law enforcement agencies in the United States (Alpert, 1997). Ninety one percent of the responding agencies reported that they had written pursuit policies. Additionally, 48 percent had modified their pursuit policies within the last two years, of which 87 percent noted that their modification made their policies more restrictive. The researchers' findings revealed several issues that should be considered by law enforcement administrators. Specifically:

- Initiate a review of current policies. The survey revealed that many of the agencies policies had not been updated for more than twenty years.
- Create a system to capture pursuit information.
- Assess training needs.
- Support agency policies by requiring training.
- Agencies need to have some form of post-pursuit review.

The importance of a sound pursuit policy cannot be overstated. There are modest associated costs for their development and they provide the agency with a solid tool for pursuit management. There already exist several model policies that allow

agencies to create policies for their specific needs. The International Association of Chiefs of Police provides a model policy for this purpose (appendix A). As suggested by Alpert, Kenney, Dunney and Smith (2000), a defensible pursuit policy should contain the following:

- Mission statement
- Rationale
- Definition
- Initiation and termination factors
- Pursuit tactics
- Supervisory responsibility
- Communications responsibility
- Interjurisdictional pursuits
- Apprehension
- Pursuit after-action report
- Discipline
- Training
- Statutory reference

Training

Training may very well be the one component of pursuit management that is the most neglected. For most law enforcement agencies that have SWAT teams, training is an integral part of their monthly activity. The high-risk, high-liability nature of their duties calls for extensive training. Considering the high crash, injury and death rate related to pursuits, one would reasonably expect intensive pursuit-oriented training as a standard for most agencies. Unfortunately, the reality of training is far from such an expectation. After collecting data from 308 law enforcement agencies, Alpert (1997) found that only 60 percent of the agencies provided entry-level driver training at their academies. After being assigned to the field, continuing training averaged about 3 hours per year. The study found that most of the training focused on the mechanical aspects of driving, as opposed to issue-based pursuit conduct that could provide law enforcement officers with the appropriate thinking processes to properly manage pursuits.

To address this issue, many states are currently enacting legislation that mandates pursuit training. In California a new law grants qualified immunity to law enforcement agencies that undergo “continuous” training regarding high-speed pursuits. In addition agencies must comply with uniform reporting guidelines established by the state. In Florida pending legislation would affect all law enforcement agencies in the state. Florida Senate Bill 124 would release liability from agencies that have: written forcible felony only policies; and that train all of their officers on their policies (“Police chase bill headed to house,” 2005).

Law enforcement administrators should understand that training can have a significant effect on officers’ attitudes towards and willingness to engage in pursuits. Alpert (1997) surveyed 33 Miami-Dade police recruits before and after pursuit training. Prior to the training 100 percent of the recruits indicated that they would engage in a low risk pursuit with a DUI suspect. Following the training, only 73 percent advised that they would engage under the same circumstances. Alpert’s study empirically illustrates the

impact that training can have on individual officers. The value of a comprehensive and sustained pursuit training program limits an agency's liability, better prepares its officers to engage in pursuits, and protects the public from reckless disregard for their safety.

Tactics

Many agencies fail to realize that well developed pursuit tactics can not only quickly end, but also prevent pursuits from occurring. As with any change to long-standing practices, resistance is always encountered and acceptance is often protracted.

Alpert (1997) found that suspects who do not know that they are being followed or actively pursued will drive in a reasonably safe manner. Most officers will attest that until emergency equipment is activated most suspects will drive with due care. Law enforcement officers should take this known behavior and use it to their advantage. Two known tactics exploit this particular pre-pursuit characteristic: Tactical Observation and vehicle Interception. After an officer confirms that they are following a suspect that would more than likely flee, they can elect to engage in "Tactical Observation". This involves the primary refraining from activating any emergency equipment and notifying air service if available along with other units. The air unit, or other units, preferably unmarked, merely follow the suspect vehicle until it stops and an arrest can be effected.

Another tactic, created by the Hillsborough County, Florida Sheriff's Office, is called the "Vehicle Intercept Procedure" or VIP (see appendix B). The Vehicle Intercept Procedure involves the blocking in of a suspect vehicle as it slows, stops or begins to move at an intersection, driveway or parking lot. The procedure was designed in 1995 following a sharp increase in vehicle pursuits. The tactic is similar to Tactical Observation. Deputies must refrain from activating emergency equipment and follow the suspect vehicle. As the primary deputy follows the suspect vehicle, a tactical plan of action is coordinated via radio. Each of the units has a designated position to take when the procedure is executed. Through training, deputies are taught to engage in tactical thinking, they must consider what intersections and conditions ahead would be conducive to the VIP tactic. Once a location is chosen, two, three or four units, both marked and unmarked can participate. As the suspect vehicle comes to a stop one law enforcement unit blocks the front of the suspect vehicle in a perpendicular fashion with the rear axle of the law enforcement vehicle aligned with the center of the suspect vehicle. One or two units block the rear of the suspect vehicle, either contacting or leaving less than a foot of distance between the vehicles. Other law enforcement vehicles can take up coverage positions 40 – 60 feet offset from the suspect vehicle drivers door. The deputy in the primary (front) blocking vehicle remains in their vehicle until the scene is secure; this is to ensure the deputy's protection in case the suspect attempts to accelerate through the vehicle. In the first year of the VIP program, pursuits were reduced by approximately 50 percent. In the eleven years the program has been in operation there have been no reported injuries or deaths. All Hillsborough County Sheriff's Office deputies undergo VIP training. Refresher training is conducted every two or three years.

Tactical observation and VIP can be effective pre-pursuit tactics. Once a pursuit has begun, other tactics can quickly end the event. There are two acknowledged

methods of pursuit termination using tactical vehicle maneuvers. The first technique is “boxing” or surrounding the suspect vehicle with law enforcement vehicles and simultaneously slowing which in turn causes the suspect vehicle to slow and eventually stop. The Fairfax County Police Department in Fairfax, Virginia has created a training program for their officers and certifies trainers from other agencies in vehicle “boxing”⁶. In addition to the boxing technique, the Fairfax County Police also train and certify others in the “Precision Immobilization Technique” or PIT (“The precision immobilization technique,” 1993). This technique involves the front end of a law enforcement vehicle making contact with one of the rear corners of the suspect vehicle, which then causes it to spin. The maneuver is risky and consideration must be given regarding other roadway traffic, the nature of the offense, and whether the suspect vehicle contains other occupants. Although these tactics can be considered high-risk due to their proactive, rather than law enforcements typical reactive nature, they can effectively and rapidly end a pursuit.

Technology

In 1996 the National Institute of Justice (NIJ), published a bulletin focusing on new technologies that would affect the way law enforcement officers conduct pursuits (“High Speed Pursuit,” 1996). One of the technologies highlighted was spike strips and retractable spike barriers. This technology proved successful and is utilized by a large percentage of law enforcement agencies today. The most common systems in use today are Stop Sticks, Magnum Spikes and Stinger Expandable Spike strips. All of these systems utilize sharp spikes that penetrate tires and rapidly deflate the tires, either ending or drastically reducing the speed of the pursuit. There is, however, inherent danger involved with the use of the tire deflation devices. The standard deployment requires that the officer deploying these devices be at or near the roadway where the suspect vehicle will pass. The nature of such a deployment will place the officer in some degree of danger. Vehicle pursuit speeds often exceed 100 miles per hour and barrier protection, such as a bridge abutment, is often not available. Since tire deflation devices became popular in the late 1990s, dozens of law enforcement officers have been killed during deployment. The devices, however, have proven extremely effective in managing pursuits. As with any pursuit related tactics, training is paramount to ensure effectiveness and officer safety.

The NIJ technology bulletin also examined the potential use of ignition-arrestor technology. This technology sends out a burst of directed electrical energy that burns out or disrupts components of a vehicles electronic ignition system. In 1996, two devices were profiled that showed potential for electrical vehicle immobilization. The first was the Road Patriot. The Road Patriot was a small rocket powered device that was shot under a fleeing vehicle and emitted an electromagnetic energy burst that would disable the fleeing vehicle. The Road Patriot was mounted under the front bumper of the law enforcement vehicle and could be launched as far away as seven car lengths behind the suspect vehicle. The Road Patriot was tested by several agencies, however, never made it into production. Conditions had to be perfect for the device to work and practical application could not be achieved. The entire concept appears to have been abandoned by 2000.

Another technology that still shows some promise is the Road Sentry system. This system consists of a portable pancake shaped electrical device that is placed on the roadway in the path of a fleeing vehicle. As the fleeing vehicle passes over the device, an electrical burst of energy is released that disables the vehicle's electrical system. The Road Sentry system has been evaluated since 2002 with a grant from the National Institute of Justice's Office of Science and Technology. The most recent testing took place on May 3rd 2006, at Kirtland Air Force Base in New Mexico. The testing consisted of determining whether or not the electrical pulse could harm drivers and passengers in the vehicle, in addition to the device's effectiveness for disabling vehicles (B. Montgomery, personal communication, April 27, 2006).

Preliminary results indicate that the potential harm to drivers or passengers is minimal. The effectiveness of the unit itself however, was not overly impressive. Out of the 12 cars tested at 60 Miles per hour under dry road conditions, only 3 were "hard kills", where the vehicles became totally disabled. Two were "soft kills," where the vehicles could be restarted. In two instances the vehicles engine faltered momentarily but recovered and five vehicles showed no effects at all (see table 1). There appears to be significant work needed on the Road Sentry system before its commercial release.

Table 1. Road Sentry results for a vehicle speed of 60 mph on dry road.

Asset	Make	Model	Year	Effect	Comments
1	Nissan	Maxima	1990	None	Odor similar to expended cordite. Check engine light on.
2	Toyota	Corolla	1991	None	Odor similar to expended cordite. Check engine light on.
3	Nissan	Maxima	1992	Stumble, almost soft kill	Odor similar to expended cordite. Engine lost power for approximately 20 s and recovered without stopping.
4	Hyundai	Excel	1994	Hard kill	To be repaired
5	Hyundai	Excel	1993	None	2 passes with no effect
6	Buick	LeSabre	1993	Soft/hard kill	Unstartable until next day. No repair necessary
7	Toyota	Tacoma	2001	None	Check engine light on.
8	Pontiac	Grand AM	2001	Hard kill	Horn activated by Road Sentry. To be repaired.
9	GMC	Sierra	2000	Stumble, almost soft kill	Restarted in motion. Failed to start 15 minutes later; currently runs poorly. To be repaired.
10	Mitsubishi	Galant	2002	Soft kill	Started with difficulty after cycling ignition key.
11	Ford	F250	2000	Soft kill	Restarted after cycling ignition key.
12	Toyota	Blue PU	1994	None	None

Recently, several other companies have joined in the development of electronic technology that focuses on quickly ending police pursuits. The Titan Corporation is developing technology similar to the Road Sentry that utilizes electrical pulses to disable a fleeing vehicle. The pulse can be delivered by several methods: via a portable system placed across the roadway, through a permanent system embedded in the roadway, or

by a pursuing vehicle that deploys wires which contact the fleeing vehicle ("Auto-Arrestor," 2006).

A related technology under development is the Eureka Space Corporation's High-Power Electromagnetic System (HPEMS). The HPEMS uses microwave energy to disable a fleeing vehicles electrical system. What makes this technology unique is that it can be deployed from over 150 feet away by aiming a directed beam via antenna at the fleeing vehicle. Conceptual tactics include being deployed from a helicopter or from the roof of a patrol vehicle ("HPEMS Technology," 2006). Most law enforcement agencies would consider this technology as optimal because it can be deployed from a considerable distance, thus providing greater safety to the officer.

Another technology mentioned in the 1996 report has recently reached production. A fleeing vehicle tagging system has been introduced by Starchase Incorporated. The Starchase system consists of a GPS tracking projectile that is launched from a device mounted on the front of a police car or from a handheld unit. The tracking device adheres to the vehicle and transmits it location via a wireless modem that integrates with CAD and AVL systems ("Starchase," 2006). The Starchase system is currently undergoing field testing with the Los Angeles Police Department.

Since these technologies were first mentioned in the 1996 NIJ bulletin, advancement has been painfully slow, and the most promising technology is still in the early stages of development. Law enforcement agencies will hopefully someday be utilizing these technologies on a daily basis to harness fleeing subjects.

Conclusion

Pursuits continue to be a volatile issue, with reasonable arguments being made from both anti and pro-pursuit camps. The probability of federal mandates being enacted appears slim. Many states have recently begun to restrict pursuits and mandate training for its law enforcement agencies.

Training is a critical component of pursuit management that is often overlooked. Through state mandates, training is becoming more frequent and administrators will hopefully realize its critical importance.

Law enforcement agencies in particular are hyper - resistant to change. A variety of tactics can effectively manage the risks of pursuits. Once this resistance is overcome, the number of pursuits and related property damage and deaths can be significantly reduced.

There has recently been a resurgence of interest in technology to manage pursuits. There is however, no single technology that will solve the "pursuit dilemma". The technologies are varied, but all focus on quickly ending a pursuit or tracking the fleeing vehicle without the occupants' knowledge. The field testing of these technologies continues and production models should be available in a couple of years.

The unfortunate tragedies of pursuits will probably always exist, as it impossible to fight evil without casualties. As technology, training and tactics become an integral part of daily law enforcement operations, pursuits will be less dangerous and avoided altogether. Law enforcement administrators need to be open minded, innovative and progressive. By ridding their agencies of "the way we have always done it" attitudes, law

enforcement officers can more safely apprehend fleeing suspects and ensure the safety of the citizens to whom they serve.

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Appendix A

VEHICULAR
PURSUIT

Model Policy

<i>Effective Date</i> October 1996		<i>Number</i>
<i>Subject</i> Vehicular Pursuit		
<i>Reference</i>		<i>Special Instructions</i>
<i>Distribution</i>	<i>Reevaluation Date</i>	<i>No. Pages</i> 3

NOTE: This is the official IACP "Sample Policy on Vehicular Pursuit," voted on and approved at the 1996 IACP Annual Conference.

Pursuit

**Submitted by: Highway Safety Committee
AHS018.a96**

WHEREAS, police pursuits have become an increased focus of attention for public safety officials, the news media and the public at large; and
WHEREAS, an acceptable balance must be obtained between the capture of fleeing suspects and the responsibility of law enforcement to protect the general public from unnecessary risks; and

WHEREAS, there is no uniform reporting criteria or system in place to accurately account for all pursuits; and

WHEREAS, many agencies have excellent comprehensive policies in place while others have minimal or no policies at all dealing with pursuits; and

WHEREAS, some states have enacted serious penalties for consciously attempting to elude the police while others have not; and

WHEREAS, there is a need to adopt a generic "sample" policy that can serve as a minimum guideline for all agencies involved with pursuits; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP), duly assembled at its 103rd annual conference in Phoenix, Arizona, encourages all agencies to adopt written policies governing pursuits, and that these policies contain at a minimum all the elements put forth in the IACP "sample" policy and that all members of the agency receive familiarization training in the policy; and be it

FURTHER RESOLVED, that the IACP and the National Highway Traffic Safety Administration (NHTSA) develop a uniform pursuit reporting criteria and form to accurately document pursuit involvements and results nationwide; and be it

FURTHER RESOLVED, that the IACP and NHTSA encourage the state legislatures to make it a criminal offense with severe punishments to evade arrest by intentionally failing to comply with the lawful order of a police officer to stop a motor vehicle; and be it

FURTHER RESOLVED, that the IACP, NHTSA and the National Association of Motor Vehicle Manufacturers work together to apply technology that will disable fleeing vehicles and minimize the need for pursuits; and be it

FURTHER RESOLVED, that the IACP adopt the attached pursuit policy as its sample and that it be made a part of the Manual of Model Police Traffic Services Policies and Procedures maintained by the Highway Safety Committee, and that this policy replace and rescind all prior IACP policies on this subject.

CALEA Standard Ref: 41.2.2, 61.3.4

I. PURPOSE:

The purpose of this policy is to establish guidelines for making decisions with regard to vehicular pursuit.

II. POLICY:

Vehicular pursuit of fleeing suspects can present a danger to the lives of the public, officers, and suspects involved in the pursuit. It is the responsibility of the

agency to assist officers in the safe performance of their duties. To fulfill these obligations, it shall be the policy of this law enforcement agency to regulate the manner in which vehicular pursuits are undertaken and performed.

III. DEFINITIONS:

Vehicular Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

Authorized emergency vehicle: A vehicle of this agency equipped with operable emergency equipment as designated by state law.

Primary unit: The police unit, which initiates a pursuit or any unit, which assumes control of the pursuit.

Secondary unit: Any police vehicle, which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

V. PROCEDURES:

A. Initiation of pursuit:

1. The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
2. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when properly directed to do so. Pursuit may also be justified if the officer reasonably believes that the suspect, if allowed to flee, would present a danger to human life or cause serious injury.
3. In deciding whether to initiate pursuit, the officer shall take into consideration:
 - a. road, weather and environmental conditions;
 - b. population density and vehicular and pedestrian traffic;
 - c. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
 - d. The seriousness of the offense; and
 - f. The presence of other persons in the police vehicle.

B. Pursuit Operations:

1. All emergency vehicle operations shall be conducted in strict conformity with applicable traffic laws and regulations.
2. Upon engaging in a pursuit, the pursuing vehicle shall activate appropriate warning equipment.
3. Upon engaging in pursuit, the officer shall notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The officer shall keep communications updated on the pursuit. Communications personnel shall notify any available supervisor of the pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other officers and jurisdictions.
4. When engaged in pursuit, officers shall not

drive with reckless disregard for the safety of other road users.

5. Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles, a primary and a secondary unit. All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.
6. The primary pursuit unit shall become secondary when the fleeing vehicle comes under air surveillance or when another unit has been assigned primary responsibility.

C. Supervisory Responsibilities:

1. When made aware of a vehicular pursuit, the appropriate supervisor shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used, and shall have the discretion to terminate the pursuit.
2. Where possible, a supervisory officer shall respond to the location where a vehicle has been stopped following a pursuit.

D. Pursuit Tactics:

1. Officers shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall disengage when a marked unit becomes available.
3. Motorcycles may be used for pursuit in exigent circumstances and when weather and related conditions allow. They shall disengage when support from marked patrol units becomes available.
4. All intervention tactics short of deadly force such as spike strips, low speed tactical intervention techniques, and low speed channeling (with appropriate advance warning) should be used when it is possible to do so in safety and when the officers utilizing them have received appropriate training in their use.
5. Decisions to discharge firearms at or from a moving vehicle, or to use roadblocks, shall be governed by this agency's use of force policy, and are prohibited if they present an unreasonable risk to others. They should first be authorized, whenever possible, by a supervisor.
6. Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall be aware of the necessity to utilize only reasonable and necessary force to take suspects into custody.

E. Termination of the Pursuit:

1. The primary pursuing unit shall continually re-evaluate and assess the pursuit situation including all of the initiating factors and terminate the pursuit whenever he or she reasonably believes the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
2. The pursuit may be terminated by the primary pursuit unit at any time.
3. A supervisor may order the termination of a pursuit at any time.
4. A pursuit may be terminated if the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension at a later time is feasible.

F. Interjurisdictional Pursuits:

1. The pursuing officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line.
2. Pursuit into a bordering state shall conform with the law of both states and any applicable inter-jurisdictional agreements.
3. When a pursuit enters this jurisdiction, the action of officers shall be governed by the policy of the officers' own agency, specific inter-local agreements and state law as applicable.

G. After-Action Reporting.

1. Whenever an officer engages in a pursuit, the officer shall file a written report on the appropriate form detailing the circumstances. This report shall be critiqued by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.
2. The department shall periodically analyze police pursuit activity and identify any additions, deletions or modifications warranted in departmental pursuit procedures.

H. Training:

Officers who drive police vehicles shall be given initial and periodic update training in the agency's pursuit policy and in safe driving tactics.

NOTE: This sample policy is intended to serve as a guide for the police executive who is interested in formulating a written procedure to govern vehicular pursuit. IACP recognizes that staffing, equipment, legal, and geographical considerations and contemporary community standards vary greatly among jurisdictions, and that no single policy will be appropriate for every jurisdiction. We have, however, attempted to outline the most critical factors that should be present in every pursuit policy, including the need for training, guidelines for initiating and terminating pursuits, the regulation of pursuit tactics, supervisory review or intervention, and reporting and critique of all pursuits. Approved at the 103rd. IACP Annual Conference, Phoenix, Arizona, October 30, 1996

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Every effort has been made by the IACP National Law Enforcement Policy Center staff and advisory board to ensure that this model policy incorporates the most current information and contemporary professional judgment on this issue. However, law enforcement administrators should be cautioned that no "model" policy can meet all the needs of any given law enforcement agency. Each law enforcement agency operates in a unique environment of federal court rulings, state laws, local ordinances, regulations, judicial and administrative decisions, and collective bargaining agreements that must be considered. In addition, the formulation of specific agency policies must take into account local political and community perspectives and customs, prerogatives and demands; often divergent law enforcement strategies and philosophies; and the impact of varied agency resource capabilities, among other factors.

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Appendix B

**THE
HILLSBOROUGH COUNTY SHERIFF'S
OFFICE**



**VEHICLE
INTERCEPT PROGRAM**

INTRODUCTION

One of the most widely debated topics in law enforcement is vehicle pursuits. Media coverage of law enforcement related pursuits is probably at an all time high and it is doubtful that the current trend will be reversed in the near future. In conjunction with the medias aggressive coverage of the topic, there has been an increase in civil suits centering on pursuits that have resulted in personal injury, property damage and death.

Beginning in the mid-eighties, law enforcement agencies began to experience an increase in pursuits. This can largely be attributed to the ease with which the ignition systems of certain automobiles could be compromised. Although there exists no national clearinghouse for law enforcement pursuit statistics, most regional studies report that between 40 and 50 percent of all pursuits end in a traffic crash and one to two percent end with at least one fatality. As a result of the increase in pursuits and associated liability, many agencies have restricted the criteria for pursuit engagement.

In keeping with progressive thinking at the Hillsborough County Sheriff's Office (HCSO), Sheriff Cal Henderson directed Command Staff Officers to explore the viability of a pursuit alternative proposal submitted by deputies. Subsequently, the Vehicle Intercept Program was developed and implemented. (Development and implementation strategy will be discussed later in this document)

The Vehicle Intercept Program is neither a cure-all nor a panacea for all of the problems associated with pursuits. However, the program has demonstrated that suspects can be apprehended, while avoiding pursuit situations. At the HCSO it is believed that the benefits of the Vehicle Intercept Program have far outweighed any turbulence associated with its implementation.

CURRENT PURSUIT POLICY AT THE HCSO

Currently at the HCSO, deputies can engage in vehicle pursuits when the vehicle contains a felony suspect or the driver is believed to be operating impaired. Deputies engaged in pursuits must weigh the benefits of suspect apprehension against the safety of other deputies, citizens and the suspect. The time of day, road conditions, traffic congestion and pending charges are all factors that deputies must consider. The conduct and continuation of a pursuit rest heavily on patrol supervisors, who are authorized to order the discontinuation of a pursuit at any time. All pursuits undergo a mandatory review by District Deputy Commanders within 48 hours following the event.

VEHICLE INTERCEPTION DEFINED

A vehicle interception involves the blocking-in of a suspect vehicle utilizing law enforcement vehicles. The intercept takes place at an intersection, parking lot, driveway or any location where a suspect vehicle is slowing, stopped or beginning to move. A vehicle interception is not a moving road block and vehicles that are traveling in excess of 10 miles per hour are not considered viable candidates. The law enforcement vehicles are positioned according to pre-existing guidelines and procedures in which HCSO deputies have been trained.

HOW THE PROGRAM BEGAN

In 1994, a proposal was submitted to Sheriff Henderson asking for consideration to be given to a pursuit alternative that would involve the blocking in of suspect vehicles in order to avoid the potential of a pursuit situation. During this time, pursuits at the HCSO were occurring at the rate of one (1) approximately every other day. Sheriff Henderson convened a committee that was comprised of deputies from the Patrol, Detective, K-9, Aviation, Tactical and Training Bureaus. The committee met over a one week period to discuss vehicle intercept guidelines, procedures and

training. Part of the week was spent on the HCSO driving pad where vehicle positioning was explored. Officer safety was given high priority and the final positioning was decided upon only after a great deal of scrutinization by the committee members.

The committee's recommendations were sent to Sheriff Henderson and his Staff Officers for consideration. The proposal was approved in early 1995, and training was scheduled for all patrol deputies, detectives and supervisors.

VEHICLE INTERCEPT GUIDELINES

- The decision to implement or participate in a vehicle intercept is left solely to the deputy's discretion and does not require supervisory authorization.
- Vehicle intercepts are intended for use exclusively on vehicles that contain felony suspects, or drivers that are impaired and pose a threat to public safety.
- Citizens' vehicles should not be used as part of an intercept, (i.e., when a suspect vehicle stops in a line of traffic).
- Two-man patrol vehicles will not be used as the front blocking vehicle, as it would potentially endanger the passenger side deputy.
- Marked and unmarked law enforcement vehicles are authorized to participate in vehicle intercepts.

VEHICLE INTERCEPT PROCEDURE

What deputies at the HCSO and most seasoned law enforcement officers will attest to, is that most suspects in vehicles will not flee unless emergency equipment is activated. This is the premise on which vehicle interception is based. Deputies are taught to remain calm and relaxed once a suspect vehicle is identified. Emergency equipment is not to be activated. The Communications Section is notified with the following

information: vehicle description, nature of charges and direction of travel. Deputies are then to communicate with other units in the area while “thinking tactically,” and considering and evaluating what road conditions are ahead that may be conducive to an intercept. The Communications Section dispatches a K-9 and aviation unit to the area. It is preferred that a K-9 and an aviation unit be present during an intercept, but deputies are not precluded from conducting one in their absence. Once an intercept site is chosen, two (2), three (3), or four (4) units can participate (See pictures section). The deputies now communicate to each other which position they will take for the intercept via voice radio. This is critical, as the success of a vehicle intercept is dependant upon a well planned and executed maneuver.

At this point, deputies are still to refrain from activating any emergency equipment. The primary blocking unit will pull in front of the target vehicle as it slows, stops or begins to pull away from the designated location. The primary blocking vehicle should be perpendicular to the target vehicle, with the rear axle of the primary vehicle in line with the front center of the target vehicle. Another deputy will simultaneously block the rear of the vehicle, placing the front of the blocking vehicle as close as possible to the rear of the target vehicle. The rear blocking vehicle can be slightly offset to the right for officer safety considerations. If more than two units are present, two can block the rear, or one can be deployed facing the driver’s door of the target vehicle from a distance of 20-60 feet. Emergency lights are now activated and can include: overhead, takedown, spotlight and the right alley light of the primary blocking vehicle. This has proven to be effective in startling and confusing the occupants of the target vehicle. The deputy in the primary vehicle is to remain in his vehicle until the other deputies have secured the scene. This is to prevent potential injury to the deputy should the target vehicle attempt to break the intercept, and to limit the possibility of a crossfire situation. The suspect(s) can now be removed using the high-risk felony stop method or whatever is practical for the situation. Should a target vehicle break through an intercept the situation is then controlled by HCSO’s vehicle pursuit policy.

VEHICLE INTERCEPT TRAINING

During the week in which the committee met, members spent considerable time discussing training techniques and organizing blocks of instruction. It was decided that the training would be a total of four (4) hours divided into two modules. The first module consists of two (2) hours of classroom instruction. Deputies are shown a series of video tapes that stress liability awareness and the potential negative consequences of vehicle pursuits. The critical attention given by the media is also discussed at length. Using an overhead projector diagrams are displayed (see diagrams section) that illustrate vehicle intercept tactics. The classroom portion is conducted in an informal manner and deputies are encouraged to voice any concerns, criticisms or suggestions regarding the program. HCSO driving instructors conduct the last portion of the classroom module and discuss driving techniques and pad safety prior to the deputies beginning practical exercises.

The second module is conducted on the driving pad. Several intersections are made available to the deputies at the pad who are instructed to follow a vehicle that is reported stolen and coordinate and participate in an intercept. Each deputy must successfully complete a minimum of two intercepts. Primary and secondary vehicle positions are rotated, so each deputy has an understanding of the different positions. Three (3) and four (4) vehicle intercepts are demonstrated by the instructors, so vehicle positioning can be observed firsthand by the deputies. Deputies are evaluated on driving technique, vehicle positioning and radio coordination. A standardized form (see Attachment) is completed by a driving instructor and kept on file at the HCSO's Training Bureau.

THE NECESSITY FOR SUCH A PROGRAM

- There now exists a new class of offenders who know that many law enforcement agencies will not pursue them for routine non-violent felonies.
- A pursuit alternative would assuage the concerns of those who perceive law enforcement as "soft on crime" by demonstrating a

genuine effort to apprehend all felony suspects.

- A pursuit alternative demonstrates responsibility on the agency's part to those individuals and groups who oppose pursuits.
- An agency that uses a pursuit alternative would be less likely to receive critical media attention.
- With fewer pursuits resulting from the use of a pursuit alternative, there should be a consequential decrease in liability claims against the agency.

RECOMMENDATIONS FOR OTHER AGENCIES

It is recommended that other agencies considering a Vehicle Intercept Program take an approach similar to the HCSO's in order to insure that such a procedure is proper for their agency. At the HCSO, Sheriff Henderson and his staff promote the ideology that if something does not work as expected, or is in need of change, a program or policy can be revisited and modified or discontinued if appropriate. This ideology was employed for the Vehicle Intercept Program and is recommended for agencies considering program implementation. The following guidelines may also be helpful.

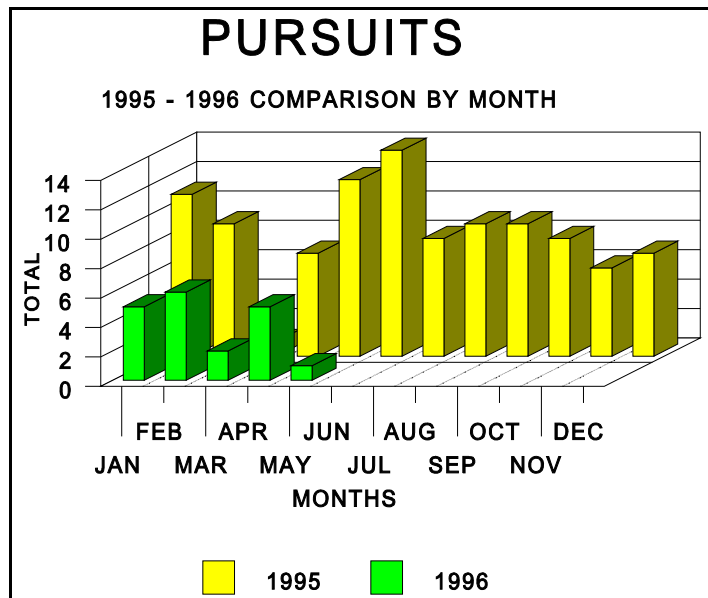
- ORGANIZE A COMMITTEE, CONSISTING OF MEMBERS FROM ALL AREAS OF THE AGENCY THAT WOULD BE AFFECTED BY SUCH A PROGRAM.
- ALLOW THE COMMITTEE MEMBERS TO BE CRITICAL, AND CONSIDER THE PRO'S AND THE CONS OF THE PROGRAM.
- IF THE COMMITTEE'S RECOMMENDATIONS ARE FAVORABLE, DESIGN A PROGRAM THAT IS TAILORED TO YOUR AGENCY AND REGION. AT THE HCSO, LOCAL TELEVISION BROADCASTS AND PRINTED MEDIA ARE USED AS PART OF THE CLASSROOM PORTION THAT HIGHLIGHTS THE CRITICAL ATTENTION GIVEN TO PURSUITS.

- MAKE SURE THAT A PRACTICAL EXERCISE IS INCLUDED IN YOUR PROGRAM. THIS ALLOWS FOR OFFICERS TO GET A FEEL FOR THE PROCEDURE AND TO INSURE THAT ALL OFFICERS ARE OPERATING WITH THE SAME TACTICS. A MINIMUM OF TWO HOURS OF PRACTICAL EXERCISE IS ESSENTIAL.
- SAFETY IS OF PARAMOUNT IMPORTANCE AND SHOULD BE EMPHASIZED BOTH IN THE TRAINING AND WHEN THE PROCEDURE IS USED IN THE FIELD.
- PLAN TO REVIEW THE PROGRAM AFTER A SPECIFIED TIME PERIOD, SIX MONTHS OR A YEAR IS RECOMMENDED.
- DEVELOP A PROCEDURE FOR TRACKING INTERCEPTS AFTER THEY OCCUR. AT THE HCSO ALL INTERCEPTS ARE ENTERED INTO A CENTRALIZED COMPUTER BLOTTER. THIS CAN BE DONE BY THE DEPUTIES FROM THE SCENE VIA A MESSAGE TO OFFICE PERSONNEL AND DOES NOT REQUIRE THE COMPLETION OF ADDITIONAL PAPERWORK.
- INCORPORATE THE PROCEDURE INTO YOUR AGENCY'S STANDARD OPERATING PROCEDURE. THIS INSURES NO DOUBT AS TO ITS AUTHORIZATION.

FIELD RESULTS

Vehicle Interception training at the HCSO began in May of 1995 and ended in October. Since the training began, there have been approximately 60 vehicle intercepts conducted. Of those intercepts, only two resulted in minor damage to HCSO vehicles and one deputy received minor injuries. It is difficult to calculate how many pursuits have been avoided by vehicle intercepts. However, through post arrest interviews and previous actions by suspects, deputies are in agreement that most

suspects apprehended using the Vehicle Intercept tactic would not have yielded to standard approaches. As the chart and table illustrate, there has been a significant decrease in pursuits on a monthly basis when compared to the same months in the previous year when the program did not exist. Additionally, when the total number of pursuits during the first five months of 1996 are compared to those same months in 1995, there is a decrease of more than 50 percent. Although it cannot be said that this decrease is solely the result of the Vehicle Intercept Program, it provides strong evidence that the program is at least partly responsible for the reduction.



NUMBER OF PURSUITS BY

MONTH

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1995	11	9	1	7	12	14	8	9	9	8	6	7
1996	5	6	2	5	1							
CHANGE	-6	-3	+1	-2	-11	*	*	*	*	*	*	*

VEHICLE INTERCEPT PROCEDURE (TWO CAR)



VEHICLE INTERCEPT PROCEDURE



THREE CAR TRIANGULAR INTERCEPT (TWO UNITS BLOCKING THE REAR)



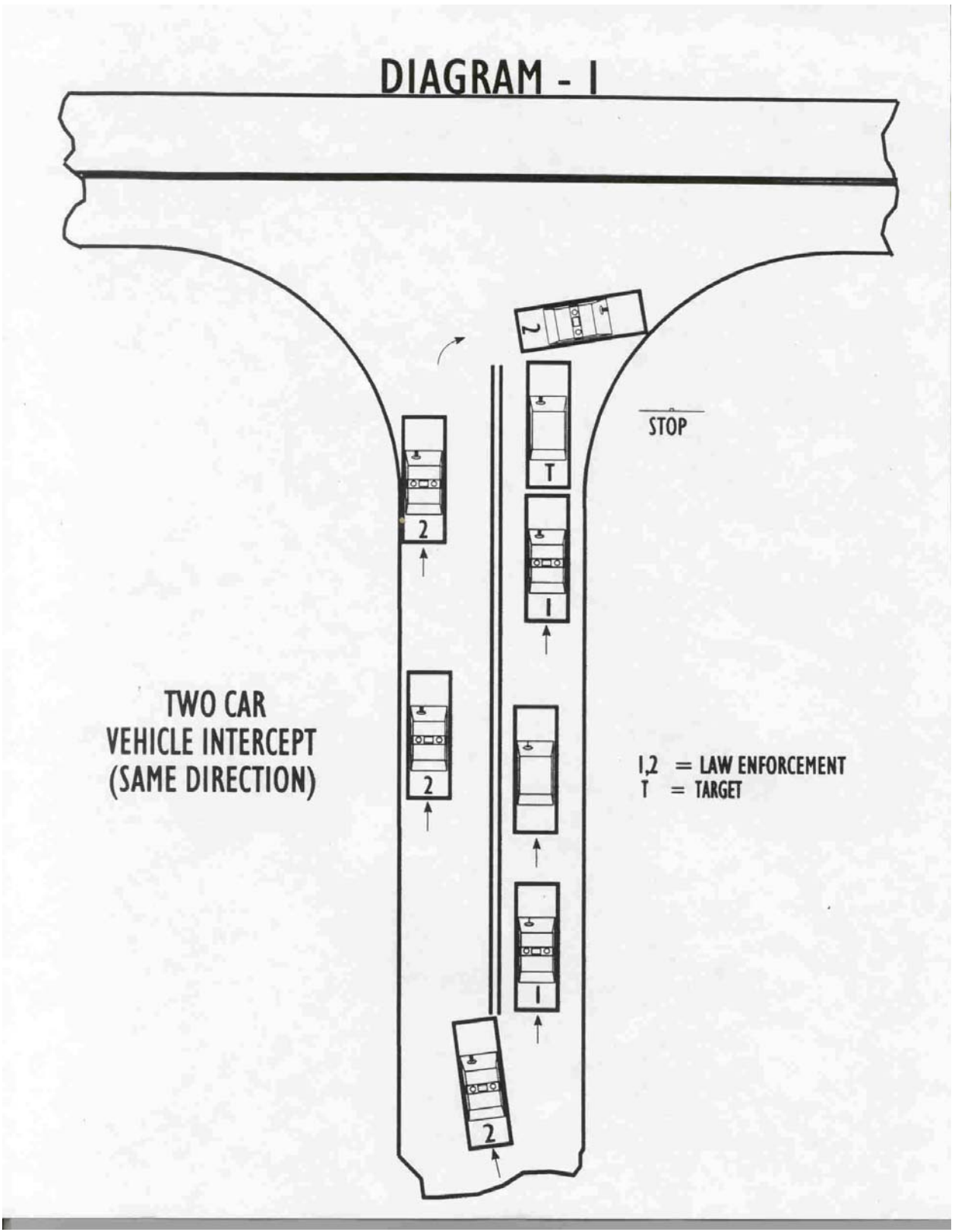
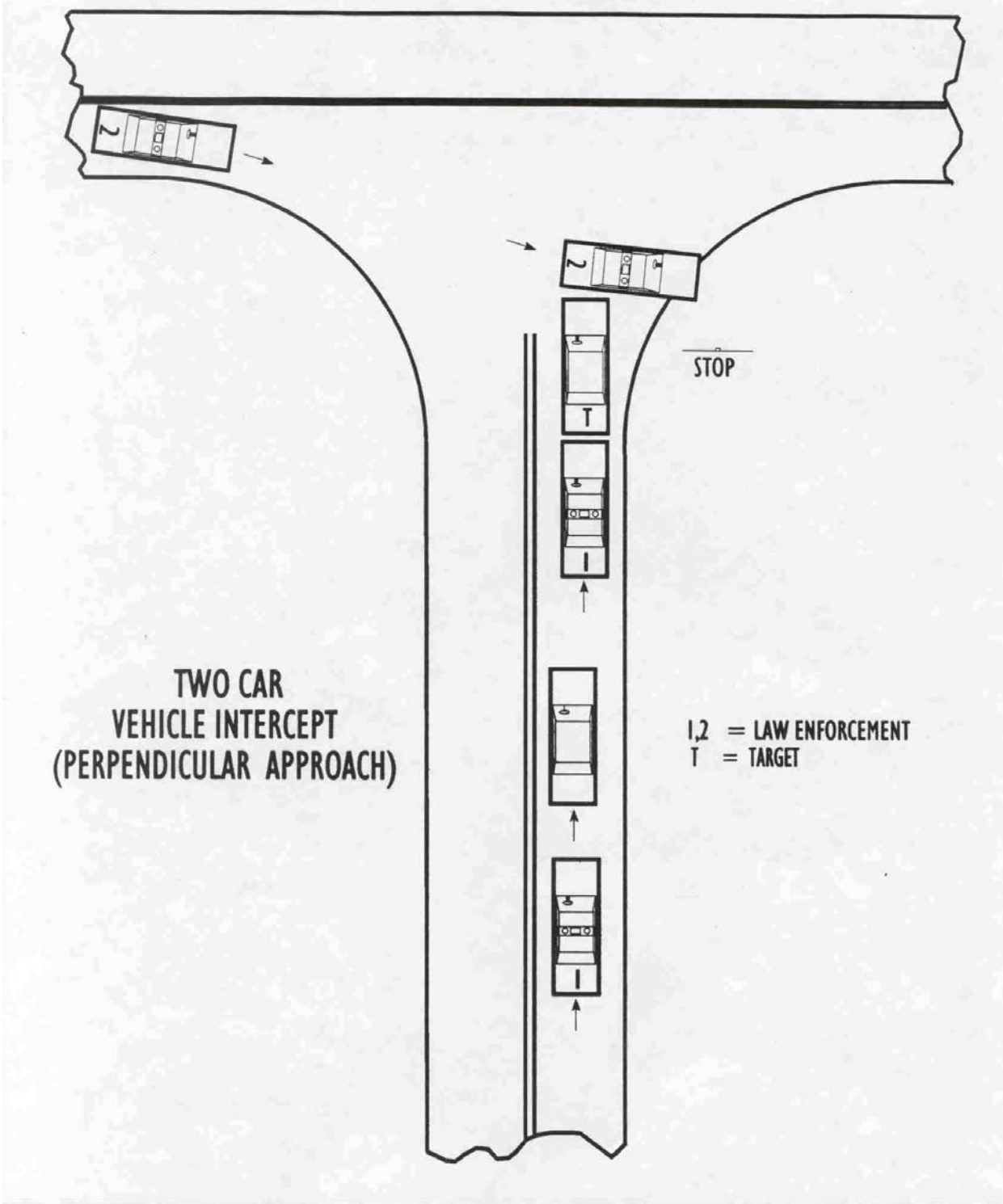


DIAGRAM - 2

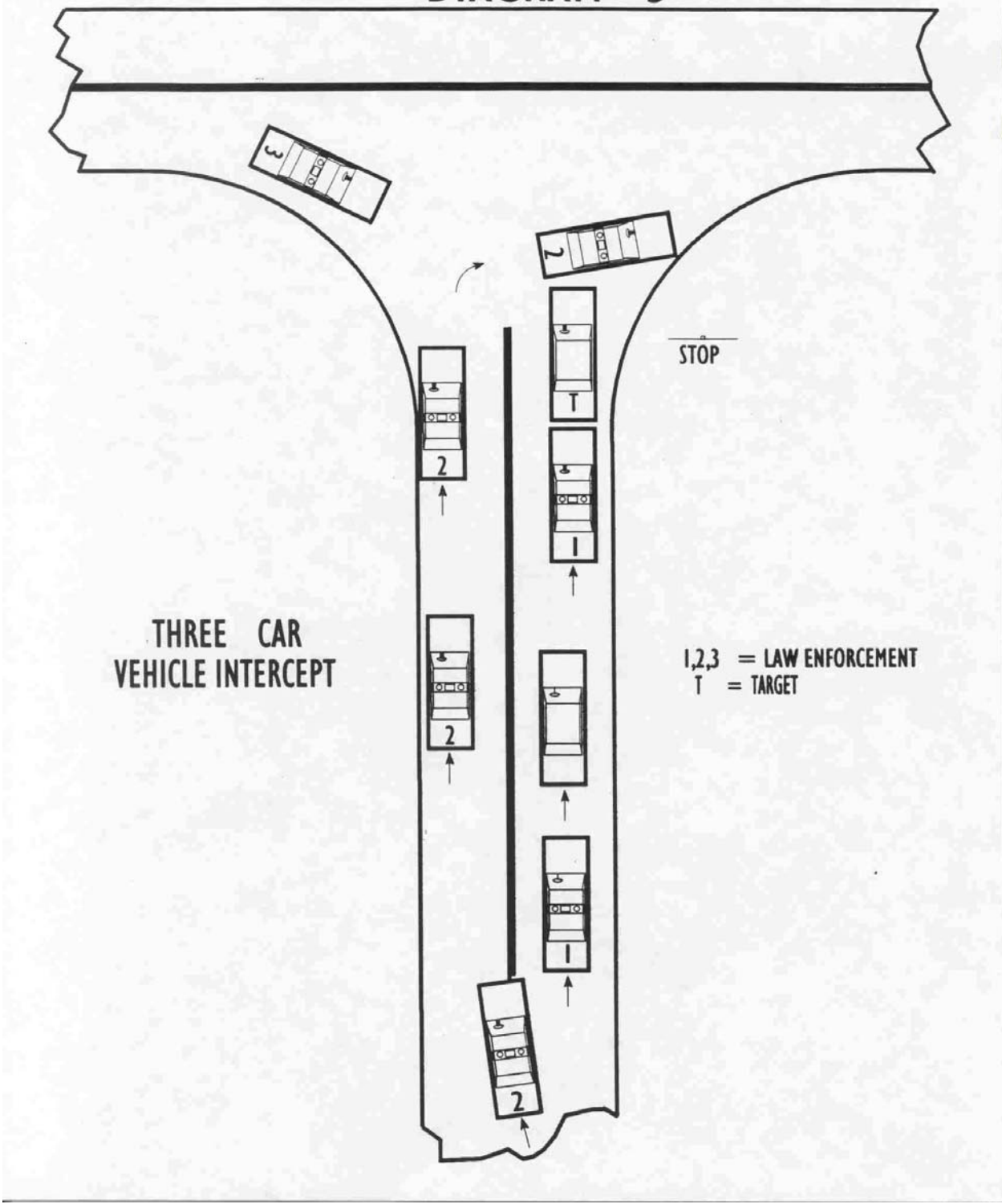


TWO CAR
VEHICLE INTERCEPT
(PERPENDICULAR APPROACH)

STOP

1,2 = LAW ENFORCEMENT
T = TARGET

DIAGRAM - 3



VEHICLE INTERCEPT PROGRAM

STUDENTS NAME: _____

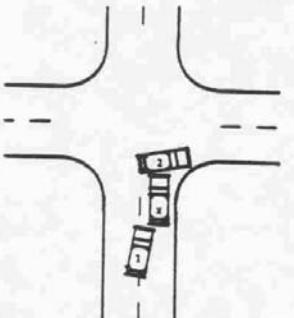
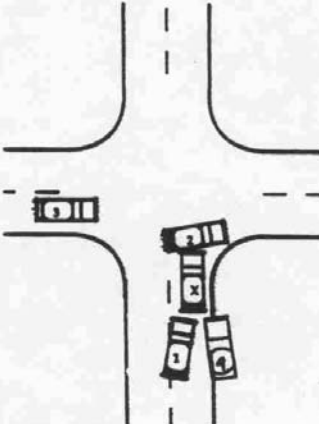
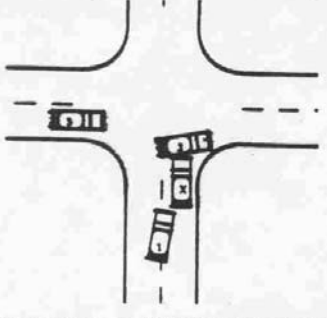
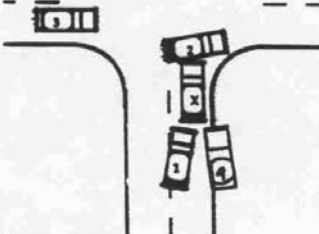
STUDENTS SIGNATURE: _____

INSTRUCTOR: _____

DATE: _____

PASS _____

FAIL _____

 <p>Two Lane Intersection VIP Stop Two Vehicles PASS _____ FAIL _____</p>	 <p>Two Lane Intersection VIP Stop Four Vehicles PASS _____ FAIL _____</p>
 <p>Two Lane Intersection VIP Stop Three Vehicles PASS _____ FAIL _____</p>	 <p>Two Lane Intersection VIP Stop Two Vehicles PASS _____ FAIL _____</p>