

WEBER COUNTY SHERIFF'S OFFICE		POLICY AND PROCEDURES	
SUBJECT: Vehicle Pursuits		CHAPTER/SECTION NO.: 28.17, 28.18	
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28.17 Definitions

- 28.17.1 Vehicular Pursuit: An active attempt by one or more deputies operating a Sheriff's Office motor vehicle to apprehend a fleeing suspect operating a motor vehicle while trying to avoid apprehension by using high speed driving or other evasive tactics, such as driving off a highway, extinguishing his lights, turning suddenly or driving in a legal manner but willfully failing to yield to the Deputy's signal to stop.
- 28.17.2 Emergency: A situation in which there is high probability of death or personal injury to an individual, or the loss or destruction of property, and action taken by the Deputy may avert or reduce the seriousness of the occurrence or situation
- 28.17.3 Authorized emergency vehicle: Any Sheriff's Office vehicle that when responding to an emergency call or pursuing an actual or suspected law violator, has lights or siren on. Refer to UCA 41-6-132 and 41-6-146 regarding lights and sirens on emergency vehicles.
- 28.17.4 Initiating Pursuit Unit: The Deputy operating an enforcement vehicle who first attempts to stop the pursued vehicle.
- 28.17.5 Primary Pursuit Unit: The Deputy operating an enforcement vehicle in close proximity to and immediately following the suspect vehicle

- (may be other than initiating vehicle).
- 28.17.6 Secondary Pursuit Unit: A Deputy operating an enforcement vehicle actively participating in a pursuit.
- 28.17.7 Trail or Trailing: To follow a pursuit at any distance without supervisory approval (includes paralleling).
- 28.17.8 Forcible Stop: A general term meaning the termination of a pursuit through the use of physical force or presence. Includes roadblocks, channelization, ramming, pursuit immobilization technique(P.I.T.), boxing-in, or the use of firearms.
- A. Roadblock: Establishing a physical impediment to traffic as a means for stopping a vehicle using signs, devices, actual physical obstructions, and/or barricades.
 - B. Ramming: The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.
 - C. Boxing-In: A technique designed to stop a violators vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.
 - D. Channelization: A technique similar to a roadblock where objects such as barricades, flarepots, pylons, or vehicles are placed in the anticipated path of a pursued vehicle which tend to alter its direction.
 - E. Pursuit Immobilization Technique: Is a technique designed to strike the vehicle in a way to immobilize the vehicle during pursuit. **ONLY** those deputies who have been trained and certified to use this technique **AND** after receiving supervisor approval are authorized to use this technique.
- 28.17.9 Terminating Pursuit: For the purpose of terminating a pursuit without apprehending the suspect the Deputy shall:

- A. Turn off emergency lights and siren; and
- B. Pull to the right and stop; and
- C. Notify dispatch of termination

28.17.9 Supervisor: For the purpose of this policy a supervisor is an employee of this Office of the rank of sergeant or above, or a designated deputy-in -charge (OIC).

28.18 **Policy**

28.18.1 Vehicular pursuit of any fleeing suspect(s) presents danger to the lives of the public, deputies, and the suspect(s) involved in the pursuit. It is the policy of this Office to protect all person's lives to the extent possible when enforcing the law. In addition, it is the responsibility of the Office to assist deputies in the safe performance of their duties. To effect these obligations, it shall be the policy of the Office to regulate the manner in which vehicular pursuit is undertaken and performed.

- A. Unless a greater hazard would result, a pursuit should not be undertaken if the subject can be identified to the point where later apprehension can be accomplished. A pursuit should not be initiated or continued if the dangers of pursuing or continuing the pursuit are too great. Examples of such times may be inclement weather, commuter traffic, or when the capabilities of the violator's vehicle far exceed the capabilities of the patrol car. Deputies need not, and must not feel that they have to continue a chase under all circumstances and at all costs.

28.18.2 Deputies of the Sheriff's Office shall conduct pursuits in compliance with Title 41-6-14 UCA, sound professional judgement, compliance with other Office policies i.e. seat belt use, and procedures outlined in this policy. Every deputy and supervisor should review this policy on a periodic basis to ensure familiarity.

28.18.3 Restrictions

- A. Deputies will not engage in a motor vehicle pursuit while there is a citizen occupant in the Office vehicle, including, but not limited to, family, suspects, arrestees, victims, complainants, witnesses, or non-sworn members of the Office. This prohibition applies whether or not the passenger has signed a waiver of liability.
- B. Deputies operating unmarked Office vehicles or Sheriff's Office motorcycles may only engage in a motor vehicle pursuit in the event of an extreme emergency (e.g. when the fleeing motor vehicle represents an immediate and direct threat to life or property, or where a substantial loss of property has occurred). Whenever a marked Office vehicle becomes available to take over a vehicle pursuit, the unmarked Office vehicle operator or motorcycle operator will withdraw from an active pursuit and will serve in a support function for the marked vehicle.
- C. The use of forcible stops such as roadblocks, ramming, and tire deflating devices are a last resort measure and should be used only when the use of deadly force is justified **(refer to policy section 1.23-25, Deadly Force)**.
 - A. Forcible stops may be undertaken only when the Deputy or a supervisor has reason to believe that the continued movement of the pursued vehicle would place others in imminent danger of great bodily harm or death; AND
 - B. When the apparent risk of harm to other than the occupants of the pursued vehicle is so great as to outweigh the apparent risk of harm involved in making the forcible stop; AND
 - C. After all reasonable alternative means of apprehension have been considered, and rejected as impractical.

- D. Roadblocks are prohibited unless the circumstances would otherwise warrant the use of deadly force. Roadblocks may only be established with a supervisor's approval. If a roadblock is established, deputies must:
 - A. Allow the suspect vehicle reasonable stopping distance.
 - B. Not place themselves in the roadblock in line with the oncoming suspect vehicle.
 - C. Reasonably ensure the safety of non-involved pedestrians and motorists.
- E. **Discharging a Firearm:** Deputies shall not discharge a firearm at or from a moving vehicle unless the use of deadly force is justified (Refer to 1.25.2 and 1.25.6 of this policy). A deputies decision making assessment should include, but not be limited to, the following considerations:
 - A. There is substantial likelihood that the projectile will not strike any person other than the suspect.
 - B. The risk of the suspect vehicle going out of control after being hit is less than the risk of the suspect not being captured immediately.
- F. **Tire Deflating Devices ("Stop Sticks"):** May be used subject to the constraints in sub-part C, if the following criteria are met:
 - A. There is reasonable cause to believe the suspect has committed an offense justifying the arrest of the suspect.
 - B. The deputy attempting to apprehend the suspect has given notice of the command to stop to the suspect by means of both emergency lights and siren.
 - C. The suspect has ignored the efforts and warnings which were obvious and visible

to a reasonable person in the suspect's position.

G. Deputies involved in using tire deflating devices must be trained on the use of such devices and will consider the following prior to utilizing this equipment:

A. Effective deployment of tire deflating devices.

A. Deployment locations should have reasonably good sight distances to enable the person deploying the devices to observe the pursuit and other traffic as it approaches.

B. The person deploying the tire deflating devices should choose a location with natural barriers such as roadway overpasses, guardrail, or shrubbery. These barriers will conceal the person from the violator's view and allow deployment of the devices in a relative position of safety.

C. Traffic, construction, special events, and/or other activities should be considered to determine whether the use of tire deflating devices would be inappropriate.

D. The "Stop Sticks" will be pre-loaded in the black nylon sleeve, with the cord reel attached in the storage position, inside the trunk.

E. If possible, notify pursuing units or dispatch the devices are being deployed.

F. Remove the "Stop Sticks" unit, along with the attached cord reel from the trunk and, time permitting, close the trunk so as not to block the visibility of the emergency lights.

- G. Place the "Stop Sticks" perpendicular to the roadway on the shoulder and un-reel the cord across the roadway to a position of safety. DO NOT attach the reel to yourself or wrap the line around your hand.
 - H. At the appropriate time the deputy should pull the device across the roadway and into position. If time does not permit this preparation, the "Stop Sticks" may be laid in the path of the suspect vehicle in an expeditious but safe manner.
 - I. Immediately after the suspect vehicle has run over the device, the deputy should, if possible, pull the device out of the way of following police units.
- B. Location and vulnerability of the public, private property, other assisting units, and equipment.
- A. Tire deflating devices are only to be used to stop motor vehicles, cars and trucks. They should not be deployed to stop the following vehicles unless continued movement of the pursued vehicle would result in an increased hazard to others:
 - i. Any vehicle transporting hazardous materials.
 - ii. Any passenger bus transporting passengers.
 - iii. Any school bus transporting students.
 - iv. Any vehicle that would pose an unusual hazard to innocent parties.

- v. Any two-wheeled vehicles or all terrain vehicles (ATV's), unless deadly force is justified.
 - b. Tire deflating device deployment decisions shall include close coordination between pursuing units and the person deploying the spikes.
- 3. Advanced notification will be provided to the person deploying the devices as far in advance as practical, of the necessity of their use.
- 4. The person deploying the tire deflating device should be in position at a predetermined location in time for proper deployment. All pursuing units should be notified when the devices are in place.
- 5. The tire deflating device will be deployed in accordance with the manufacturer's recommendations.
- H. After deploying the tire deflating devices, everyone at the deployment site should immediately move to a secure location.
- 1. Vehicle Placement
 - a. The patrol vehicle should be placed on the side of the roadway, with the front of the vehicle facing the same direction of the pursuit with all emergency lights activated. The patrol vehicle may be angled slightly to narrow the roadway and force the suspect to drive over the device. If time or circumstance do not permit the above positioning, the patrol vehicle may be parked facing the oncoming pursuit.

- b. When possible, a second patrol vehicle may be parked on the opposite side of the roadway, with all emergency lights activated, to funnel the suspect vehicle over the "Stop Sticks".
 - c. The patrol vehicle/s WILL NOT be occupied.
- 2. Deputy Positioning: The deputy should be 10 to 20 feet in front of the patrol vehicle when deploying the device. If the patrol vehicle is facing toward the oncoming pursuit, the deputy should then be positioned 10 to 20 feet to the rear of the vehicle.
- 3. The person(s) deploying the devices is/are responsible for securing the spikes immediately after their use. This will include:
 - a. Searching the immediate area where the devices were used and collecting any spikes which may have become detached.
 - b. The deployed "Stop Sticks" shall be treated as evidence and stored by the evidence custodian for a minimum of 180 days. In case of criminal prosecution or Tort claim against the Sheriff's Office the device will be held until all cases are adjudicated. A request for disposal will then be made, and the used "Stop Sticks" device shall be returned to Stop Sticks, Inc.
 - c. After use of the device, the Office "Stop Stick" pursuit form shall be completed by the deputy. The form will include information regarding the effectiveness and results of the "Stop Stick" use.
 - d. The Patrol Section Lieutenant or

designee shall request replacement "Stop Sticks" and attach a copy of the pursuit report to the request.

I. Special Tactical Situations

1. The S.W.A.T. tactical commander or incident commander may authorize the use of tire deflating devices in situations other than during a standard vehicle pursuit, so long as the devices are deployed according to manufacturers recommendations and other pertinent reporting and safety requirements of this policy are met.

28.18.4 Initiation of Pursuit

- A. The decision to initiate pursuit must be based on a pursuing deputy's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at-large.
- B. Any law enforcement deputy of this office in an authorized emergency vehicle may initiate a vehicular pursuit when ALL of the following criteria are met:
 1. The suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension for an alleged felony or misdemeanor that would normally require a full custody arrest.
 2. The suspect operating the vehicle refuses to stop at the direction of the deputy, and
 3. The suspect, if allowed to flee, would present a danger to human life or cause serious injury.
- C. The pursuing Deputy shall consider the following factors to determine whether or not to initiate pursuit:

1. The performance capability of the pursuit vehicle and the other vehicle involved;
2. The condition of the road surface upon which the pursuit is being conducted and the speed involved;
3. The amount of vehicular/pedestrian traffic in the area;
4. Weather conditions; and
5. The seriousness of the violation.

28.18.5 Pursuit Deputy Responsibilities

- A. The pursuing deputy shall activate headlights, rotating and/or flashing red and blue lights, and the audible siren prior to beginning pursuit.
- B. The pursuing deputy shall immediately notify communications center personnel that a pursuit is underway. The Deputy shall provide communications personnel with the following information:
 1. Patrol unit identification.
 2. Location, speed, and direction of travel of the fleeing vehicle.
 3. Description and license plate number, if known, of the fleeing vehicle.
 4. Number of occupants in fleeing vehicle, and descriptions, when possible.
 5. Reasons supporting the decision to pursue.
- C. Failure to provide this information to communications personnel may result in an immediate decision by a field supervisor assigned to monitor the pursuit to order its termination.
- D. The primary pursuit unit shall reduce the level of pursuit to that of a support or backup unit where another vehicle has been assigned primary pursuit responsibility.

- E. Any primary or backup unit sustaining damage to, or failure of essential vehicular equipment during pursuit shall not continue in the pursuit. The Deputy shall notify communications so another unit may be assigned to the pursuit.
- F. Unless relieved by a supervisor, the senior Deputy in the initiating or primary unit shall be responsible for the control of the pursuit tactics. This includes the decision to pursue and whether or not unusual circumstances exist warranting more than the one or two Sheriff's units.

28.18.6 Secondary Unit Responsibilities

- A. The deputies in the second and subsequent units entering the pursuit shall immediately notify the dispatch center that they are joining the pursuit.
- B. Although the actual role may vary, it is usually desirable for a secondary unit to assume responsibility for radio contact between the dispatch center and the pursuing units. This will allow the primary unit to concentrate fully on driving and keeping the pursued vehicle in sight. It also allows deputies of the primary unit to make the arrest or further apprehend the suspects on foot without first notifying dispatch of their movements when the vehicle pursuit is terminated.

28.18.7 Field Supervisor Responsibility

- A. Upon notification that a vehicular pursuit is in progress, the field supervisor shall assume responsibility for monitoring and controlling the pursuit. Control in this sense does not require the supervisor to broadcast over the radio during the pursuit as long as he or she feels the continuance of the pursuit is justified.
- B. The field supervisor shall ensure that proper

radio channels and procedures are in use.

- C. The field supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.
- D. In controlling the pursuit, the field supervisor shall be responsible for coordination of the pursuit as follows:
 - 1. Directing pursuit vehicles into or out of the pursuit.
 - 2. Re-designation of primary, support, or other backup vehicle responsibilities.
 - 3. Approval or disapproval, and coordination of the pursuit tactics.
 - 4. Approval or disapproval to leave the jurisdiction to continue pursuit.
- E. The field supervisor may approve and assign additional backup vehicles to assist the primary and backup pursuit vehicles, where available, based on the analysis of:
 - 1. The nature of the offense for which pursuit was initiated;
 - 2. The number of suspects and any known propensity for violence;
 - 3. The number of deputies in the pursuit vehicles;
 - 4. Any damage or injuries to the assigned primary and backup vehicles or deputies;
 - 5. The number of deputies necessary to make an arrest at the conclusion of the pursuit; and
 - 6. Any other clear and articulated facts that would warrant the increased hazards caused by increased pursuit vehicles.

28.18.8 Communication Center Responsibilities

- A. Upon notification that a pursuit is in progress, communications personnel shall immediately advise the field supervisor of essential information regarding the pursuit.
- B. Communications personnel shall carry out the following activities and responsibilities during the pursuit:
 - 1. Receive and record all incoming information on the pursuit and the pursued vehicle;
 - 2. Control all radio communications and clear the radio channels of all non-emergency calls;
 - 3. Obtain identification information on the suspect vehicle if a license number is provided, and obtain criminal record and vehicle information on any identifiable suspect(s); and
 - 4. Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality.
 - 5. Record all portions of the dispatch tape dealing with the pursuit and transfer the recording to the field supervisor or deputy in charge (OIC).

28.18.9 Traffic Regulations During Pursuit

- A. Each unit authorized to engage in vehicular pursuit shall be required to activate headlights and all emergency vehicle equipment prior to beginning pursuit.
- B. Deputies engaged in pursuit shall at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
- C. Deputies are permitted to suspend conformance

with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect.

- D. Deputies shall operate their vehicles at speeds and in a manner in accord with weather and local conditions so that complete control of the vehicle is maintained at all times and in a manner that allows the Deputy to bring the vehicle to a complete stop at intersections if necessary.

28.18.10 Pursuit Tactics

- A. Unless expressly authorized by a field supervisor, pursuit shall be limited to the assigned primary and backup vehicles. Deputies are not otherwise permitted to join the pursuit team, or follow the pursuit on parallel streets.
- B. All units involved in the pursuit should operate on the Office radio channel or statewide channel if more practical.
- C. Office policy pertaining to use of deadly force shall be adhered to during the pursuit.

28.18.11 Pursuit Termination Considerations

- A. A decision to terminate pursuit may be the most rational means of preserving the lives and property of the public, the deputies and the suspects engaged in the pursuit. The deputies involved in the pursuit must continually question whether the seriousness of the violation and the factors considered in initiating the pursuit reasonably warrant the continuation of the pursuit. Pursuit may be terminated by the pursuing deputy, the field supervisor, the Chief Deputy or the Sheriff.
- B. Pursuit should be immediately terminated in any of the following circumstances:

1. Weather or traffic conditions which substantially increase the danger of pursuit beyond the worth of apprehending the suspect(s);
 2. The distance between the pursuit and fleeing vehicle is so great that further pursuit is futile; or
 3. The danger posed by continued pursuit to the public, the deputies, or the suspect(s) is greater than the value of apprehending the suspect(s).
- C. The pursuing or supervising deputy must consider present danger, seriousness of the crime, length of the pursuit and the possibility of identifying the suspect at a later time when determining whether or not to continue the pursuit.
- D. Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall use only reasonable and necessary force to take suspects into custody.

28.18.12 Inter-Jurisdictional Pursuits

- A. The pursuing deputy shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction.
- B. Pursuit into a neighboring jurisdiction shall conform with Office inter-jurisdictional agreements and State law.
- C. When a pursuit extends into another jurisdiction, the responsible supervisor, or primary unit if a supervisor is not available, shall determine if the other jurisdiction should assume the pursuit. The following should be considered:
1. The distance and speed involved.
 2. The pursuing deputy's possible unfamiliarity with the new area.
 3. The willingness and capability of the

other jurisdiction to take over the pursuit.

- D. If it is determined that the conduct of the pursuit should be relinquished to the other jurisdiction, the request shall be clearly relayed to the other jurisdiction. Confirmation of the acceptance of that mission should be obtained.
- E. If the pursuit is assumed by another jurisdiction, the initiating deputy and the participating supervisor should proceed, at legal speeds, to the pursuit termination point, if within reasonable distance, to provide guidance and information required for the arrest.
- F. The Weber County Sheriff's Office participation in an allied agency pursuit is appropriate only in response to a specific request for participation.
 - 1. Mere notification of the existence of a pursuit shall not be construed as a request for participation. The issue of whether our Office has been asked to assist in the pursuit shall be clarified upon notification. This information and/or request will be relayed to field units by the communications operator.
 - 2. The communications operator will ensure the on-duty field supervisor is advised of the information and/or request from the allied agency.
 - 3. The field supervisor will determine the degree of our Office's involvement and provide appropriate direction. The supervisor or primary unit shall attempt to cancel allied agency units if control of the pursuit is assumed by our Office.

28.18.13 Pursuit Critique, Report and Review

- A. The field supervisor of the primary unit initiating the pursuit shall prepare a

comprehensive *After Action Report* and analysis of all pursuits. This report shall contain as a minimum:

1. Background - why pursuit was started
 2. Route of pursuit - from start to finish
 3. Units involved - all units including other jurisdictions units
 4. The results of the pursuit
 5. Problems encountered - summary of any problems relating to pursuit
 6. Recommendations - issues for staff review i.e. training, vehicle problems etc.
- B. All deputies involved in any pursuit shall submit supplemental reports. The field supervisor or deputy-in-charge shall insure that the dispatch tape is recorded and forward it, together with all reports, to the Operations Bureau Commander.
- C. All pursuits will be reviewed by the Operations Bureau Commander and will be reviewed by a Review Board upon request of the involved deputy
- D. A written report including recommendations will be made to the Sheriff by the Operations Bureau Commander in regards to training issues, personnel action, policy issues, and/or other official action deemed appropriate.
- E. The Chief Deputy or his/her designee or committee will conduct an analysis of all vehicle pursuit incident reports on an annual basis to determine trends or patterns, if any, that may indicate training needs and/or policy modifications. This analysis with appropriate recommendations will be provided to the Sheriff.

28.18.14 Training Requirements

- A. Deputies shall not engage in a pursuit until they have successfully completed an Office sponsored emergency vehicle operations (EV0) course that includes pursuit tactics.

Deputies shall also attend an annual EVO course that specifically covers the Office pursuit policy.

- B. Deputies shall not engage in a pursuit until they have been thoroughly trained on the office policy on the **Use of Deadly Force. See Chapter 1.**

28.18.15 None of the preceding is intended to remove the deputy's ability to divert, stop, or block traffic at the scene of an accident, fire, special event, etc. In the case of a pursuit and roadblock, the deputy will also have the authority to direct innocent motorists out of the path of the pending pursuit. The preceding restrictions are intended for those roadblocks designed to halt a pursued violator.

28.18.16 **Legal Disclaimer:** This policy is for Sheriff's Office use only and does not apply to any criminal or civil proceeding. This policy shall not be construed as creating a higher legal standard of care or safety in an evidentiary sense with respect to third party claims. Violations of this policy will form the basis of Office administrative sanctions only.