

ALBEMARLE COUNTY POLICE DEPARTMENT GENERAL ORDER	NO. 4-01	DATE OF ISSUE: March 1, 1998
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I. POLICY

When operating a police vehicle in an emergency response or pursuit situation, the primary concern of the operator must be the safety of him/herself, other motorists, passengers and pedestrians, other officers, and the violator. Although officers are given a qualified exemption under state law from observing certain traffic regulations in specific circumstances, they are not relieved of the responsibility of driving with due regard for the safety of all persons.

The civil liabilities and responsibilities attached to pursuit situations dictate that officers exercise sound judgment and discretion throughout the pursuit. In recognition of the potential risks from vehicle pursuits, high speed vehicle pursuits shall be initiated and maintained only within a very limited range of circumstances. No officer or supervisor shall be criticized or disciplined for a decision not to engage in a vehicular pursuit or to terminate an ongoing vehicular pursuit based on the risk involved, even in circumstances where this general order would permit the commencement or continuation of the pursuit. Likewise, police officers who conduct pursuits consistent with this general order will be strongly supported by the law enforcement community in any subsequent review of such action.

Similarly, in emergency situations, where an expedient response is necessary, the need for urgency must always be balanced against operator and citizen safety. Emergency response is recognized as appropriate under certain conditions, yet nothing in this general order relieves the operator of potential criminal or civil liability for their actions if they appear to be grossly negligent of public safety.

II PURPOSE

This general order has been formulated to guide and direct activities in these very critical areas of police procedures. Deciding whether to pursue a motor vehicle is among the most critical decisions made by law enforcement officers. It is a decision which must be made quickly and under difficult often unpredictable circumstances. One purpose of this general order is to develop a balance between the protection of the lives and safety of the public and police officers, and law enforcement's duty and capability to enforce the law, apprehend violators, and respond to emergencies.

III DEFINITIONS

A. NORMAL OR ROUTINE DRIVING: That driving which dictates vehicle speed consistent with the normal flow of traffic, the weather, obedience to vehicle laws and posted signs, adherence to commonly-understood "rules of the road" and courtesy.

B. PURSUIT DRIVING: That driving concerned with the pursuit and apprehension of a violator or violators in a motor vehicle, consistent with the provisions of VA Code Section 46.2-920. Pursuits are conducted using emergency equipment. The pursuit begins when a driver, having

been requested or signaled to stop by an officer, is resisting apprehension by not stopping and perhaps increases the vehicle's speed or otherwise maneuvers in a manner to elude the officer.

C. EMERGENCY DRIVING: That driving in response to a life-threatening or other serious incident (based on available information) which requires emergency equipment in operation. VA Code Sections 46.2-920 and 46.2-829 govern emergency responses.

D. EMERGENCY EQUIPMENT: Flickering, blinking, or alternating emergency lights and a siren, whistle, air horn, or similar equipment designed to give intermittent signals automatically.

E. SPECIALITY VEHICLES: Motor vehicles not designed for or marketed by the manufacturer as a police package vehicle and used for a particular type of mission, purpose, or assignment. They include but are not limited to the Mobile Command Center (bus), Crime Scene Van, Prisoner Transport Van/Truck, E.R.T. Van, Police Motorcycles, undercover surveillance vehicles, four-wheel drive vehicles, UTV etc.

F. SUV POLICE PACKAGE VEHICLES: Vehicles that are designed and marketed by the manufacturer as a police package vehicle.

IV. PROCEDURES - GENERAL

A. DRIVING SAFELY AND LAWFULLY

1. All departmental vehicles will be driven safely and properly in full compliance with all traffic laws and regulations.
2. Police vehicles are conspicuous symbols of authority on the streets and the actions of police drivers are observed by many. Each police driver must set an example of good driving behavior and habits.

B. PARKING SAFELY AND USE OF LIGHTS WHEN APPROPRIATE

1. At the scene of a crime, a motor vehicle crash, or other police incident, a police vehicle shall be parked in such a manner so as to:
 - a. Not create an obstacle or hazard to other traffic.
 - b. Not obstruct other responding emergency vehicles.
2. As appropriate, the emergency lights and four-way flashing lights should be used to warn other drivers approaching the location.

C. TRAINING REQUIREMENTS

1. Officers shall review and be familiar with VA Code sections 46.2-829 and 46.2-920 concerning pursuit and emergency response, and the civil liability of officers who pursue recklessly.
2. Defensive and emergency response driver training shall consist of:
 - a. Knowledge of applicable statutes,
 - b. Detailed review of Department policy and procedures,

- c. A driver training course involving applicable drills and exercises.
3. All officers will be trained in the “ALERT” driving concept.
 - a. The “ALERT” driving concept consists of a comprehensive 4 hour class covering:
 - 1) State Laws governing emergency vehicle operation,
 - 2) Departmental emergency and pursuit driving policy,
 - 3) Civil and criminal liability and
 - 4) The Pursuit/Emergency Decision making flow chart.
 - b. Any officer hired who has not had this training will attend a class prior to being released from the FTO Program.
 - c. A certified driver training instructor will teach this class.
 - d. The Training and Professional Development Unit will be responsible for the scheduling of this training while the officer is assigned to field training.

D. OPERATING WITHIN THE LIMITS OF THE CONDITIONS

1. The driver must recognize the variable factors such as weather, road surface conditions, road contour, traffic congestion, and their familiarity with the particular roads.
2. All of these and others directly effect the safe operation of any motor vehicle.
3. The driver must govern the operation of their vehicle in accordance with these factors.

E. POTENTIAL FOR LIABILITY AND LOSS

Under certain emergencies, the VA Code (46.2-829 and -920) authorizes disregard of traffic regulations; however, both the operator and the Department are not released **from civil liability for failure to use reasonable care** in such operation.

F. ACCIDENTS INVOLVING POLICE VEHICLES

In case of accident or damage to any police vehicle, the driver will immediately report it to the on-duty supervisor.

V. ECC PRIORITY DISPATCH

A. RESPONSE

When an officer is assigned calls for service, the following response guidelines shall be used. Priorities are determined by ECC according to their policy based on information received by the communications officer.

1. ECC Priority 1 (Emergency Response)
 - a. Includes calls that meet the following ECC criteria:
 - 1) There is imminent threat to life or serious injury.
 - 2) The incident is violent or involves a weapon; the incident has the potential to become violent.
 - 3) The suspect in a serious incident is still on scene or in the immediate area.
 - 4) There is potential for significant property damage.
 - 5) The incident may cause serious disruption to the peace.

- 6) May be in progress or have just occurred. ECC Priority 1 calls that already have occurred may include incidents where evidence may be disturbed or lost without immediate response.
 - 7) May include but are not limited to murder, rape, aggravated assault, assaults in progress, motor vehicle accidents with personal injury, shots fired, officer needs assistance, any calls involving weapons, missing juveniles under age 10, bomb threats, major fires, and vicious animals that pose a direct threat to life.
 - b. Will be dispatched with an alert tone, followed by the necessary units, call information, and ending with “respond Priority 1”. The on-duty police supervisor and ECC supervisor will be advised of all Priority 1 calls. All notifications will be documented in the audit trail.
 - c. Emergency response requires officers to respond immediately with the activation of emergency equipment (siren sounding and emergency lights activated) traveling at the maximum safe speed taking into consideration time of day, traffic, road and weather conditions. During emergency response officers may disregard traffic laws in accordance with and limited to Code of Virginia 46.2-920.
2. ECC Priority 2 (Immediate Response)
- a. Includes other crimes in progress or that have just occurred that do not meet the criteria listed for ECC Priority 1.
 - b. Will not be dispatched with an alert tone. The communications officer will advise to “respond priority 2 for”...and give out all details of the call. The police supervisor will be notified immediately if no units are available. All notifications will be documented in the audit trail.
 - c. An immediate response requires officers to respond directly to the scene without delay and with due regard to safety of all persons. Officers shall not activate emergency equipment for priority 2/immediate response calls and will obey all traffic laws.
3. ECC Priority 3 (Standard Response)
- a. Non urgent calls that do not require the immediate response of police including those that can be handled by phone. However, the shift commander will be notified immediately if a call must be held until a unit is available.
 - b. Will not be dispatched with an alert tone. The communications officer will advise to “respond priority 3 for”...and give out all details of the call. The police supervisor will be notified within 10 minutes if no units are available. All notifications will be documented in the audit trail.
 - c. Standard response requires officers to handle calls at their first available opportunity. Officers shall not activate emergency equipment for priority 3/immediate response calls and will obey all traffic laws.
4. Shift commanders can, at their discretion, alter priorities as assigned by ECC based on information received from field units or personal knowledge.

B. LEGAL AND DEPARTMENTAL REQUIREMENTS FOR EMERGENCY RESPONSE

1. VA CODE

- a. The VA Code Sections on emergency response include 46.2-829 and 46.2-920.
 - b. The Code sections clearly state that for an emergency response vehicle to disregard traffic regulations, they must:
 - 1) Be responding to an emergency situation, and
 - 2) They must have visual and audible warning devices (lights and siren) in use.
2. Other Emergency Vehicles
- a. If the officer, operating in emergency response mode, encounters a fire apparatus or ambulance operating under emergency conditions on a two lane roadway, the officer may, with due regard, pass the other emergency vehicle after:
 - 1) Communicating the intention or need to pass in order to arrive at an emergency scene ahead of the other apparatus, and
 - 2) Being signaled permission to pass or given way to do so safely by the affected apparatus.
 - b. This does not apply to roadways of more than two lanes of travel.
3. School Buses
- a. Police vehicles must yield to stopping or stopped school buses, with red lights flashing for the purpose of discharging or picking up students.
 - b. The officer shall remain stopped until such time as the driver of the school bus has assured the officer that it is safe to proceed, and
 - c. The officer has checked to make sure no students are in a position that would endanger them.
4. Controlled Intersections and Busy Locations
- a. The driver needs to be constantly alert to collision possibilities.
 - b. Upon approaching a controlled intersection or other potentially busy location, the driver who is responding under emergency conditions must:
 - 1) Reduce the speed of the vehicle and control it to avoid collision with another vehicle or pedestrian.
 - 2) This includes stopping completely, if necessary, before entering and crossing the intersection.
 - c. When faced with a red traffic signal, the officer **SHALL STOP** his or her vehicle and assure by careful observation that the way is clear before proceeding through the intersection.

C. SPEED LIMITS FOR EMERGENCY RESPONSE CALLS

Officers shall operate a vehicle at a rate of speed as follows:

- 1. Officers' responding to property crime calls, whether in progress or just occurred, shall be limited to driving no more than 20 mph over the posted speed limit. Officers operating specialty vehicles or SUV's shall only operate their vehicle at speeds that are within the capability of their particular vehicle not to exceed the above restrictions.
- 2. Officers responding to traffic accidents shall be limited to responding to no more than 20 mph over the posted speed limit. Officers operating specialty vehicles or SUV's shall only

operate their vehicle at speeds that are within the capability of their particular vehicle not to exceed the above restrictions.

3. There will be no speed limit restriction on any officer responding to any situation in which a reasonable and prudent officer believes, based on the circumstances and information provided to the officer that the life of a citizen or another officer is in immediate peril. However any officer responding to any circumstance as stated, must remember that he is mandated to maintain proper control of his vehicle at all times. Officers operating specialty vehicles or SUV's shall only operate their vehicle at speeds that are within the capability of their particular vehicle not to exceed the above restrictions.

D. TERMINATION OF EMERGENCY STATUS

1. Upon arrival at the scene of an emergency call, the responding officer should evaluate the situation and advise ECC whether additional units are needed or whether other units responding in an emergency mode can be slowed or canceled.
2. When officers receive notification of the termination of emergency status, they will cease emergency operation as soon as is reasonably safe, keeping in mind that the State Code exemption (VA Code 46.2-920) only applies in response to an emergency call.

E. INCIDENTS REQUIRING SILENT RESPONSE

1. All units responding to certain in-progress calls such as robbery, burglary, prowler or alarm, before coming within hearing distance, should discontinue the use of the siren and from that point should fully comply with all traffic laws and signs.
2. Before coming within sight of the location, officers should discontinue the use of the emergency warning lights.
3. In such circumstances, without lights and siren, the officer is legally no longer responding as an emergency vehicle and is therefore subject to civil and criminal liabilities.
4. The officer must proceed under such circumstances in a prudent manner, appropriate to the situation.

F. TRAFFIC ENFORCEMENT

1. An officer may exceed the posted speed limit for a moderate distance while utilizing lights and siren for the purpose of overtaking a motorist in order to issue a summons, warning, make an arrest or other appropriate enforcement action.
2. The officer must use due regard and safety for all persons while engaged in this action. (Reference Va. Code Section 46.2-920 (1) and "C" 1 i.)

G. ANIMAL CONTROL OFFICERS

1. Any Animal Control Officer (ACO) responding to an incident in a departmental vehicle shall:
 - a. Obey all Virginia Motor Vehicle Traffic Codes.

- b. Not respond to incidents utilizing visual and/or audio warning devices unless receiving prior authorization from a departmental supervisor.
2. Prior to responding to incidents using emergency equipment in departmental vehicles, Animal Control Officers will be trained by the department in vehicle emergency operation and response.

VI. PROCEDURES FOR PURSUITS

A. OFFICER RESPONSIBILITIES

1. When deciding whether to undertake or continue pursuits, officers should consider both the potential risk to persons and property arising from the pursuit as well as the potential risk threatened from the escaping offender.
2. Officers shall not operate a vehicle at a rate of speed that may cause loss of control.
3. The officer must continually weigh the need for immediate apprehension against the risk created by the pursuit.
4. The factors to be examined in making this decision should include, but not be limited to, the following:
 - a. The seriousness of the violator's offense, and its relationship to community safety;
 - b. The time, day, and location of the pursuit;
 - c. Weather and roadway conditions;
 - d. Vehicular and pedestrian traffic or presence;
 - e. Familiarity with the roadway.

B. PURSUITS

1. An officer is authorized to pursue a vehicle under the following circumstances:
 - a. A suspect has committed or is attempting to commit a serious felony (a felony involving the use or threatened use of violence, or
 - b. When the necessity of immediate apprehension, even in the case of a ***non violent felony or*** misdemeanor, outweighs the level of danger created by the pursuit.
 - c. The officer will consider the initial offense for which the pursuit began and use that as a base to determine the seriousness of the offense versus the safety to the public. Even though Virginia State Code classifies Eluding a Police Officer as a felony offense, this is secondary to the initial violation and should not be the sole basis and justification for continuing a potentially dangerous pursuit with what may have been initially only a non-violent crime.
2. Speed Limits
 - a. Officers shall not operate a vehicle at a rate of speed that may cause loss of control.
 - b. The pursuit shall be closely monitored by the on duty supervisor who has full command authority.
 - 1) The officers involved in the pursuit and the supervisor will continually weigh the risk to the public, safety of the officers and the violator, a well as the

environmental, road and traffic conditions to determine whether or not to continue the pursuit.

- 2) Having departmental policy and “ALERT” training in mind, any of the above may call off the pursuit if they deem that it is too dangerous to continue or the risk of the pursuit outweighs the risk of catching the offender.
 - 3) Officers that are involved in a pursuit must be able to articulate the need for immediate apprehension of the offender.
- c. **Non-Violent Felony Pursuits**
- 1) Pursuits for non-violent felony offenders shall be limited to no more than 20 mph over the posted speed limit.
 - 2) Refer to Section “VI. B. 1.b” above.
- d. **Misdemeanor Pursuits**
- 1) Pursuits of Misdemeanor suspects shall be limited to offenses that are potentially violent or life threatening in nature.
 - 2) The speed limit during the pursuit of a misdemeanor suspect as described above will not exceed 20 mph over the posted speed limit.
 - 3) Refer to Section “VI. B. 1.b” above.
- e. There will be no pursuits of suspects whose only known offenses are:
- 1) Misdemeanor traffic violations.
 - 2) Misdemeanor property crimes.
 - 3) Misdemeanor paper crimes.
- f. There will be no pursuits of motorcycles unless the operator has been involved in a serious violent felony.
- g. Specialty vehicles shall not be utilized to pursue any vehicle.
- h. SUVs manufactured and designated as a police package can be utilized in pursuits but shall only operate their vehicle at speeds that are within the capability of their particular vehicle not to exceed any of the above restrictions.
- i. The decision to begin, responsibility for continuing, and the choice of method of pursuit rest primarily with the individual officer(s) involved, though the supervisor has overriding authority.
- j. **Informing ECC:**
- 1) The officer should immediately notify the ECC communications officer of the pursuit, and
 - 2) The officer should give relevant information including:
 - a) Location and direction or travel.
 - b) Reason for pursuing the vehicle.
 - c) Description of the pursued vehicle.
 - d) Description of driver and occupants.
 - e) Other information that may be helpful in terminating the pursuit or resolving the incident.
- k. Officers when approaching an intersection where signal lights or stop signs control the flow of traffic should:
- 1) Decelerate and be prepared to stop.
 - 2) Enter the intersection only when safe at a reduced speed and when all cross vehicles are apparently aware of the officers’ presence.
 - 3) Resume pursuit speed only when safe.

- l. In using emergency lights, siren and headlamps, the officer is requesting the right of way and does not absolutely have the right to run a red traffic light or stop sign.
- m. Throughout the course of the pursuit officers shall not attempt to overtake or pass the violators moving vehicle.
- n. There shall be no attempt by officers to pass other police units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the shift supervisor.
- o. If the fleeing suspect drives out of the county:
 - 1) The pursuing officer is authorized to maintain close pursuit (Va. Code 19.2-77) within the Commonwealth.
 - 2) Pursuits of **misdemeanants** shall not proceed beyond the county line.
 - 3) Pursuit of a suspected felon leaving the county into one of the surrounding jurisdictions or even beyond the state line to one of the surrounding states shall be turned over to local law enforcement as soon as possible.
 - 4) In the case of a fleeing vehicle entering the Charlottesville City limits, the pursuing officer must decide whether to have the ECC Communications Officer:
 - a) Limit the broadcast to a notification or,
 - b) Request the Charlottesville Police take over the pursuit.
 - 5) When the fleeing suspect is apprehended within Charlottesville or an adjoining county, the officer shall take the arrested person before the magistrate serving Albemarle County.
 - 6) The on-duty supervisor will confer with the other jurisdiction to determine which jurisdiction will maintain custody of the suspect based upon the seriousness of the charges and the likelihood of release by respective magistrates.
- p. Officers shall not ram, bump, or collide with a fleeing vehicle nor shall officers pull alongside such vehicles in an attempt to force them off the road or into an obstacle.
 - 1) The only exception occurs when deadly force is deemed necessary and with supervisory authorization.
 - 2) Such vehicular action is a use of deadly force in making a traffic stop.
- q. Officers shall not fire their weapons from a moving police vehicle. Officers may only fire weapons at a vehicle under conditions described in the Department directive on the "Use of Force" (See GO 4-10, Use of Force).
- r. Should the violator enter a one-way street against the flow of traffic, or enter a major highway or interstate freeway by proceeding along an exit ramp, the pursuing officer shall not follow the violator but instead transmit via radio detailed observations about the suspect vehicle's location, speed, and direction of travel.
- s. Even during an emergency pursuit the police vehicle must yield to stopping or stopped school buses with red lights flashing for the purpose of discharging or picking up students. The officer shall remain stopped until such time as:
 - 1) The driver of the school bus has assured the officer that it is safe to proceed, and
 - 2) The officer has checked to make sure that no students are about to cross or are in a position that would endanger them should the emergency vehicle proceed.
- t. Officers, when accompanied by civilian passengers or prisoners, shall not pursue. If a civilian is in the police vehicle at the beginning of a pursuit, that officer will:
 - 1) Turn the pursuit over to another officer, or

- 2) Deposit the civilian at an appropriate, safe location.
- u. The pursuing officer(s) must end the pursuit if at any time during the course of the pursuit he or she loses extended sight of the fleeing vehicle
- v. If the pursuing officer receives an order to stop the pursuit, he or she shall acknowledge the order and terminate the pursuit immediately.
- w. Before going off-duty, the pursuing officer must complete an Officer Incident Statement, thoroughly and accurately, and have it reviewed and signed by the on-duty supervisor.

C. SUPERVISOR RESPONSIBILITIES

1. The on-duty patrol supervisor shall monitor the pursuit and respond appropriately.
2. The on-duty supervisor, who has ultimate tactical responsibility and authority, shall end the pursuit at any time that he or she feels circumstances warrant, such as when:
 - a. The pursuit does not meet the criteria for authorization of a pursuit;
 - b. The danger to the pursuing officer or the public outweighs the necessity for immediate apprehension of the violator;
 - c. The violator's identity has been established to the point where later apprehension may be accomplished and where there is not immediate threat to public safety; or
 - d. The recognition that the increased risk factors such as traffic, population density, weather, direction of travel, etc., involved in a prolonged pursuit have come to outweigh the threat to public safety of letting the violator get away in the short term.
3. The supervisor shall ensure, for the duration of the pursuit, that this policy and Department procedures are followed by all officers.
4. When deemed necessary, the police supervisor shall assume control over and coordinate the pursuit related communications.
5. Before going off-duty the supervisor shall ensure that the Department Incident Reporting System outlined in GO 2-03 is thoroughly and accurately followed including:
 - a. Obtaining statements from the officers involved.
 - b. Completing the Officer Incident Report.
 - c. Forwarding the packet on through the appropriate Bureau chain of command.

D. BACK-UP RESPONSIBILITIES

1. The first back-up unit to respond shall assist the primary officer with the traffic stop and in making the arrest.
2. In responding to the assignment as the secondary unit in a pursuit, the officer shall operate their vehicle in the emergency response mode while traveling to join the pursuit, then in the pursuit mode when they have fallen-in behind the primary unit.
3. Once the back-up unit has arrived behind the primary unit in the ongoing pursuit, he or she shall, at the discretion of the primary unit or the supervisor, assume the responsibility of

updating the ECC Communications Officer with the location and direction of travel of all vehicles involved, thereby allowing the primary officer to focus attention on the pursuit driving.

4. There shall be no attempt by the back up officer(s) to pass other police units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the shift supervisor.

E. OTHER RULES OF PURSUITS

1. When the risks of pursuit exceed the need to capture the offender, **THE OFFICER MUST DISCONTINUE THE PURSUIT**.
2. Vehicles not equipped with lights and siren shall not be permitted to initiate or join in vehicle pursuits.
3. The pursuit shall be limited to the initial unit and a secondary or back-up unit, unless exceptional circumstances warrant the use of additional units. Only a supervisor can determine whether exceptional circumstances exist.
4. If the primary unit is an unmarked vehicle, they will fall back into secondary unit status once a marked unit arrives and can take-over the primary unit position.
5. A motorcycle officer shall not pursue a fleeing vehicle.
6. All pursuing units shall maintain an adequate distance to ensure adequate reaction and braking time.
7. Whenever the pursuit extends off the roadway, as when the fleeing vehicle leaves the roadway and proceeds cross-country, the pursuing officer(s) must carefully consider whether or not the seriousness of the offense outweighs the various safety risks.
8. Should the person(s) attempting to avoid apprehension stop fleeing by vehicle and proceed on foot, the officer should stop, give their location, and continue the efforts to apprehend on foot. At this point the officer should consider officer safety issues, the feasibility of capture, and the option of waiting for assistance.
9. A supervisor may direct the termination of the pursuit.
10. When two or more vehicles are involved in pursuit, each unit shall maintain a safe distance especially when passing through intersections. Each unit involved in the pursuit shall use a different siren sound selection.
11. Officers shall not operate a vehicle at a rate of speed that may cause loss of control. The Department expects an officer to end his involvement in a pursuit whenever the risks to his own safety, or the safety of others, outweighs the danger to the community if the suspect is not apprehended.

F. PURSUITS ENTERING ALBEMARLE COUNTY FROM ANOTHER JURISDICTION

1. Officers shall assist in such pursuits only under the following circumstances:
 - a. Such assistance has been specifically requested by the pursuing jurisdiction, as relayed by the ECC communications officer; and
 - b. The crime involved meets the department's pursuit authorization criteria; or
 - c. The personal observations of an ACPD police officer establish the authorization for a vehicle pursuit.
2. If the pursuit meets the department's criteria, assistance by the County will be limited to the following:
 - a. Only one County patrol unit should follow the pursuit at a safe distance, with full emergency equipment in operation, to keep department personnel informed of the direction and conditions of the pursuit.
 - b. Other patrol units may take up stations at various locations along likely pursuit routes, though not in the travel portion of the roadway, to provide a deterrent effect and to assist if a traffic stop is made in the County.
 - c. If no County unit is already involved and the pursuit terminates in the County, with ECC's direction, a unit will respond to the scene to provide necessary assistance.
 - 1) When possible, a Patrol Supervisor should also respond.
 - 2) Unless otherwise directed, this will not be an emergency response.
 - d. The Patrol Supervisor or Commander may terminate the County's involvement in the pursuit at any time. Such termination will be communicated to the other agencies involved by the ECC Communications Officer.

G. USE OF TIRE DEFLATION DEVICES

1. The use of tire deflation devices will be governed by sound professional judgment and the procedures outlined in this policy.
2. In determining whether the utilization of a tire deflation device is appropriate, supervisors and officer(s) should consider the following:
 - a. The seriousness of the violator's offense, and its relationship to community safety;
 - b. The time, day, and location of the pursuit;
 - c. Weather and roadway conditions;
 - d. Vehicular and pedestrian traffic or presence;
 - e. Familiarity with the roadway
3. If, a local, law enforcement agency has requested assistance pursuant to this policy and a decision to deploy tire deflation devices is necessary, the local law enforcement agency must approve the deployment.
4. Circumstances permitting,
 - a. Backup units deploying the device will attempt to establish a location where a visible presence of a law enforcement officer(s) is apparent to the suspect.

- b. The backup officer(s) will position a police unit off the roadway in-between the approaching pursuit and the deploying backup officer(s).
 - c. The police unit's parking brake will be set and emergency equipment will be activated facing the pursuit. This is done both
 - 1) To establish the police unit as a barrier affording the deploying backup officer(s) cover and concealment, and
 - 2) In an effort to make the suspect fully aware of law enforcement's command to stop and their attempts to apprehend.
5. After the backup officer(s) are properly and safely positioned, and the approaching suspect continues failing to stop, or the pursuing units have reason to believe that the continued movement of the fleeing vehicle will place the driver and/or others in imminent danger of serious bodily harm or death, the backup units may utilize approved tire deflation devices in order to bring the suspect vehicle to a stop.
- a. Officer(s) shall have completed training on the use of these devices before utilizing tire deflation devices.
 - b. All of the following criteria shall be met prior to the deployment of a tire deflation device:
 - 1) There is reasonable cause to believe the suspect has committed an offense justifying the arrest of the suspect.
 - 2) The officer attempting to apprehend the suspect has given notice of command to stop the suspect by means of both lights and siren.
 - 3) The suspect ignores the efforts and warnings obvious and visible to a reasonable person in the suspect's position.
 - 4) A supervisor has approved the device being deployed
 - c. Officer(s) involved in using tire deflation devices will consider the following prior to utilizing this equipment:
 - 1) Most effective location for the placement of deflation devices.
 - 2) Position and vulnerability of the public, private property, and other assisting units and equipment.
 - 3) 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.
 - 4) Tire deflation devices should not be used:
 - a) Immediately approaching or in severe curves;
 - b) Immediately approaching or on bridges;
 - c) When circumstances have changed at the proposed location whereas the location does not now meet good judgment and safety requirements outlined in this section. (Ex. ice, snow, new construction, disabled vehicle, etc.)
 - d) After a pursuit has been terminated by the lead pursuit officer or supervisor.
 - e) After permission to use the device has been withdrawn by a supervisor, or the lead pursuit officer advises against using the device.

- 5) The backup officer(s), who are on foot deploying the tire deflation device, should:
 - a) Attempt to choose a location with natural barriers such as roadway overpasses guardrails or shrubbery.
 - b) Position the police unit between the suspect and backup officer(s)
 - i. These barriers afford cover and concealment will further conceal the officer(s) on foot from the suspect's view and
 - ii. Allow deployment of the devices in a relative position of safety.
 - 6) Traffic, construction, special events, and/or activities may create situations where the use of the device would be inappropriate.

6. Tire deflation devices should not be deployed to stop the following vehicles unless continued movement of the suspect vehicle would result in an increased hazard to others:
 - a. Any vehicle transporting hazardous materials.
 - b. Any passenger bus transporting passengers.
 - c. Any school bus transporting students.
 - d. Any vehicle that would pose an unusual hazard to innocent parties.
 - e. Any two wheel vehicles, unless deadly force is justified.

7. Pursuing units should coordinate with the officer(s) deploying the tire deflation device in order to ensure the safe and effective use of the device.
 - a. When the decision is made to deploy the device, pursuing units will notify the officer deploying the device as soon as possible of their approach and the confirmation of the need for the device at the designated location.
 - b. Circumstances permitting the officer(s) deploying the device shall be in position at a predetermined location in sufficient time for proper deployment.
 - 1) The officer(s) deploying the device shall be in contact with the pursuing units.
 - 2) Pursuing units shall be notified when the device is in place.
 - c. The devices will be deployed in accordance with the manufacturer's recommendations and training guidelines. Do not engage in physical contact with the rope or device while they are being run over.
 - d. After deploying the tire deflation device, everyone at the scene should immediately seek protection.
 - e. The officer(s) deploying the device is/are responsible for securing them immediately after their use. This would include:
 - 1) Searching the immediate area where the device was used to collect any spikes or points that may have become detached,
 - 2) Properly maintaining the device, and
 - 3) Preparing for the reuse and storage of the device.

8. If a decision initially is made to deploy the device but then withdrawn for whatever reason, all officers/supervisors involved should be immediately notified via radio of the fact that the device will not be deployed as originally planned.

9. The use of tire deflation devices constitutes a use of force. Officer(s) deploying a tire deflation device must follow the Incident Reporting System outlined in GO 2-03.

H.USE OF ROADBLOCKS

1. The use of a roadblock is considered deadly force.
 - a. It should be used only in the case of suspected fleeing felons whose escape poses a danger to life.
 - b. The decision to erect a stationary or moving roadblock may only be made by the supervisor.
 - c. The decision to erect a stationary or moving roadblock must consider:
 - 1) The safety of officers
 - 2) The risk of physical injury to the occupants of the pursued vehicle.
 - 3) The protection of citizens and their property.
2. When used, a stationary roadblock must:
 - a. Be clearly visible at a distance sufficient to enable approaching vehicles to stop safely;
 - b. Only be utilized by officers who have received training in their usage;
 - c. Have its precise location communicated to the ECC;
 - d. Be used as a last resort in stopping a fleeing violent felon;
 - e. Have an avenue of escape;
 - f. Not have personnel placed in the roadblock in line with the incoming suspect vehicle;
 - g. Reasonably insure the safety of non-involved pedestrians and motorists; and
 - h. Comply with any applicable laws on roadblocks, including considerations contained in VA Code 46.2-920.

I.TERMINATION OF PURSUIT:

1. This general order has noted the necessity for a pursuing officer to continually evaluate the risks and goal of pursuit.
2. Under many different circumstances, abandoning the pursuit may prove the most intelligent decision the officer can make.
3. Officers should terminate a pursuit under any of the following circumstances:
 - a. If, in the opinion of the pursuing officer or supervisor, the pursuit creates a clear and unreasonable danger to the officers and other motorists or pedestrians that outweighs the need for immediate apprehension.
 - b. The suspects have been identified and can be apprehended later.
 - c. The prevailing traffic, roadway, and environmental conditions render pursuit futile.
 - d. The pursued vehicle outdistanced the officer, or its location is not known.
 - e. The pursuing officer knows, or is reasonably certain that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or non-violent felony (the pursuit may stimulate the juvenile to recklessly disregard public safety).
4. Once an officer or the supervisor has terminated the pursuit, the officer involved shall drive at the posted speed limit and obey all traffic regulations, to send a clear signal to the

offender, that the officer has stopped pursuing him. The officer may also consider reversing his direction and driving away from the offender.

J. THE OFFICER INCIDENT REPORT

1. For documentation of these potentially disastrous arrest procedures, the Department has and requires use of the Officer Incident Reporting System (GO 2-03).
2. Administrative Requirement
 - a. The use of this form provides the documentation for a Command Staff review of each police pursuit. Such a review is an administrative requirement.
 - b. The use of this form also provides the information for studying and reporting on the use of police pursuits by the Department.