

VEHICLE OPERATIONS

EMERGENCY AND PURSUIT DRIVING

Purpose: The purpose of this policy is to establish departmental policy regarding the emergency and pursuit operation of department vehicles.

Policy Statement: It is the policy of the North Little Rock Police Department for members to operate department vehicles in a safe and defensive manner while observing all laws concerning motor vehicle operation. During emergency or pursuit driving situations, officers will operate their vehicles with extreme caution and in compliance with A.C.A 27-37-202 as well as all other relevant local, state and federal laws. At all times, departmental vehicles are to be operated with due regard for the safety of lives and property. In all instances, the safety of persons using the traffic ways is the primary consideration during vehicle operation.

Summary of Changes: New format.

Definitions

Emergency: Circumstances or results that call for immediate action to protect lives or intercede in the commission of a felony.

Emergency Driving (Code 3): The operation of an emergency vehicle with emergency lights and siren in operation in response to an emergency.

Emergency Vehicle: A marked police department vehicle equipped with overhead lights and siren. Includes marked motorcycles equipped with lights and siren.

Pursuit Driving: A motor vehicle pursuit is an active attempt by a law enforcement officer operating an emergency vehicle and utilizing simultaneously all emergency lights and siren to apprehend one or more occupants of another moving vehicle, when the driver of a fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing his speed, disobeying traffic laws, ignoring the officer, or attempting to elude the officer.

Procedures [CALEA 41.2.1]

1 Emergency Driving (Non Pursuit)

All calls for service shall be classified as routine unless specified as an emergency.

1.1 Officers may engage in emergency driving only when conditions warrant immediate response, and conditions are such that an emergency driving response may be safely made. Officers may request that they be authorized to make an emergency response.

1.1.1 Vehicles will be operated no faster than conditions safely allow, but in no event will be operated in excess of 20 miles per hour over the posted speed limit.

1.1.2 When deciding to drive or continue driving under emergency conditions, officers will consider such factors as traffic volume, time of day, weather conditions and other conditions or circumstances that may affect the safety of such response.

1.1.3 Only emergency vehicles as defined herein may be engaged in emergency driving.

1.2 Officers engaging in emergency driving must bear in mind that even though a rapid response is important, they must arrive at the scene safely in order to be of assistance.

2 Emergency Driving Response

2.1 Although officers may be authorized to make an emergency driving response, the driver of the vehicle has the final responsibility to decide if an emergency response can be made safely. Officers authorized to make an emergency response will notify communications that they are responding code three by using the term "Code Three." This term indicates that the officer will be employing emergency equipment (emergency blue lights and siren).

2.2 Field supervisors will override the officer's decision to make an emergency (Code Three) response if, in their judgment, the emergency response is not warranted or cannot be done safely.

2.3 Only one vehicle will respond code three to a call unless an emergency response by a second police unit is clearly indicated. No more than two units will be authorized for a Code Three response to a call unless directed by supervisory authority.

- 2.4 No officer will operate a police vehicle in emergency (Code Three) status if it is occupied by any person in custody or any passengers other than another police officer or a person who has signed a release or waiver of liability.
- 2.5 The use of blue lights and siren is mandatory any time the police vehicle is operated contrary to traffic laws regulating the operation of motor vehicles when other traffic, vehicles or pedestrians are present.
- 2.6 Officers engaging in emergency driving will reduce speed, stopping if necessary, and ensure the intersection is safe to cross before crossing any intersection against a traffic control device.

3 Pursuit Driving [CALEA 41.2.2d]

- 3.1 Officers shall make a valid attempt to apprehend fleeing motorists; however, officers must be cognizant of the fact that engaging in pursuit driving does not relieve the driver from the duty to drive with due regard for the safety of all persons.
- 3.2 Once an officer has initiated a pursuit, his or her supervisor will immediately take command of the situation and will be accountable for compliance with this policy until the pursuit is terminated.
- 3.3 Only emergency vehicles equipped with blue lights and siren may engage in pursuits.
- 3.4 Specialty vehicles (Non-pursuit rated SUVs, vans, seized vehicles, and any other non-pursuit rated vehicle) will not become involved in any pursuit.
- 3.5 Motorcycles may initiate pursuits. When a marked unit joins the pursuit, the marked unit is to take over as the primary unit, and the motorcycle unit must discontinue the pursuit.
- 3.6 No more than two (2) police vehicles will be involved in the immediate pursuit, unless additional backup units are authorized by a field supervisor. Other police vehicles will not become actively involved in the pursuit, follow the pursuit, or operate in an emergency mode.
 - 3.6.1 An additional vehicle may operate with emergency equipment to deploy a pursuit termination device as per PD 60-07, *Pursuit Termination Device*.
- 3.7 Primary Unit: The first unit to become involved in a vehicular pursuit will be designated the primary unit and will have the following responsibilities: [CALEA 41.2.2b]
 - 3.7.1 The officer will activate the police vehicle's emergency lights and siren.
 - 3.7.2 Immediately after initiating the pursuit, the officer will provide communications with the following information:
 - 3.7.2.1 Direction of travel;
 - 3.7.2.2 Suspect vehicle description including LPN and occupant information;
 - 3.7.2.3 Speed and driving manner of suspect vehicle;
 - 3.7.2.4 Traffic congestion and/or the presence of pedestrians (if applicable); and
 - 3.7.2.5 Reason for the pursuit.
- 3.8 Secondary Unit: The second marked unit will become the secondary unit. The secondary officer will activate the vehicle's emergency lights and siren and advise communications upon joining the pursuit. [CALEA 41.2.2c]
 - 3.8.1 The secondary unit will follow the primary unit at a safe distance.
- 3.9 Support Units: Additional units will be support units and will not become actively involved in the pursuit, violate traffic laws or operate in emergency mode.
 - 3.9.1 Support units may cover escape routes.
 - 3.9.2 Emergency vehicles should be available to assume a backup or primary role should one of those units be unable to continue the pursuit.
 - 3.9.3 If a support unit inadvertently intercepts the suspect vehicle, the support unit will not attempt to intervene. The support vehicle will attempt to obtain additional vehicle description information.
- 3.10 Prohibited Tactics: Police vehicles will not be used for: [CALEA 41.2.3a, b, c, d, e]
 - 3.10.1 Overtaking, driving next to, or forcing suspect vehicles off the roadway;
 - 3.10.2 Creating roadblocks;
 - 3.10.3 Ramming of suspect vehicles, boxing in, or surrounding a suspect vehicle, with the following exceptions:
 - 3.10.3.1 Marked and unmarked units may be used to box in an unaware suspect to avoid a pursuit, or,
 - 3.10.3.2 Extreme circumstances when the failure to do so puts a person in extreme danger of serious injury or death.
 - 3.11 Pursuits will be immediately terminated under the following conditions: [CALEA 41.2.2g]
 - 3.11.1 When any police supervisor orders the pursuit terminated.
 - 3.11.2 The officer knows the suspect's identity and knows that the suspect is wanted only for a traffic violation, misdemeanor or nonviolent felony.
 - 3.11.3 The primary officer loses visual contact with the suspect for a period of time reducing the likelihood of capture (approximately 15-20 seconds). This is not to imply that the officers must cease looking for the suspect, but they must discontinue pursuit after loss of contact.

- 3.11.4 When there is a clear and unreasonable danger to the officer, fleeing suspect, or any other persons. This may be due to excessive speed, reckless driving techniques, or erratic driving by the suspect that exceeds the performance capabilities of the vehicles or drivers.
- 3.11.5 When the danger created by the pursuit outweighs the necessity for immediate apprehension.
- 3.11.6 When pursuing units are not able to maintain radio contact with communications either directly or through use of relay units.
- 3.12 Pursuit Termination Consideration:
The following factors will be considered by officers and supervisors in making the decision to continue or terminate a police pursuit. [CALEA 41.2.2a]
 - 3.12.1 Environmental factors such as rain, fog, ice snow, or darkness that would substantially increase the danger of pursuit.
 - 3.12.2 The officer's familiarity with the area and the ability to accurately notify communications of location and direction in which the pursuit is proceeding.
 - 3.12.3 Road conditions and/or traffic congestion.
 - 3.12.4 School zones or other areas that have the potential for increased pedestrian traffic.
 - 3.12.5 The pursued vehicle proceeds the wrong way on any freeway, divided highway or one-way street. At no time will officers pursue violators the wrong way on a freeway, divided highway or a one-way street.
 - 3.12.6 The pursuing officer knows or has reason to believe that the fleeing vehicle is being operated by a juvenile who has committed a traffic violation, misdemeanor or nonviolent felony and who is driving in such an unsafe manner that it is obvious he/she does not have the maturity to deal with the danger involved.
- 3.13 Pursuits by/or in Other Agencies or Jurisdictions: When other agencies pursue vehicles into the city limits, the department policy regarding pursuits applies. NLRPD officers will not assist in an active pursuit, unless requested by the pursuing agency, such assistance is approved by a NLRPD supervisor and the assistance is in compliance with this policy. [CALEA 41.2.2h]
- 3.14 When NLRPD units leave the city limits and enter other jurisdictions, the department policy regarding pursuits applies. [CALEA 41.2.2h]
 - 3.14.1 The primary officer will advise communications that the pursuit is leaving the city. The communications center will notify other agencies that our agency is involved in a pursuit entering their jurisdiction. If that agency has the PD/ASP or Agency Common channels, communications will advise the involved units to change to the appropriate multi-agency channel. [CALEA 41.2.2e]
 - 3.14.2 The supervisor responsible for monitoring the pursuit will evaluate the entire incident and make the decision to let the pursuit continue or terminate.
- 3.15 When other agencies become involved in NLRPD pursuits within the city limits of North Little Rock, the department's policy regarding pursuits applies. The primary unit will, if possible, advise communications of the identity of the other agency involved so that communications can make contact and begin communications with the involved agency. [CALEA 41.2.2h]
- 3.16 The responsible supervisor will continually evaluate multi-agency pursuits and terminate if necessary.
- 3.17 Supervisor's Responsibilities: [CALEA 41.2.2f]
 - 3.17.1 The pursuing officer's supervisor will immediately take command of the situation on the radio and will ascertain the known information from the engaged officer.
 - 3.17.2 In the event that a sergeant does not take command immediately, the appropriate Area lieutenant will assume command or assign a sergeant.
 - 3.17.3 Any police supervisor may order a pursuit terminated, if in their best judgment, the necessity of apprehension is outweighed by the level of danger.

4 Pursuit Reports

All officers who initiate a pursuit will complete an incident report detailing the facts of the pursuit. All other officers who are involved in a pursuit will complete a supplemental report detailing their participation on the pursuit.

- 4.1 The officer's supervisor will review the reports for accuracy and policy compliance.
- 4.2 The supervisor will submit a detailed written evaluation of the pursuit incident and make recommendations.

5 Supervisory Reviews [CALEA 41.2.2i]

- 5.1 The supervisor in command of the pursuit will debrief all personnel involved in the pursuit. A pursuit file will be completed containing the following:
- 5.1.1 Incident and supplement reports.
 - 5.1.2 Arrest Disposition Report (ADR).
 - 5.1.3 Traffic Citations .
 - 5.1.4 Pursuit Analysis form.
 - 5.1.5 Radio transmission recording.
 - 5.1.6 Vehicle video recording (if equipped).
 - 5.1.7 Supervisors review of the pursuit.
 - 5.1.8 GPS data (if applicable).
- 5.1 The pursuit file shall be forwarded through the chain of command to the Chief of Police and administratively reviewed at each level of command.
- 5.2 In the review process, the pursuit shall be evaluated for policy compliance as well as consideration of policy improvement and training needs.

6 Pursuit Analysis [CALEA 41.2.2j]

- 6.1 Any officer involved as the primary unit in any pursuit will complete the Pursuit Analysis Form and submit it to their supervisor for review. This form and all other pursuit documentation shall be forwarded through the chain of command to the Patrol Division Commander as part of the pursuit file.
- 6.2 The Professional Standards Unit will maintain a file of all pursuit analysis forms to be used in a documented analysis of all pursuits conducted by this agency. This analysis will be done on an annual basis and submitted to the Chief of Police for review.
- 6.3 The purpose for the pursuit analysis is to identify and/or address the following:
- 6.3.1 Officer safety issues;
 - 6.3.2 Training concerns; and
 - 6.3.3 Reducing agency and officer liabilities.

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