

VEHICLE OPERATIONS

EMERGENCY AND PURSUIT DRIVING

Purpose: This policy aims to establish a departmental policy regarding department vehicles' emergency and pursuit operation.

Policy Statement: The North Little Rock Police Department (NLRPD) policy requires members to operate department vehicles safely and defensively 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 will be the primary consideration during vehicle operation.

Summary of Changes:

Definitions

Non-emergency: Situations are those that may not require immediate intervention, but a police response is required. [CALEA 41.2.1a]

Emergency: Circumstances or results that call for immediate action to protect lives or intercede in the commission of a felony. [CALEA 41.2.1b]

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

Emergency Vehicle: An emergency vehicle is a marked police vehicle equipped with overhead lights and a 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 speed, disobeying traffic laws, ignoring the officer or attempting to elude the officer.

Procedures:

1. Emergency Driving (Non-Pursuit)

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

1.1.1 The North Little Rock Communication Center will prioritize call types for a speedy response when required. [CALEA 41.2.1c]

1.2 Officers may engage in emergency driving when conditions warrant an immediate response and conditions are such as an officer may safely make an emergency driving response.

1.2.1 Vehicles will be operated no faster than conditions safely allow, but should not be driven more than 20 miles per hour over the posted speed limit.

1.2.2 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.

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

1.3 Officers engaging in emergency driving must bear in mind even though a rapid response is important, they must arrive at the scene safely 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 they are responding code by using the term "Code Three." This term indicates the officer will be employing emergency equipment (blue lights and siren). [CALEA 41.2.1d]
- 2.2 Field supervisors will override the officer's decision to make an emergency 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 an emergency response to a call unless directed by a supervisory authority.
 - 2.3.1 In an emergency incident, any available unit is authorized for an emergency driving response and will advise when possible via radio.
- 2.4 No officer will operate a police vehicle in emergency 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 a siren is mandatory when 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 an intersection is safe to cross before crossing any intersection against a traffic control device.

3. Pursuit Driving

- 3.1 Officers shall make a reasonable attempt to apprehend fleeing motorists; however, officers must be conscious that engaging in pursuit driving does not relieve the driver from the duty to drive with due regard for the safety of all persons. [CALEA 41.2.2a, b]
 - 3.1.1 Once an officer is engaged in a vehicle pursuit. The Communication Center will direct the radio traffic for the pursuit and continue monitoring the incident. [CALEA 41.2.2f]
- 3.2 Once an officer has initiated a pursuit, a supervisor will immediately take command of the situation and will be accountable for compliance with this policy until the pursuit's conclusion.
- 3.3 Only emergency vehicles equipped with blue lights and sirens may engage in pursuits. [CALEA 41.2.2e]
- 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 Officers will involve no more than two (2) marked police vehicles in the immediate pursuit unless one vehicle is a K-9 Unit, and in that circumstance, (3) units will be authorized. A field supervisor can authorize additional backup units if needed. Other police vehicles will not become actively involved in pursuing or operate in an emergency response. [CALEA 41.2.2e]
 - 3.5.1 An additional vehicle may operate with emergency equipment to deploy a pursuit termination device per PD 60-07, Pursuit Termination Device.
- 3.6 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 41.2.2c]
 - 3.6.1 The officer will activate the police vehicle's emergency lights and siren.
 - 3.6.2 Immediately after initiating the pursuit, the officer will provide communications with the following information:
 - 3.6.2.1 Direction of travel;
 - 3.6.2.2 Suspect vehicle description including LPN and occupant information;
 - 3.6.2.3 Speed and driving manner of the suspect vehicle;
 - 3.6.2.4 Traffic congestion or the presence of pedestrians (if applicable); and
 - 3.6.2.5 Reason for the pursuit.
- 3.7 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 41.2.2d]
 - 3.7.1 The secondary unit will follow the primary unit at a safe distance.
- 3.8 Support Units: Additional units will be support units and will not become actively involved in the pursuit, violate traffic laws, or operate in an emergency response.
 - 3.8.1 Support units may cover escape routes.
 - 3.8.2 Emergency vehicles should be available to assume a backup or primary role should one of those units be unable to continue the pursuit.
 - 3.8.3 If a support unit inadvertently intercepts the suspect vehicle, the support unit will not attempt to intervene. The support vehicle will obtain additional vehicle description information.
- 3.9 Prohibited Tactics: Police vehicles will not be used for: [CALEA 41.2.3a, b, c, d, e]
 - 3.9.1 Overtaking the suspect vehicle,
 - 3.9.2 Creating roadblocks;

- 3.9.3 Surrounding a suspect vehicle, with the following exceptions:
- 3.9.3.1 Marked and unmarked units may be used to box in an unaware suspect to avoid a pursuit or,
 - 3.9.3.2 Extreme circumstances when the failure to do so puts a person in extreme danger of serious injury or death.
- 3.10 Pursuits will be immediately terminated under the following conditions: [CALEA 41.2.2h]
- 3.10.1 When any police supervisor orders the pursuit terminated. [CALEA 41.2.2i]
 - 3.10.2 The officer knows the suspect's identity and knows the suspect is wanted only for a traffic violation, misdemeanor, or nonviolent felony.
 - 3.10.3 The primary officer loses visual contact with the suspect for a period reducing the likelihood of capture (approximately 15-20 seconds). This is not to imply the officers must cease looking for the suspect, but they must discontinue pursuit after the loss of contact.
 - 3.10.4 When pursuing presents a clear and unreasonable danger to the officer, fleeing suspect, or any other persons, the pursuit will be terminated. The threat 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.
 - 3.10.5 When the danger created by the pursuit outweighs the necessity for immediate apprehension.
 - 3.10.6 When pursuing units cannot maintain radio contact with communications either directly or through relay units.
- 3.11 Pursuit Termination Consideration:
- 3.11.1 Environmental factors such as rain, fog, ice, snow, or darkness would substantially increase the pursuit's danger.
 - 3.11.2 The officer's familiarity with the area and the ability to accurately notify communications of location and direction in which the pursuit is proceeding.
 - 3.11.3 Road conditions or traffic congestion.
 - 3.11.4 School zones or other areas that have the potential for increased pedestrian traffic.
 - 3.11.5 The pursued vehicle proceeds the wrong way on any freeway, divided highway, or one-way street. Officers will not pursue violators the wrong way on a highway, divided road, or one-way street.
 - 3.11.6 The pursuing officer has reason to believe 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 they do not have the maturity to deal with the danger involved.
- 3.12 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, an NLRPD supervisor approves such assistance, and the assistance is in compliance with this policy.
- 3.13 When NLRPD units leave the city limits and enter other jurisdictions, the department policy regarding pursuits applies. [CALEA 41.2.2j]
- 3.13.1 The primary officer will advise communications when a 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 41.2.2f]
 - 3.13.2 The supervisor responsible for monitoring the pursuit will evaluate the entire incident and decide to let the pursuit continue or terminate.
- 3.14 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.
- 3.15 The responsible supervisor will continually evaluate multi-agency pursuits and terminate if necessary.
- 3.16 Supervisor's Responsibilities: [CALEA 41.2.2g]
- 3.16.1 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.
 - 3.16.2 In the event that a sergeant does not take command immediately, the appropriate area lieutenant will assume command or assign a sergeant.
 - 3.16.3 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

- 4.1 All officers who initiate a pursuit will complete an incident report detailing the facts of the pursuit. All other officers involved in the pursuit will complete a supplemental report detailing their participation during the pursuit.
- 4.2 The officer's supervisor will review the reports for accuracy and policy compliance.
- 4.3 The supervisor will submit a detailed written evaluation of the pursuit incident and make recommendations.

5. Supervisory Reviews [CALEA 41.2.2k]

- 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).
- 5.2 The pursuit file shall be forwarded through the chain of command to the Office of the Chief of Police and administratively reviewed at each command level.
- 5.3 In the review process, the command levels shall evaluate the pursuit for policy compliance and consideration of policy improvement and training needs.

6. Pursuit Analysis [CALEA 41.2.2l]

- 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 of the pursuit analysis is to identify and address the following:
- 6.3.1 Officer safety issues;
 - 6.3.2 Training concerns; and
 - 6.3.3 Reducing agency and officer liabilities.

7. Training

- 7.1 Officers will receive initial training on this agency's pursuit policy during in-house recruit training, and supervisors will conduct an annual review of the pursuit policy at roll call training. [CALEA 41.2.2m, n]

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