SOUTH TEXAS COLLEGE POLICE DEPARTMENT

Procedure for Vehicle Pursuits

"The mission of the South Texas College Police Department is to provide a safe educational environment for students, faculty, staff, and campus visitors".

I. PURPOSE:

The purpose of this procedure is to establish guidelines for involvement in vehicular pursuits and to guide an officer's discretion in such circumstances. South Texas College police officers making the decision to engage in pursuits shall assess the risks involved in the pursuit while carefully considering the factors involved, possible consequences, and the safety of citizens and officers.

II. DEFINITIONS

EMERGENCY DRIVING - Emergency driving occurs whenever an officer intentionally drives in excess of the speed limit or in violation of any traffic control device. Emergency driving is authorized only when necessary in the performance of official duties.

GREAT BODILY HARM - Bodily injury, which creates a high probability of death, or which causes serious permanent disfiguration, or which causes a permanent or protracted loss or impairment of any bodily member or organ or other serious bodily harm.

IDENTIFICATION - The officer can establish the identification of the offender so that an apprehension can be made at another time.

OFFENDER - The operator of a vehicle being pursued who has been signaled to stop.

PARALLEL THE PURSUIT ROUTE - To operate a police vehicle in a manner that indicates pursuit participation by traveling in the same direction as the pursuit route on an adjacent or parallel roadway.

FULLY-MARKED POLICE VEHICLE - Any vehicle used by the South Texas College Police Department that has clearly identifying police markings, emergency lights visible from front, sides and rear, and a siren.

PURSUIT SERGEANT - The Sergeant overseeing the pursuit.

ROADBLOCK - Placing a marked squad, either moving or stationary, in the roadway to narrow or block the escape route of the vehicle being pursued.

SECONDARY SQUADS - Police vehicles that provide direct support to the primary squad and follow the police vehicle at a safe distance.

TERMINATE - A pursuit is considered to be terminated when the officer discontinues the use of all emergency equipment and slows the marked police vehicle to the posted speed limit and turns off the pursuit route at the next available intersection.

VEHICLE CONTACT - The intentional striking by a police vehicle of a vehicle being pursued.

VEHICULAR PURSUIT - A vehicular pursuit occurs whenever an officer pursues a driver of a vehicle who has been given a signal to stop by the activation of red lights and siren, and the suspect or violator fails to comply and attempts to elude the officer by taking evasive actions.

III. EMERGENCY RESPONSE

All South Texas College Police Officers shall use emergency lights and sirens in a continuous manner for any emergency driving. Officers responding to an emergency shall exercise caution and due consideration for the safety of the public. The use of the red lights and siren does not exempt officers from the need for caution nor does it exempt them from criminal or civil proceedings.

IV. PURSUIT PROCEDURE

The South Texas College Police Department is committed to prevent crime, maintain order and protect the college community from unreasonable danger wherever possible. Intrinsic to the nature of policing is the apprehension of criminals and the enforcement of law at every level. In order to enforce the law, officers may be called upon to pursue suspects who choose not to obey an officer's lawful command to submit to arrest.

Motor vehicles are the primary conveyance with which offenders attempt to elude the police. Recognizing that every vehicle has the potential to cause serious bodily injury to innocent third parties, officers shall use reasonable professional judgment in deciding when, where, and to what extent they will initiate pursuit of suspects in motor vehicles. The initiation and continuation of any pursuit are predicated on factors known to the officer such as the seriousness of the violation, the consequences of not apprehending the suspect, the probability of apprehending the suspect without undue risk to the public at large, and the potential for continued criminal activity, if not apprehended.

Officers shall always be aware of the inherent danger to the public and to themselves in vehicle pursuits or emergency responses. They shall continuously weigh the need and desirability for apprehension against the risk created for the officers and the general public. The officers must also take into account factors such as traffic volume, time of day, weather, circumstances of the emergency and the type of violation when becoming involved in pursuits.

V. INITIATING OR CONTINUING A PURSUIT

Officers involved in a vehicular pursuit shall exercise caution and due consideration for the safety of the public. Police officers in marked police vehicles can conduct a pursuit. Officers shall use emergency lights and siren in a continuous manner for any emergency driving or vehicular pursuit. The use of emergency lights and siren does not exempt officers from the need for caution.

During a pursuit, officers shall not drive their vehicle the wrong way on freeways. They may, however, go down the wrong way of a freeway ramp to make a traffic stop on a vehicle going the wrong way to prevent it from entering the main portion of the freeway. Officers may not pursue the wrong direction on one-way streets without due consideration for existing conditions as listed below.

A pursuit is justified after an offender has engaged in evasive tactics only when an officer knows or has reasonable grounds to believe that the fleeing offender committed an offense and there is a reasonable expectation of a successful apprehension of the offender.

Officers shall not initiate a pursuit or shall discontinue a pursuit in progress whenever any of the following conditions exist:

The vehicle was previously pursued by South Texas College Police Officers or other agencies and the pursuit was terminated. Officers will not reinitiate a pursuit within 20 minutes of the termination, unless there are exigent circumstances.

The pursuit poses an unreasonable risk to the officers, and/or the general public, or the seriousness of the offense(s) is such that continued pursuit creates an unreasonable risk to the officers and/or the public.

The officer can establish the identification of the offender so that an apprehension can be made at another time unless the crime is for:

-- Homicide
-- 1st and 2nd degree assault
-- Aggravated robbery
-- Sexual assault involving the use or threatened use of a dangerous weapon
-- Kidnapping

Risks due to weather, road conditions, vehicle and/or pedestrian traffic outweigh the necessity to immediately arrest the suspect.

Immediate medical assistance is needed by anyone injured as a result of the pursuit and there is not a secondary pursuit vehicle to provide assistance.

Whenever prisoners are in the police vehicle.

Whenever there is malfunction of police emergency equipment or radio communication.

Whenever the distance between the primary police vehicle and the offender is so great that further pursuit is futile.

Situations in which the primary police vehicle loses visual contact of the offender for a significant period of time (approximately 10-15 seconds).

Any officers involved in a pursuit have the right to decide whether or not to terminate their participation in a pursuit, or to transfer their responsibility to another officer. All police officers will immediately take and acknowledge direction from the pursuit Sergeant.

VI. VEHICULAR PURSUIT PROCEDURES

All department employees involved in a vehicular pursuit shall follow the procedures listed in this section.

Officers in the primary pursuit police vehicle shall:

Activate emergency lights and siren.

Turn up the radio and roll up the windows.

Notify Dispatch by radio of the location, speed, direction of travel, and reason for the pursuit.

Identify the vehicle and its occupants as completely as possible.

Call out the location and direction of the pursued vehicle as frequently as possible.

If an accident occurs with the possibility of injury the primary vehicle shall designate a secondary pursuit vehicle to stop and check for injuries and render medical assistance. Primary officers must receive acknowledgement from a secondary vehicle officer. If an acknowledgement is not received or there are no secondary vehicles assisting in the pursuit, the primary vehicle must immediately terminate and check for injuries. All acknowledgements shall be made via radio.

Notify or acknowledge via radio whenever the pursuit has been terminated.

Whenever possible, officers in the primary pursuit vehicle will not physically remove the offender or passengers from the vehicle, but should wait for the officers in the secondary pursuit vehicle to arrive and remove the offender or passengers.

Officers in the secondary pursuit vehicles shall:

Activate emergency lights and siren.

Turn up the radio and roll up the windows.

Notify Dispatch by radio of their involvement in the pursuit.

Maintain a safe distance from the initiating police vehicle, but remain close enough to provide back-up assistance when needed. At no time shall the secondary police vehicle pass the primary police vehicle unless requested by the officer in the primary police vehicle. Officers should be alert to the fact that citizens will see the primary police vehicle proceed and may assume that it is the only emergency vehicle in the area and may be unaware or inattentive to the second emergency vehicle, especially if it is far behind the pursuing vehicle.

Be prepared to take over as the primary vehicle if the existing primary vehicle becomes disabled or is unable to continue the pursuit.

Give the location and status of the pursuit when the pursued vehicle is stopped if the primary squad has not done so.

Immediately acknowledge directions, via radio, given by the primary vehicle regarding accidents.

Notify or acknowledge via radio whenever the pursuit has been terminated.

Remove offenders and passengers from vehicle when pursuit results in an apprehension, then transport.

The pursuit Sergeant shall:

Acknowledge responsibility of the pursuit over the radio.

Monitor the pursuit.

Exercise authority and responsibility to decide whether to commit additional police vehicles or to terminate the pursuit if the risk to the general public and officers outweighs the necessity to immediately arrest the suspect.

Respond as soon as possible to the scene when the pursuit is terminated with the apprehension of a suspect or at the scene of a collision. If the pursuit is called off, the pursuit Sergeant does not have to respond to the scene.

Wherever practical, the Sergeant shall not allow the offender or passengers to be removed from the vehicle by the primary pursuit officers. The arrested suspect(s) shall not be transported by the primary pursuit vehicle unless specifically authorized by the pursuit Sergeant.

Immediately review the pursuit for compliance with department procedures.

The Sergeant will prepare an ARMS Incident Report that includes the following information:

General route of the pursuit, approximate distance covered and approximate speeds attained;

Description of the weather and road conditions;

Outcome of the pursuit including a description of any damage or injuries sustained as a result of the pursuit;

Statement as to whether department procedure was followed during the pursuit.