



CHESAPEAKE POLICE DEPARTMENT
POLICY & PROCEDURE



2.7.8

Subject: Vehicle Pursuits

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Reviewing Authority: *Daniel Wisniewski*

I. POLICY

Few other instances in law enforcement will place police officers and the community at risk of injury based on the unknown than vehicle pursuits. The Chesapeake Police Department recognizes that vehicular pursuits of fleeing suspects are inherently dangerous to the public, the officers, and the suspects involved. It is paramount that officers exercise prudent and sound judgment in their actions when engaging in pursuits. Members must comply with existing laws governing vehicle pursuits. It must be understood that every violator will not be apprehended. If our number one priority is public safety, then in some situations the most professional and reasonable decision will be to terminate a pursuit in the interest of public safety.

The propriety of a pursuit depends on the specific situation, and an officer must be prepared to articulate the conditions which existed at the time of a decision to pursue. Consideration must be given not only to the nature and gravity of the offense(s) involved, but also to the degree of public danger which may arise as a result of the pursuit.

Responsible policing may require that the apprehension of a suspect be postponed, when a situation of unreasonable danger to officers and/or other persons exists which outweighs the competing interests involved in the apprehension of the violator.

Reckless or dangerous driving maneuvers used by a fleeing vehicle are not to be duplicated by any pursuing vehicle.

II. PROCEDURES

A. Evaluation of Circumstances and Conditions

1. When making the initial decision to pursue, and while in pursuit, officers and supervisors must continually evaluate a variety of conditions to determine whether the pursuit presents an unreasonable degree of danger to human life. Although the following conditions are identified individually, their value for decision-making purposes is enhanced when considered in combination.
 - a. Type, actions, and speed of the vehicle being pursued
 - b. Geographic area of pursuit and its population density
 - c. Time of day or day of week

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- d. Vehicular and pedestrian traffic present in the area
- e. Road and weather conditions
- f. Officer's familiarity with the area of pursuit
- g. Severity of crime for which the offending driver is a suspect
- h. Likelihood of successful apprehension
- i. Type of vehicle being operated by the pursuing officer
- j. Suspect vehicle speeds and driving behavior

2. Once the decision has been made to engage in a pursuit, the aforementioned conditions shall continue to be given careful consideration in determining the maximum safe speed at which officers' vehicles may travel throughout the pursuit and whether to continue with the pursuit.

A pursuit shall be terminated if the pursuing officer is being required to drive at speeds considered to be excessive for the environment, population density, type of roadway (city streets vs. inter-state highways) roadway conditions, or in a manner which exceeds the performance capabilities of the police vehicle or the capabilities of the police vehicle operator.

The decision to continue the pursuit should be based on the officer's reasonable belief that the necessity for immediate apprehension outweighs the level of danger created by the pursuit.

B. Vehicles Authorized/Unauthorized for Pursuit

1. Unmarked police cars and motorcycles may act as primary pursuit vehicles only until a marked police car can safely assume position as the primary pursuit vehicle.
2. Trucks, vans, SUVs, shall not be utilized as pursuit vehicles unless they are a specially built package, and have been approved for this specific type of police use.
3. Vehicles not equipped with proper emergency equipment, such as undercover and rental vehicles, shall not be utilized as pursuit vehicles.
4. Police vehicles containing non-police occupants (a ride-along, interns, witnesses, complainants, prisoners etc.) shall not become engaged in pursuit situations until the passengers have been discharged from the vehicle under appropriate conditions.

C. Pursuit Operations

1. The use of emergency lights, siren and high-speed travel, to stop and apprehend traffic law violators does not always constitute a pursuit. Such practice becomes pursuit only when it is clear that the motorist resisting apprehension by increasing speed, taking evasive measures, and/or ignoring the officer's attempt to stop the motorist.

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2. When the suspect vehicle fails to stop, the decision to pursue rests with the individual officer. The officer shall notify the Emergency Communications Center (ECC) that a pursuit has begun and provide the following additional information:

- a. Location, speed and direction of travel, continuously updated
- b. Vehicle description
- c. Number of occupants
- d. Reason for pursuit

NOTE: The pursuing officer shall continuously update their location, speed, and direction of travel. If the supervisor monitoring the pursuit must ask for these updates more than once, they should consider terminating the pursuit.

3. All pursuits shall be conducted in strict conformity with applicable traffic laws (VA Code §46.2-920) and Department Operation of Police Vehicles policy (Policy and Procedure 2.4.1). Officers may not drive with reckless disregard for the safety of other road users regardless of pursuit engagement or justification. **It shall be noted that a police officer and the police supervisor monitoring the pursuit can be held civilly liable for damages and injuries that occur during a pursuit.**
4. A pursuit shall initially consist of no more than two (2) police vehicles, a primary unit and a secondary unit. All other personnel are to stay clear of the pursuit until instructed otherwise by a supervisor to participate.

D. Secondary Unit Response

1. Secondary units in the vicinity of a pursuit available to assist shall notify ECC of their location and shall assist the pursuing officers by anticipating the suspect's avenue of escape and respond in a manner consistent with state law and policy. This type of response may assist in the deployment of tire deflation devices. Assisting unit(s) shall be designated by the field supervisor responsible for monitoring the pursuit.
2. If additional assistance is requested, the number of vehicles involved shall be determined by:
 - a. The nature of the offense
 - b. The number of suspects
 - c. The number of officers occupying the pursuit units
 - d. Other clear and articulated facts warranting the increased hazard
3. The secondary unit shall maintain a safe distance behind the primary unit but be close enough to render backup assistance if and when required.
4. If the primary unit is a one-man unit, the assisting unit may assume radio communication responsibility, allowing the primary unit to devote full attention to driving.

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6. If the primary unit becomes disabled, the assisting unit shall become the primary unit. A new backup unit shall be designated by the monitoring supervisor.

NOTE: A pursuit is to consist of no more than two (2) police vehicles, a primary unit and a secondary unit. All other personnel are to stay clear of the pursuit unless instructed by the supervisor in charge of the pursuit to participate. **Officers not immediately engaged in the pursuit are not to follow the pursuit directly, or on parallel streets, unless specifically authorized to do so by the supervisor in charge of the pursuit.**

E. Emergency Communications Center (ECC) Responsibilities

1. Receive and record all incoming information on the pursuit and the pursued vehicle.
2. Immediately confirm which field supervisor is in command when a pursuit is initiated and notify the appropriate Operations Bureau Lieutenant or Command Duty Officer, if one is on duty.
3. Clear the radio channel of any unnecessary traffic, advise all other units that a pursuit is in progress, providing all relevant information.
4. Repeat updated locations and directions of travel when received from the primary or back-up unit.
5. Coordinate assistance under the direction of the supervisor in charge.
6. Control all radio communications during the pursuit.
7. Perform relevant record and motor vehicle checks.
8. Continue to monitor the pursuit until terminated.

F. Supervisory Responsibilities

The first field supervisor that advises ECC, by radio, that they are monitoring a pursuit shall become the supervisor in charge of that pursuit. All pursuits involving Chesapeake Sheriff's Office, Chesapeake Fire Department and/or Chesapeake Park Ranger personnel will be monitored by the police supervisor.

If a supervisor of higher rank intends to assume authority over a pursuit, they must advise ECC, by radio, that they are assuming the role of supervisor in charge.

1. The supervisor in charge shall closely monitor the pursuit and direct the pursuit and pursuit tactics as necessary.
2. The supervisor in charge of the pursuit shall advise any units not specifically authorized to participate in the pursuit to disengage.
3. The supervisor in charge has the authority to authorize additional vehicles/officers to participate in the pursuit depending upon the nature of the offense and the number of suspects.
4. The supervisor in charge may authorize alternative tactics.

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5. The supervisor in charge has the authority to terminate a vehicle pursuit, to include pursuits involving personnel from the Chesapeake Sheriff's Office, Chesapeake Fire Department and/or Chesapeake Park Rangers.
6. If a supervisor is involved in a pursuit, the Command Duty Officer shall monitor and manage the pursuit. If the Command Duty Officer is not available or is directly involved in the pursuit, any on-duty non-involved supervisor can assume that role. ECC shall contact the closest available supervisor and advise them of the pursuit. The Command Duty Officer/monitoring supervisor shall be responsible for reporting and post-pursuit analysis. **At no time will any supervisor directly involved in a pursuit complete the pursuit report.**
7. At the conclusion of any pursuit, the officer(s) involved shall submit a letter detailing their involvement in the pursuit to the investigating supervisor. The supervisor shall then submit an electronic report via the BlueTeam software for administrative review. This shall include the reason the suspect failed to stop (i.e. suspended license, warrants, drugs in possession, etc.).
 - a. The report shall be completed prior to securing from duty. If a follow up investigation is required due to the nature of the pursuit, supplemental reports shall be completed as soon as possible.
 - b. The report shall be forwarded through the involved officer's chain of command to the Precinct/Section Commander(s), then to the Ethics and Conduct Unit.
 - c. The Ethics and Conduct Unit shall perform a thorough post incident review for each pursuit report received. An annual documented analysis of pursuit reports shall be included in the Ethics and Conduct Unit Annual Report and approved by the Chief of Police.
8. Following the pursuit, the supervisor shall ensure police vehicles involved in a high speed pursuit involving extensive braking be delivered to the City Garage as soon as practicable for an inspection of their braking systems.

G. Pursuit Termination

1. The responsibility for the decision to pursue, the methods to be employed, and the continuation of a pursuit rests with the primary officer involved until a supervisor provides direction or otherwise assumes responsibility for the situation.
2. A pursuit shall be terminated when:
 - a. Hazards are high, exposing the officer and public to unwarranted risk.
 - b. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
 - c. Conditions clearly indicate the futility of further pursuit (darkness, road/weather, hazards, high pedestrian traffic, etc.)

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3. An officer's decision to terminate a pursuit for safety reasons shall not be subject to negative comment or evaluation.
4. The termination of a pursuit does not prohibit the following of a vehicle at a safe speed or remaining in an area to re-initiate pursuit if the opportunity and conditions permit.
5. Whenever a supervisor notifies members to terminate the pursuit, or their involvement in a pursuit, the member(s) will acknowledge over the radio they have received the notification and that they have terminated their involvement.

III. INTER-JURISDICTIONAL PURSUITS

A. Pursuits Leaving Chesapeake

1. When it seems likely that a pursuit may leave this jurisdiction, the supervisor in charge of the pursuit shall determine if the pursuit is to continue.
2. If a determination is made to continue the pursuit, the supervisor in charge shall direct ECC to notify the neighboring agency of the pursuit and provide the following information:
 - a. Reason for the pursuit, to include pending/outstanding charges
 - b. Location where the pursuit is entering that jurisdiction
 - c. Description of the vehicle, to include license plate number
 - d. Number and description of occupants, if known
3. As the pursuit enters another jurisdiction, the only Chesapeake vehicles that are to continue in the active pursuit shall be those authorized by the supervisor in charge. All other vehicles are to stand by at strategic locations within this jurisdiction in the event the pursuit turns back.
4. ECC shall request that officers of the jurisdiction being entered assume primary control of the pursuit if interception is possible.
5. When units from another jurisdiction intercept the pursuit, Chesapeake units shall relinquish primary pursuit as safely as possible. Chesapeake units shall follow the direction of the pursuit at the posted speed, and be available to furnish information, such as the origin of the pursuit, justification and any charges pending.
6. In pursuits where an adjoining jurisdiction being entered cannot intercept and control, approval for continuation of the pursuit must be authorized by the supervisor in charge. Only those units specified by the supervisor in charge are to continue.
7. Pursuits must be terminated whenever clear radio communication can no longer be maintained with ECC, or when hazards are high, exposing the officer and public to unwarranted risk.
8. Procedures for entering additional jurisdictions shall apply to each jurisdiction

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entered until interception can occur, or until such time as the pursuit is terminated.

9. A felony suspect may be pursued across the state line into North Carolina and if apprehended there, must be taken before a magistrate [REDACTED]
10. If a suspect is apprehended in a city that does not border Chesapeake, the individual must be taken before a magistrate [REDACTED]

B. Pursuits Entering This Jurisdiction

1. When notified of a police pursuit entering this jurisdiction, ECC shall give immediate broadcast and notify the supervisor in the affected area of the following information:
 - a. Whether the notification is for information purposes only, or if the pursuing jurisdiction is requesting this jurisdiction to assume primary control
 - b. Reason for the pursuit, to include pending/outstanding charges
 - c. Location where pursuit will enter this jurisdiction
 - d. Description of vehicle, to include license plate number
 - e. Number/description of occupants, if known
2. The supervisor in charge shall specify the units that will assist and shall control and monitor the pursuit if intercepted.

IV. EMERGENCY TACTICS

[REDACTED]

A. Roadblocks and Forcible Stops

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

B. Tire Deflation Devices

1. [REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
2.

[REDACTED]

[REDACTED]
3.

[REDACTED]

[REDACTED]

[REDACTED]
4.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
5.

[REDACTED]

[REDACTED]
6.

[REDACTED]

[REDACTED]
7.

[REDACTED]

[REDACTED]

[REDACTED]

C. Offensive Tactics

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

V. NOTIFICATIONS

The on-duty Command Duty Officer (CDO) shall be notified of any pursuit occurring within the City of Chesapeake. The CDO shall then make notification to the Chief of Police, or his/her designee.

VI. TRAINING

Officers will receive initial entry level training regarding vehicle pursuits as part of their DCJS certified basic police training. Officers shall also be required to review this Vehicle Pursuits policy annually every year thereafter.