

Georgia Department of Public Safety

Policy Manual

SUBJECT PURSUIITS	POLICY NUMBER 17.02
DISTRIBUTION ALL EMPLOYEES	REVISION DATE 1/27/2015

17.02.1 Purpose

To maximize the Member's safety, the safety of the motoring public, and to minimize exposure to liability. With this in mind, this policy shall serve as a framework for troopers to make a reasonable determination, consistent with the provisions of policy and in accordance with their training, whether to engage in, or continue, a pursuit. It is intended to provide guidance to all employees in evaluating circumstances, responsibilities, roles and restrictions with regard to pursuits. In an effort to achieve this purpose, requirements for reporting and reviewing the circumstances of each pursuit are established herein.

17.02.2 Policy

Sworn members of the Department are expected to make reasonable efforts to apprehend violators who flee or otherwise attempt to elude. However, the Department recognizes and respects the value and special integrity of each and every human life. In vesting members with the lawful authority to use force in the protection of the public welfare, a special balancing of all human interests is required. Members, in the performance of their duty, must use only the force that is reasonably necessary to bring an incident under control. It is paramount that members exercise prudent and sound judgment in their actions when engaging in pursuits. Members must comply with existing laws governing vehicle pursuits. At the same time, they must use sound discretion and good judgment in each pursuit. It must be understood that every violator will not be apprehended. In some situations the most professional and reasonable decision would be to terminate a pursuit in the interest of their own and the public's safety.

17.02.3 Definitions

- A. **Deadly Force** - The application of any instrument that is likely to produce death or serious physical injury under the circumstances of its use. Such instruments include but are not limited to: firearms, flashlights, riot batons, knives or automobiles.
- B. **Primary Pursuit Unit** - The sworn member who assumes control of the pursuit as the principle vehicle immediately following the pursued vehicle.
- C. **Pursuit** - An active attempt by a sworn member in an authorized emergency vehicle to apprehend fleeing suspects who are attempting to avoid capture.
- D. **Precision Immobilization Technique (PIT)** The intentional act of using a trooper's vehicle to physically force a fleeing vehicle from a course of travel in order to stop it. The PIT maneuver is a specific, technical maneuver which requires advanced practical training prior to use. When executed by properly trained members under reasonable and prudent circumstances, the PIT maneuver does not constitute deadly

force. In other circumstances, the PIT maneuver may constitute deadly force and may only be used when authorized by law.

- E. Roadblock – A physical blocking of the road with law enforcement vehicles, barricades or other obstructions to stop the pursued vehicle.
- F. Rolling Roadblock or "Boxing In" - A technique designed to stop a pursued vehicle by surrounding it with law enforcement vehicles and slowing all vehicles to a stop.
- G. Secondary Pursuit Unit - A sworn member operating a patrol car actively involved in the pursuit other than the primary unit.
- H. Serious Bodily Injury – Bodily injury that creates a substantial risk of death or causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
- I. Termination of a Pursuit – Any overt action taken by a member to end a pursuit. This includes the decision to discontinue the pursuit, roadblocks, tire deflating devices, PIT maneuvers or other actions. An incident report shall be completed for all pursuits in which a termination is attempted.
- J. Tire Deflating Device - Tire deflating spikes utilized to deflate a pursued vehicle's tires.

17.02.4 Procedures

- A. In determining the appropriateness, speed and extent of a pursuit, the sworn member must exercise great care to ensure that his or her actions are objectively reasonable. In doing so, members should consider the following:
 - 1. The nature of the offense committed by the suspect, the potential danger to the public if the suspect is not immediately apprehended and the probability of the suspect's arrest at a later date;
 - 2. The existing traffic conditions, road surface and width, weather, visibility, road familiarity, type of area (urban, residential, rural) or any condition that would create additional dangers for present traffic or the public;
 - 3. The limitations and conditions of both the sworn member, the patrol car, the patrol motorcycle, and
 - 4. Other factors that indicate the possible commission of a felony.
 - 5. Deadly force will only be used against a fleeing vehicle or its occupants as set forth in the Use of Force policy.
- B. Use of Emergency Warning Devices During Pursuit
 - 1. Blue lights and siren shall be used from the time the pursuit starts until the pursuit ends. Wigwags shall be used if equipped and operational.
 - a. The law permits sworn members who are engaged in pursuits to exceed the speed limit and to disregard other traffic regulations as necessary in apprehending the violator, but only:

- 1) If the emergency lights and siren are employed, and
 - 2) The officer exercises due regard for the safety of all persons.
- b. It is understood that the sworn member's ability to supervise or control other motorists is limited by the nature of existing circumstances, but troopers should avoid contributing to the danger that has already been created by the violating motorist.
- C. Pursuit Restrictions
1. Sworn members will not engage in pursuits under the following conditions when:
 - a. Emergency equipment or the radio is not functioning properly, or
 - b. An inmate(s) or person(s) in custody occupy his vehicle.
 2. When practical, video equipment should be operational during pursuits.
- D. General Pursuit Procedures
1. The primary pursuit unit will immediately notify a DPS Communications Center of the pursuit and give the following information, if possible:
 - a. Location and direction of travel;
 - b. Description of the pursued vehicle;
 - c. Number and description of occupant(s);
 - d. Any information concerning the use of firearms, threat of force, or other hazard,
 - e. Observed danger to public safety,
 - f. Options for terminating the pursuit (i.e. tire deflation devices and "boxing in"), and
 - g. Any need for assistance.
 2. Consideration for safety shall govern the number of units that participate in a pursuit.
 - a. A secondary unit should stay back a safe distance from the primary unit and handle all radio traffic.
 - b. If the primary unit is an unmarked car, it will yield the primary position to a marked patrol car as soon as practical.
 - c. If the primary unit is a patrol motorcycle, it will yield primary position to a marked patrol car. The patrol motorcycle will discontinue pursuit when a secondary patrol car becomes involved, but will proceed to the termination point of the pursuit to provide guidance and information required for arrest.

- d. In the event the pursuit crosses into another Post's territory, the primary unit, if possible, will yield the primary position to a sworn member who is more familiar with the roads.
- e. Unless approved by an appropriate supervisor, no more than three patrol cars should be engaged in the pursuit at one time. Other sworn members will not join in the pursuit, but shall monitor the progress of the pursuit and be prepared to assist by positioning themselves at possible intersecting routes and shall exercise due regard for the safety of all persons.
- f. In the event the patrol car, which initially engaged in the pursuit, has yielded the primary position to another patrol car, the initial car will proceed to the termination point of the pursuit to provide guidance and information required for arrest.

E. Terminating a Pursuit

1. Discontinuing a Pursuit

- a. The pursuit shall be discontinued if, in the sworn member's opinion, the risk of continuing outweighs the danger of permitting the suspect to escape.
 - 1) Under most circumstances the sworn member should exercise his discretion to discontinue a pursuit when:
 - a) The suspect is positively identified and there is no longer a need for immediate apprehension;
 - b) The pursued vehicle's location is no longer definitely known;
 - c) Emergency equipment or radio of the sworn member's vehicle fails to work properly;
 - d) Traffic volume and/or road conditions dictate that it is too hazardous for the pursuit to continue, and
 - e) A patrol motorcycle in a pursuit is unable to obtain assistance from a marked patrol car.
- b. A decision to discontinue a pursuit shall be reported immediately to the Communications Center and recorded on the Communications Log.

2. Tire Deflating Devices

- a. The use of tire deflating devices will be governed by sound professional judgment and only under the following circumstances:
 - 1) The sworn member has reasonable cause to believe the suspect has committed an offense justifying the suspect's arrest.
 - 2) The pursuing sworn member has attempted to apprehend the suspect by means of both a blue light and siren, and the suspect has ignored the attempt.
 - 3) The sworn member utilizing tire deflating devices has received training on the use of the devices. Only tire deflating devices, which have been

approved by the department, shall be utilized in accordance with the training received.

- b. When other law enforcement agencies request a sworn member to assist by using the Department's tire deflating devices, the provisions of this policy shall be followed.

3. Roadblocks

- a. Rolling roadblocks or "boxing in" may be used to stop a vehicle that refuses to stop for blue lights and siren.
 - 1) Members shall use extreme caution if passing the violator's vehicle, and/or when positioning the vehicles to execute the maneuver.
 - 2) This maneuver shall only be attempted when all units involved have received appropriate training in the use of this procedure, and when effective communications between the units is possible.
- b. Stationary roadblocks will be used only in extraordinary circumstances and only with the permission of an NCO or a commissioned officer. No stationary roadblock shall be set up on a hillcrest or in a curve. The roadblock must be visible from a sufficient distance to allow the suspect the opportunity to safely stop.

When setting up a roadblock, sworn member shall take measures to protect and warn other motorists. Whenever possible, a minimum of three units should be used: two units to block the lanes of travel and one to warn and direct traffic approaching from the opposite direction.

- c. Private vehicles shall not be used to establish a stationary roadblock.

4. PIT Maneuver

- a. If the trooper or troopers in the pursuit determine that the fleeing vehicle must be stopped immediately to safeguard life and preserve public safety, the PIT maneuver may be used.
- b. The PIT maneuver shall only be used by troopers in accordance with Department training received on the PIT maneuver.
- c. The PIT maneuver should not be used until other methods for stopping a fleeing vehicle (e.g. tire deflation devices and roadblocks) have been considered and determined to be not feasible.
- d. The PIT maneuver should be used only when the danger from the continued pursuit is greater than the danger associated with the using the maneuver to end the pursuit. Before the PIT maneuver is used, factors that affect the safety of using the technique should be considered. These factors include:
 - 1) Condition of the road:
 - a) Wet or dry
 - b) Width

- c) Divider or other obstruction
 - d) Roadside obstructions (trees, ditches, buildings, etc.)
- 2) Visibility:
- a) Distance ahead
 - b) Darkness
- 3) Traffic volume:
- a) Anticipated volume due to time of day (school hours, commuter traffic)
 - b) Actual volume based upon observation
- 4) Pedestrian traffic:
- a) Anticipated volume due to location (school or college nearby, industrial area)
 - b) Actual volume based upon observation
- 5) Type of fleeing vehicle:
- a) Pickup truck (high center of gravity, narrow wheel base)
 - b) Small car (narrow wheel base, small tires)
 - c) Van (high center of gravity, narrow wheel base)
- 6) Occupants:
- a) Number of people in the vehicle
 - b) Whether children are visible in the vehicle
 - c) Whether the occupants are wearing seatbelts
 - d) Whether the windows are down
- 7) Reasonable speed as determined by the following factors:
- a) Whether the violator is showing total disregard for public safety
 - b) Whether the violator is slowing but not stopping for stop signs or other traffic control devices
 - c) Whether the violator is darting at other vehicles
 - d) Whether the violator is driving on the wrong side of the road
 - e) Whether the violator is running other motorists off the road

- e. The PIT maneuver is considered a use of force and the trooper's individual actions must be objectively reasonable. The trooper will consider all the factors listed above, including his experience, his abilities, and the danger of continuing the pursuit. The PIT maneuver will only be executed when the need to stop the pursuit is immediate. The trooper must be able to articulate the reason for his actions.
 - f. The PIT maneuver shall not be used to stop a pursuit with a motorcycle or ATV.
5. Reporting and Review of Terminated Pursuits
- a. Whenever possible, the member who attempts to terminate a pursuit shall notify the Communications Center in the Post territory where the termination will occur prior to the attempt. In any event, the member, or another member involved in the pursuit, shall notify the Communications Center as soon as possible following the termination.
 - b. When a pursuit passes through multiple troops or regions, the Troop/Region/Unit Commander shall coordinate in the completion of all necessary paperwork. The report shall be filed by the most involved member. Copies of the report shall be maintained in all Troops/Regions/Units.
 - c. Terminated pursuits that do not result in a death or a serious bodily injury,
 - 1) The member using the technique shall complete an Incident Report on the terminated pursuit and submit it to his Post Commander. The original or a copy of any videotapes from units involved shall be submitted with the Incident Report.
 - 2) The report must be filed within twenty-four (24) hours after the pursuit.
 - 3) The Post Commander shall refer the report to his Troop Officer or Unit Commander.
 - 4) The Troop Officer or Unit Commander, after reviewing the report, shall conduct a meeting with the member who terminated the pursuit, an NCO in whose territory the pursuit was terminated, the member's immediate supervisor, and such other personnel as the Troop Officer or Unit Commander deems appropriate to critique the method of terminating the pursuit in that situation.
 - 5) A critique report evaluating the termination of the pursuit will be prepared by the Troop Officer or Unit Commander and sent to the Commanding Officer.
 - d. Terminated pursuit resulting in a death or a serious bodily injury
 - 1) Any member who terminates a pursuit resulting in a death or a serious bodily injury shall immediately notify his supervisor. The supervisor shall notify the Troop/Unit officer on duty, who shall notify the Commanding Officer.
 - 2) The member using the technique shall complete an Incident Report on the termination of the pursuit and submit it to his Post Commander. The

original or a copy of any videotapes from units involved shall be submitted with the Incident Report.

- 3) The report must be filed within twenty-four (24) hours after the pursuit.
- 4) The Troop/Unit officer will notify the Office of Professional Standards and the appropriate Specialized Collision Reconstruction Team.
- 5) The incident shall be investigated by the Office of Professional Standards.
- 6) The Office of Professional Standards will have the overall responsibility of investigating whether the termination of the pursuit was in accordance with this policy. The Specialized Collision Reconstruction Team will provide technical assistance and support to the Office of Professional Standards in conducting its investigation.
- 7) The crash scene should not be unnecessarily disturbed until the Specialized Collision Reconstruction Team has had an opportunity to view the site.
- 8) The Office of Professional Standards shall issue a report containing its findings on the investigation to the member's Troop Officer or Unit Commander.
- 9) The Troop Officer or Unit Commander, after reviewing the report, shall conduct a meeting with the member who terminated the pursuit, an NCO in whose territory the pursuit was terminated, the member's immediate supervisor, and such other personnel as the Troop Officer or Unit Commander deems appropriate to critique the method of terminating the pursuit in that situation.
- 10) A critique report evaluating the termination of the pursuit will be prepared by the Troop Officer or Unit Commander and sent to the Commanding Officer.
- 11) The Troop/Region/Unit Commander shall ensure that the member submits to a blood test in the following circumstances:
 - a) When there is contact between the member's vehicle and the injured/deceased party's vehicle, and/or
 - b) Any other circumstance deemed appropriate by the Troop/Region/Unit Commander or the Commanding Officer.
- e. A Troop or Unit Commander may request the assistance of the Office of Professional Standards and/or the Specialized Collision Reconstruction Teams to investigate any pursuit termination without regard to injuries or fatalities if he feels the situation warrants.
- f. Any termination of a pursuit which results in contact between the member's vehicle and the vehicle of the violator or another person shall be reported to the Post in whose territory the collision occurred. An NCO from that Post shall complete a crash report in accordance with Policy Statement 17.03, "Traffic Crash Investigations", Section 17.03.5(A).

- g. A member who terminates a pursuit resulting in death or serious bodily injury, may be placed on paid administrative leave for a minimum of three days or until approved for return to duty by Commanding Officer or Division Commander.
 - 1) This period of leave is intended to provide the department sufficient time to conduct an initial investigation of the incident and to provide the member time to participate in a post incident debriefing or seek professional counseling, if necessary.
 - 2) Placement on paid administrative leave, as outlined above, shall not be interpreted to imply the member has acted improperly.

6. Use of Firearms

a. General guidelines in pursuits:

- 1) Firearms will only be used against a fleeing vehicle or its occupants, when the sworn member reasonably believes the occupants of the fleeing vehicle are using deadly physical force against the sworn member or another person; or
- 2) In a life endangering situation, a Post/Station Commander or commissioned officer may authorize the use of firearms to terminate the pursuit, and
- 3) Sworn members are not required to retreat in lieu of the justifiable use of deadly physical force. Nevertheless, the use of deadly physical force must be objectively reasonable in light of the circumstances that faced the sworn member at the time of the incident. The sworn member must be able to articulate the reason for his actions.

7. Pursuit Apprehension

Once the fleeing vehicle is stopped, the suspect apprehended, and the situation is rendered passive, other sworn members will respond to or remain at the scene only upon the direction of a supervisor.

8. Pursuit Across State Lines

- a. Post Commanders of Posts bordering state lines should establish liaison with out-of-state law enforcement agencies in order to coordinate and develop contingency plans for pursuits that affect both states' jurisdictions.
 - 1) When a felon being pursued flees across the state line, the affected state will be notified as soon as possible. Upon entering the adjacent state, the sworn member will yield the primary pursuit position to the first law enforcement officer encountered in that state, but will remain as a secondary unit until a second unit of that same state is encountered. At such time, the sworn members will yield the secondary position to that unit and terminate their participation in the pursuit.
 - 2) When a person wanted for a misdemeanor flees across the state line, the sworn member shall terminate the pursuit and immediately notify the affected state.

9. Pursuits by Other Agencies

Sworn members shall not join in the pursuit unless requested to do so by the pursuing agency. When joining a pursuit initiated by another agency, sworn members shall obtain details regarding the origin and progress of the pursuit. The guidelines set forth in this policy shall apply.

F. Communication Center Responsibilities:

1. When notified that a pursuit is in progress, obtain and record all information possible, including vehicle model, make, color and tag number, description of driver, number of passengers, location and direction of travel;
2. Notify other DPS units and a supervisor that the pursuit is in progress;
3. Notify other agencies in the area, which may be needed to assist;
4. Control all radio communications and clear the radio of all non-emergency calls;
5. Coordinate and dispatch back-up assistance and air support units under the direction of the supervisor, and
6. If the pursuit enters a bordering state, notify law enforcement in that state.
7. Document all pertinent information about the pursuit.
8. When assistance is requested by another agency, obtain and record all available information regarding the origin and progress of the pursuit and notify troopers assisting.

G. Training Requirement

1. Sworn members shall not engage in a pursuit until they have successfully completed a Department-sponsored Emergency Vehicle Operations Course.
 2. All DPS personnel that operate a vehicle equipped with emergency equipment (lights/sirens) shall receive four hours of classroom training regarding pursuits each year.
 3. All Department law enforcement personnel shall retain a current copy of this policy and shall use the policy as a guideline as a basis for engaging in, continuing and terminating a pursuit.
- H. An annual analysis of all pursuit reports submitted shall be prepared at the end of each calendar year by the Technology Director or his designee. After the documented analysis is completed, the report shall be presented, in writing, to the Commissioner of the Department of Public Safety for their review. This information shall also be provided to the Board of Public Safety and the Training Division for their review.