



**OFFICE OF THE DIRECTOR OF POLICE
THE UNIVERSITY OF TEXAS SYSTEM
POLICY AND PROCEDURE MANUAL**



Subject			Policy Number
VEHICLE PURSUITS			714
Effective Date	Revision Date	Reevaluation Date	Number of Pages
September 20, 2011	October 1, 2020	Annually	9
Reference Standards		Rescinds or Amends Policy Number	
TPCA: 7.13, 7.14 CALEA: 41.2.2, 41.2.3, 41.2.4 IACLEA: 9.2.2, 9.2.3			

I. PURPOSE:

The purpose of this policy is to establish guidelines for involvement in vehicular pursuits and to guide an officer's discretion in such circumstances.

II. POLICY:

It is the policy of this agency that 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.

III. DEFINITIONS:

Authorized Emergency Vehicle: A vehicle of this agency equipped with operable emergency equipment as designated by state law.

Authorized Tire Deflation Device: A device designed and intended to produce a controlled deflation of one or more tires of a pursued vehicle and capable of safe operation consistent with this policy and that can be removed from the roadway quickly and safely after its use.

Avenue of Escape: A gap in a roadblock or other similar option which requires the violator to decrease the vehicle's speed to permit the violator to safely bypass the roadblock.

Blocking Vehicle: A motor vehicle, often a law enforcement vehicle, which is placed perpendicular to a roadway or angled in such a way as to create a roadblock.

Boxing In: The surrounding of a violator's vehicle with moving pursuit vehicles which are then slowed to a stop along with the violator's vehicle.

Divided Highway: A roadway which includes a physical barrier between traffic traveling in opposite directions.

Heading Off: An attempt to terminate a pursuit by pulling ahead of, behind or toward a violator's moving vehicle to force it to the side of the road or to otherwise come to a stop.

Pursuit Driving: An attempt by an officer operating an authorized emergency vehicle to apprehend one or more occupants of another moving vehicle when the officer reasonably believes that the driver of the fleeing vehicle is aware of the officer's attempt to stop the vehicle and is resisting apprehension by increasing vehicle speed, ignoring the officer or otherwise attempting to elude the officer.

Primary Unit: The police vehicle that initiates the pursuit or any unit that assumes the position of lead vehicle in the pursuit (immediately behind the suspect vehicle).

Roadblock: A restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a violator.

Secondary Unit: Any police vehicle which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

Street Paralleling: Driving a police vehicle on a street parallel to a street on which a pursuit is occurring.

Supervisory Unit: The supervisor controlling, monitoring, directing, or participating in the pursuit.

Supervisor: A police officer who, by virtue or rank or assignment, is responsible for the direction or supervision of the activities of other officers.

Vehicle Contact Action: Any action undertaken by the pursuing officer intended to result in contact between the police vehicle and the violator vehicle.

Vehicle Paralleling: A deliberate offensive tactic by one or more patrol vehicles to drive alongside the pursued vehicle while it is in motion.

Vehicular Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

Violator/Suspect: Any person who a police officer reasonably believes has committed an offense as identified in IV A 1 below and poses an immediate threat to the safety of the public or other police officers.

Violent Felonies: Offenses defined as felonies in the current Texas Penal Code and that 1) include the use of a deadly weapon; 2) or that resulted in bodily injury; 3) or there is reasonable belief to conclude that serious bodily injury will result if the suspect is not apprehended.

IV. PROCEDURES:

A. Initiation of pursuit:

1. The decision to initiate a pursuit will be limited to violent felonies or instances of impaired driving and must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
2. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when properly directed to do so, and the pursuit is otherwise justified under A(1) above.
3. In deciding whether to initiate pursuit, the officer shall take into consideration:
 - a. road, weather and environmental conditions;
 - b. population density and vehicular and pedestrian traffic;
 - c. the relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
 - d. the nature and seriousness of the offense;
 - e. the presence of other persons in the police vehicle; and
 - f. the availability of alternative means to effect an arrest of the suspect.

B. Primary Unit Responsibilities:

1. All emergency vehicle operations shall be conducted in strict conformity with applicable traffic laws and regulations.
2. Upon engaging in a pursuit, the pursuing vehicle shall activate appropriate warning equipment.
3. Upon engaging in pursuit, the officer shall notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The officer shall keep communications updated on the pursuit.

4. When engaged in pursuit, officers shall not drive with reckless disregard for the safety of other road users.

C. Secondary Unit Responsibilities:

1. The second officer in the pursuit is responsible for the following:
 - a. Immediately notify the dispatcher of entry into the pursuit.
 - b. Broadcast the progress of the pursuit unless the situation indicates otherwise.
2. The secondary unit should remain a safe distance behind the primary unit unless directed to assume the role of primary unit (e.g., the primary unit is unable to continue the pursuit).

D. Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles, a primary and a secondary unit. All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.

E. Supervisory Responsibilities:

1. When made aware of a vehicular pursuit, the controlling supervisory unit shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used, and shall have the discretion to terminate the pursuit.
2. The controlling supervisory unit shall continuously monitor the circumstances to ensure that the requirements for the pursuit (IV A 1) are met.
3. The controlling supervisory unit shall respond to the location where a vehicle has been stopped following a pursuit.

F. Communications Responsibilities

1. The primary dispatcher will close the channel for normal radio traffic. The channel will be used for the primary, secondary, and supervisory units assigned to the pursuit. The dispatcher will maintain radio discipline, accurately record the information provided by the pursuing units and cause it to be relayed to appropriate personnel to act on it as necessary to include, but not be limited to, first responder units when their specialty skills are deployed during a pursuit or at the pursuit's termination.
2. Communications personnel shall designate a controlling supervisor immediately.

3. Other information provided expeditiously by the primary dispatcher should include stolen information on the vehicle, offenses committed, and whether or not the vehicle is occupied by wanted person(s).
4. In addition, the Communications section will relay to the appropriate jurisdiction, upon learning from the pursuing units that a pursuit is inbound to the new jurisdiction, the following:
 - a. Inbound time.
 - b. Location and direction of the pursuit.
 - c. Reason for the pursuit and nature of violation.
 - d. Description of occupants and vehicle.
 - e. Number of units involved in the pursuit.
 - f. Whether or not assistance is needed.
 - g. When applicable, notify the agency when the pursuit is leaving their jurisdictional boundaries or location of termination.

G. Pursuit Tactics and Restrictions

1. Officers shall not normally follow the pursuit on parallel streets (street paralleling) unless authorized by a supervisor and when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic and it is reasonably believed that such a tactic will safely hasten the termination of the pursuit.
2. Vehicle paralleling is prohibited.
3. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit.
4. The use of unmarked police vehicles is prohibited.
5. When possible to do so safely and to diminish the likelihood of a pursuit, before initiating the pursuit the primary unit shall close the distance with the violator before activating audible or visible emergency equipment.
6. Police motorcycles may be used for pursuit in exigent circumstances and when weather and related conditions allow. They shall disengage when support from marked patrol vehicle units becomes available.

7. All intervention tactics short of deadly force such as tire deflation devices, low speed tactical intervention techniques, and low speed channeling (with appropriate advance warning) should only be used when it is appropriate and possible to do so in safety, the officers utilizing them have received appropriate training in their use and their use has been authorized in advance by a supervisor with knowledge of the pursuit.
8. Decisions to discharge firearms at or from a moving vehicle, or to use moving, fixed, or circle system roadblocks or other forcible stopping techniques shall be governed by this agency's use of deadly force policy, and are prohibited if they present an unreasonable risk to others. Absent extraordinary circumstances, the employment of these tactics shall be authorized in advance by a supervisor with knowledge of the pursuit.
9. In the extraordinary circumstances that a roadblock is otherwise appropriately employed, all pursuing vehicles must be made aware of the roadblock and so acknowledge, there must be adequate distance to see and react to the roadblock, there must be an escape option for the violator and there must be no one in the blocking vehicle.
10. No pursuits shall be conducted opposite the flow of traffic on a divided highway or against the traffic flow on one way roadways.
11. No attempt shall be made, absent extraordinary circumstances, to overtake or pass the violator's vehicle.
12. Boxing in of the violator vehicle is prohibited.
13. Heading off a violator vehicle is prohibited.
14. Upon approaching an intersection controlled by a traffic control device, or at any other location where there is a substantially increased likelihood of collision, the operator of any pursuit vehicle shall, prior to entering the intersection, reduce speed and control the vehicle so as to avoid any collision, then shall observe that the way is clear before proceeding.
15. Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall be aware of the necessity to utilize only reasonable and necessary force to take suspects into custody.

H. Termination of the Pursuit:

1. The primary pursuing unit shall continually re-evaluate and assess the pursuit situation including all of the initiating factors and terminate the pursuit whenever he or she reasonably believes the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
2. The pursuit may be terminated by the primary pursuit unit at any time.
3. A supervisor may order the termination of a pursuit at any time.
4. A pursuit must be terminated if the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension at a later time is feasible and reasonable.
5. The pursuit shall be terminated at any time the primary unit makes the determination that the danger to the pursuing officers or public outweighs the necessity for the pursuit.
6. The pursuit shall be terminated if the violator vehicle location is no longer known or the distance between the pursuing vehicles and the violator vehicle becomes so great that the pursuit is futile.
7. The pursuit shall be terminated if there is a person injured during the pursuit and there are no other police or medical personnel able to render assistance.
8. The pursuit shall be terminated if there is a clear and unreasonable danger to the officer or the public.

I. Inter-jurisdictional Pursuits:

1. The pursuing officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line.
2. Pursuit into a bordering state shall conform to the law of both states and any applicable inter-jurisdictional agreements.
3. When a pursuit enters this jurisdiction, the action of officers shall be governed by the policy of the officers' own agency, specific inter-local agreements and state law as applicable.

J. After-Action Reporting.

1. Whenever an officer engages in a pursuit, the officer shall complete form DP-26 as required.
2. The DP-26 form shall be critiqued by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies and forwarded to the Institution Chief.
3. The Institution Chief will review and critique the report and will forward to the Director of Police.
4. The Director of Police, or designee, shall conduct a documented annual analysis of police pursuit activity and identify any additions, deletions or modifications warranted in departmental pursuit procedures.

K. Training:

1. Officers who drive police vehicles shall be given initial training in the pursuit policy and this training shall be documented in department files.
2. Subsequently the pursuit policy shall be reviewed annually by all UTS officers and this training shall be documented in department files. Policy updates should be reviewed by all officers upon issuance with corresponding documentation.
3. Officers who drive police vehicles shall be given initial training in pursuit, emergency and safe driving tactics through a basic peace officer course. All officers should attend/complete refresher training in pursuit and safe driving tactics annually with corresponding documentation. Annual training can consist of on-line safe driver courses, institutional compliance training on defensive driver training (classroom or on-line) or physical attendance at a defensive driving, safe driving or police pursuit training class (Emergency Vehicle Operations Course such as National Academy for Professional Driving or Texas A&M Engineering Extension Service {TEEX}).



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Changes/Amendments since last publication:

Revisions to Paragraph IV. K to require annual review of policy by all UTSP officers. October 1, 2020

Clarification of the definition of “Violent Felonies” in Paragraph III and Training Requirements in Paragraph IV.K.2. November 12, 2019.

Revisions to Paragraph IV. K. to clarify training requirements.

March 28, 2014

IACLEA Reference Standards updated

Paragraph III. DEFINITIONS, definitions are now alphabetized

Paragraph IV. B. formerly Pursuit Operations renamed Primary Unit Responsibilities

Paragraph IV. C. Secondary Unit Responsibilities added

Paragraph IV. J. 4. Amended to require a documented annual analysis by ODOP of pursuit activity.