

Columbus Police Division Directive	EFFECTIVE	NUMBER
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<b>Vehicular Pursuits</b>		



**Cross Reference: 5.01, 5.04, 7.02, 10.02, 10.15, Ohio Revised Code**

## I. Definition

### A. Vehicular Pursuit

The following of a motor vehicle whose operator is attempting to elude or flee from a police officer after having received an officer's visible and/or audible signal to stop the vehicle.

## II. Policy Statements

A. A respect for human life shall guide officers in determining whether to engage in or terminate a vehicular pursuit. Officers shall act within the boundaries of legal guidelines and Division policy when engaging in a vehicular pursuit.

B. Sworn personnel shall terminate a pursuit if the immediate danger of initiating or continuing the pursuit is greater than the immediate or potential danger to the public if the suspect remains at large.

### C. Reasons for Vehicular Pursuits

1. Sworn personnel may only engage in vehicular pursuits when:

a. There is reasonable, articulable suspicion:

- (1) The driver or occupant attempted, threatened, or inflicted serious physical harm to a person; or
- (2) The driver or occupant displayed, threatened to use, or used a deadly weapon; or
- (3) The driver or occupant committed, or has an active felony warrant for, an offense involving serious physical harm to a person; or
- (4) The vehicle contains evidence of a crime involving serious physical harm to a person.

b. The driver's actions create an immediate danger to human life that is greater than the potential danger of pursuing the suspect. Fleeing, in and of itself, does not constitute a danger to human life for the purpose of this section.

### D. Circumstances Excluded as Vehicular Pursuits

1. The interim period when an officer may be utilizing Emergency Vehicle Operations (EVO) in an attempt to catch up to a suspect vehicle in an effort to give an initial signal to stop.

2. The interim period after an officer first initiates a signal to stop the vehicle, and the operator does not immediately respond but demonstrates no evidence of eluding or fleeing.
- E. Sworn personnel engaged in a vehicular pursuit shall have their emergency equipment activated.
- F. A supervisor shall be assigned to manage a pursuit as soon as possible by either acknowledging the dispatcher's request or by taking responsibility on the air. The managing supervisor, once identified, shall manage the incident until its conclusion.
- G. When a pursuit is not permissible or has been terminated, sworn personnel shall deactivate EVO equipment and obey all traffic laws.
- H. If a passenger is onboard a police vehicle, and unless exigent circumstances dictate, participating in a vehicular pursuit is not authorized unless the passenger is a:
  1. Sworn law enforcement officer,
  2. Columbus City official or employee riding in an official capacity,
  3. Columbus Division of Police **Cadet or Public Safety Corps Member** or
  4. Adult civilian who has signed a Citizen Ride Along Request/Release, form U-10.119.

Note: If possible, involved sworn personnel with a civilian passenger shall relinquish involvement to another unit as soon as safe and practicable.

- I. Up to three police vehicles (a primary, second, and third unit) may initially become actively involved in a pursuit unless otherwise specifically authorized or prohibited by the supervisor assigned to manage the pursuit. The purpose of the second and third units is to provide backup for the primary unit.
- J. Sworn personnel shall not relinquish control of Division-initiated pursuits to any other law enforcement agency while within the city limits of Columbus.
- K. Sworn personnel shall not become involved in a vehicular pursuit initiated by a foreign agency unless assistance is specifically requested by the initiating agency and the pursuit conforms with Division policy. A Division supervisor shall manage the Division's involvement in such a pursuit.
- L. Sworn personnel shall not engage in a vehicular pursuit of a driver traveling the wrong way on the freeway unless:
  1. The use of deadly force is justified; or
  2. Other resources and/or strategies can not reasonably be utilized.

- M. Sworn personnel should only respond to the area of a vehicular pursuit on their precinct. If responding, officers shall use EVO when violating traffic laws.

Note: Freeway units may only respond to the area of a vehicular pursuit on the zone where they are currently patrolling.

#### N. Authorized Vehicles

1. A marked police vehicle with operable lights and siren should be used when participating in a vehicular pursuit. Marked cruisers shall take precedence over any other marked unit.
2. Under exigent circumstances or when authorized by a sworn supervisor, sworn personnel may use other police vehicles to participate in a vehicular pursuit. Vehicles without emergency equipment shall relinquish involvement to a vehicle with emergency equipment as soon as safe and practical.
3. Sworn personnel, such as SWAT, operating any unit other than a marked cruiser shall relinquish their involvement to personnel in a marked cruiser and disengage from the pursuit as soon as safe and practical, unless authorized by the managing supervisor.

#### O. Documentation and Review

1. A zone or traffic lieutenant shall conduct an administrative investigation of a vehicular pursuit, including each unit actively engaged and any stopping tactics used or attempted during the pursuit, that does not result in a fatality or injuries likely to cause death.
2. **A vehicular pursuit which results in a fatality or injuries likely to cause death shall be referred to an independent agency for investigation.**
3. The Critical Incident Response Team (CIRT) **may** investigate a **foreign agency's** vehicular pursuit that results in a fatality or injuries likely to cause death **provided no Division personnel are actively engaged**, and the Accident Investigation Unit (AIU) shall process the scene.
4. The SWAT Section Lieutenant should conduct an administrative investigation of vehicular pursuits initiated by and/or involving SWAT units.

### III. Procedures

#### A. Vehicular Pursuit

1. Primary Unit
  - a. Upon initiating a pursuit, immediately advise the dispatcher of the:
    - (1) Cruiser/call number,
    - (2) Reason for the pursuit,
    - (3) Location and direction of travel,
    - (4) Description of vehicle being pursued, and
    - (5) Pursuit speed.
  - b. Keep other officers and the dispatcher advised of the location, direction, and description of the fleeing vehicle and the pursuit speed until the helicopter is in position to take over airing the pursuit.

- 2. Additional Units**
    - a. Notify radio of involvement and position.
    - b. Enter the pursuit behind the primary unit. Do not pass the primary unit unless it cannot continue the pursuit or relinquishes its position.
    - c. Back up the primary unit.
  - 3. Pursuit Units**
    - a. Activate the Body-Worn Camera (BWC) at the start of the pursuit.
    - b. Keep the radio volume turned up to hear instructions from the supervisor assigned to manage the pursuit.
    - c. Drive defensively.
    - d. If the helicopter crew has the fleeing vehicle in sight:
      - (1) Reduce speed, and
      - (2) Avoid using the radio unless assistance is requested by the helicopter crew or information is requested by the supervisor assigned to manage the pursuit.
  - 4. Dispatcher**
    - a. As soon as possible after a vehicular pursuit is initiated, assign a supervisor to direct and manage the pursuit, or acknowledge the supervisor who is managing the pursuit.
      - (1) Advise the supervisor of the stated reason(s) for the pursuit.
      - (2) If the pursuit was initiated by a foreign agency, advise the supervisor whether the assistance of the Columbus Division of Police was requested by the pursuing agency and all other known information.
    - b. Notify the helicopter crew if available.
    - c. Avoid transmitting non-emergency information.
    - d. Use available information to ascertain the possible identity of the fleeing suspect(s).
    - e. Once the helicopter crew becomes involved in the pursuit:
      - (1) Advise other units to relinquish the air except:
        - (a) For emergency use, or
        - (b) To broadcast essential information requested by the supervisor assigned to manage the pursuit.
      - (2) Allow the helicopter crew to direct information to involved units.
      - (3) Monitor information aired by the helicopter crew.
  - 5. Helicopter Crew**
    - a. When in position to direct pursuits from the air:
      - (1) Provide information regarding location, direction, description, and speed estimates of the fleeing vehicle.
- Note: If equipped with a gimbal camera and recording device, the Tactical Flight Officer should activate the equipment during the pursuit.

- (2) Transmit relevant conditions such as vehicular and pedestrian traffic.
  - (3) Advise the supervisor of unassigned units that are actively engaged in the pursuit and/or in the area of the pursuit.
  - (4) Direct other units to key positions in the event the suspect vehicle eludes the pursuing vehicles or the suspect flees on foot.
  - (5) If the vehicle stops, advise units of the location, suspect(s) description, number of occupants exiting the vehicle, possession of weapons if observed, and other relevant information.
- b. If the pursuit is terminated, keep units advised of the location and direction of the fleeing vehicle to allow units to remain in the area of the vehicle unless ordered to cancel by a supervisor.
6. Managing Supervisor
- a. Direct and manage the pursuit until its conclusion.
  - b. Ensure pursuit speeds are updated.
  - c. Ensure the appropriate number of units are assigned to the pursuit, giving consideration to:
    - (1) The reason for the pursuit,
    - (2) The number of suspects in the vehicle,
    - (3) Knowledge that the suspect is armed,
    - (4) The use of stopping tactics,
    - (5) Any authorized pursuing unit that becomes inoperable or should relinquish involvement, and
    - (6) Any additional information.
  - d. Obtain information about the amount of pedestrian and vehicular traffic in the area of the pursuit if possible.
  - e. If a crime scene possibly exists, direct unit(s) to the scene(s) in order to gain information.
  - f. Advise the dispatcher to notify foreign agencies, as appropriate, of vehicular pursuits near their jurisdictions. Request the foreign agency's assistance if deemed necessary.

B. Termination of Vehicular Pursuits

1. Pursuit Units and Managing Supervisor
- a. Consider the following in determining whether to terminate a pursuit:
    - (1) The need for an immediate apprehension or the probability of the suspect being identified and/or arrested at a later time
    - (2) Reason for the pursuit
    - (3) Seriousness of the crime
    - (4) Identity of suspect is known
    - (5) Driver's/suspect's actions
    - (6) Pedestrian and vehicular traffic density

(7) Road surface and weather conditions

Note: Even good weather can create sudden hazards, such as driving toward a morning or evening sun.

(8) Inability to air location and direction of travel without diverting an undue amount of attention from driving

## 2. Primary Unit

a. Terminate the pursuit if:

- (1) The reason for the pursuit does not follow established policy,
- (2) The immediate danger of the pursuit is greater than the immediate or potential danger to the public if the suspect remains at large,
- (3) The distance between the pursuing vehicle and the violator's vehicle becomes so great that further pursuit is futile, or
- (4) Ordered to do so by a supervisor or advised by a dispatcher.

## 3. Managing Supervisor

a. Terminate the pursuit if:

- (1) The reason for the pursuit does not follow established policy, or
  - (2) Based on information available at the time, you determine the immediate danger of the pursuit is greater than the immediate or potential danger to the public.
- b. Upon termination, advise all units of actions to be taken. For example, stay in the area or take an overt disengagement maneuver.

## 4. Helicopter Crew

- a. Terminate the pursuit if observation of the pursuit and available information indicate the danger of pursuit is greater than the immediate or potential danger to the public or other officers if the suspect remains at large.
- b. Discontinue observation and airing suspect location of the fleeing vehicle if ordered to do so by a supervisor.

## 5. Ground Units

Upon termination, immediately disengage from the pursuit.

## 6. Dispatcher

Upon termination of a vehicular pursuit, broadcast the termination on all Patrol zone channels.

# C. Post-Pursuit Actions

## 1. Involved Personnel

### a. Pursuit Units

Complete a Vehicular Pursuit Involvement Summary, form U-10.200, and forward it to the managing supervisor.

### b. Managing Supervisor

Complete a Vehicular Pursuit Involvement Summary and forward it with the officer's completed summary to the investigating lieutenant.

**2. Immediate and/or Managing Supervisor**

Conduct a debriefing with involved officers as soon as possible to resolve any questions regarding the pursuit and to identify areas for improvement.

**3. Investigating Lieutenant**

- a. Conduct an administrative investigation in accordance with the procedures outlined in the Supervisor's Manual.
- b. Forward the original and two copies of the investigative packet through your commander to the Pursuit Review Committee Chairperson.

**4. Investigating Lieutenant's Commander**

- a. Review the investigative packet for completeness only, and return it if further information is needed.

Note: No recommendations should be made until the incident has been reviewed by the Pursuit Review Committee.

- b. Forward the investigative packet to the Pursuit Review Committee Chairperson.

**5. Pursuit Review Committee**

- a. Review all information concerning the vehicular pursuit and/or use of a stopping tactic during a pursuit.
- b. Make a recommendation whether the vehicular pursuit incident, including each unit actively engaged and any stopping tactic(s) used or attempted during the pursuit, was within Division policy.

- (1) The majority opinion is the final recommendation of the committee.
- (2) Attach a letter to the investigative packet outlining the committee's recommendation.
- (3) Attach any dissenting opinions, to include a letter of finding, to the investigative packet.

- c. Forward the investigative packet to the involved personnel's commander.

**6. Involved Personnel's Chain of Command**

- a. Review the vehicular pursuit and/or use of a stopping tactic during the pursuit and the recommendation of the Pursuit Review Committee.
- b. Make a recommendation regarding conformance with Division policy and, when appropriate, a recommendation concerning disciplinary action to be taken. Consider only information available to involved personnel at the time of the pursuit.
- c. Forward the investigative packet through the chain of command to the involved personnel's commander.

## **7. Involved Personnel's Commander**

- a. Review the investigative packet and make a determination concerning the incident.

Note: If the incident involves a serious injury, or if the recommendation of the involved personnel's commander is in disagreement with the findings of the Pursuit Review Committee, forward the investigative packet to the involved personnel's deputy chief for a final determination.

- (1) If the vehicular pursuit and/or use of stopping tactic during the pursuit is within policy, forward the investigative packet to the Pursuit Recording Secretary for processing, and notify the involved personnel of the decision.
- (2) If the vehicular pursuit and/or use of stopping tactic during the pursuit is not within policy, make a determination concerning the disciplinary action to be taken, and forward the investigative packet through the involved personnel's chain of command for review and follow-through.
- (3) Upon receipt of the chain of command's discipline recommendation, make a determination concerning the disciplinary action to be taken and forward the investigative packet to the deputy chief for review.

## **8. Involved Personnel's Deputy Chief**

- a. Make a final determination regarding compliance with Division policy when the incident involves a serious injury or the findings of the involved personnel's commander are in disagreement with the Pursuit Review Committee.

- b. Forward the investigative packet to the involved personnel's commander.

## **9. Immediate Supervisor**

- a. Upon determination by the commander or deputy chief that the vehicular pursuit and/or use of stopping tactic during the pursuit was not within policy:
  - (1) Issue the discipline, and
  - (2) Forward the investigative packet through the chain of command to the Pursuit Recording Secretary for processing.

## **10. Pursuit Recording Secretary**

- a. Forward a copy of both the Vehicular Pursuit Report and Routing Sheet, form A-10, to the Pursuit Review Committee Chairperson for review.
- b. Forward a copy of the Vehicular Pursuit Report to the individual designated by the Pursuit Review Committee Chairperson to gather annual vehicular pursuit statistics.
- c. Forward the original Vehicular Pursuit Report and investigative packet to the:
  - (1) Human Resources Bureau if discipline was issued, or
  - (2) Internal Affairs Bureau for filing if no discipline was issued.

**11. Pursuit Review Committee Chairperson**

Review the chain of command comments and Vehicular Pursuit Report as appropriate.

**12. Human Resources Bureau**

- a. Remove and maintain original disciplinary documentation from the investigative packet in accordance with the appropriate collective bargaining agreement.
- b. Forward the remainder of the investigative packet to the Internal Affairs Bureau for filing.

**13. Internal Affairs Bureau**

Maintain the original Vehicular Pursuit Report and investigative packet.

**D. Annual Pursuit Analysis and Assessment**

- 1. Pursuit Review Committee Chairperson and/or Designee**
  - a. Gather statistics annually of all vehicular pursuits and/or the use of a stopping tactic during a pursuit.
  - b. Complete a documented annual pursuit analysis using the statistics provided by the designee and a documented assessment of policies, procedures, training, and reporting.
  - c. Forward the analysis and assessment to the Chief of Police for approval.
- 2. Chief of Police**
  - a. Review the annual pursuit analysis and assessment.
  - b. Forward copies of the approved analysis and assessment to the Professional Standards Bureau Commander and the Training Bureau Commander, and provide additional direction as appropriate.
- 3. Professional Standards Bureau Commander**

Review the annual pursuit analysis and assessment to develop policy for the Division as directed by the Chief of Police.
- 4. Training Bureau Commander**

Review the annual pursuit analysis and assessment to develop annual training and annual testing for the Division as directed by the Chief of Police.

**E. Filing Felony Fleeing Charges**

- 1. Accident Investigation Unit**
  - a. Assist officers with the necessary paperwork when filing felony fleeing charges.
  - b. Present the felony case to the Grand Jury.