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DEPARTMENT OF NATURAL RESOURCES	EFFECTIVE DATE	5/30/95
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SUBJECT: Vehicle Pursuit		
Ted Stewart, Executive Director		

I. PURPOSE

To define the policy of the Department of Natural Resources regarding vehicular pursuit and apprehension of individuals by department law enforcement personnel.

II. POLICY

Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, officers and suspects involved in the pursuit. It is the policy of the department to protect all persons' lives to the extent possible when enforcing the law. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. To effect these obligations, it shall be the policy of the department to regulate the manner in which vehicular pursuit is undertaken and performed.

Designated department officers trained in Emergency Vehicle Operation shall be authorized to conduct pursuits in compliance with Title 41-6-14, Utah Code Annotated, using sound professional judgment and the procedures outlined in this policy. (See attached copy of statute.)

III. RATIONALE

The purpose of vehicular pursuit is to apprehend suspects who are attempting to avoid apprehension through evasive tactics. The decision to initiate pursuit must be based on good judgment tempered with common sense and foresight of potential hazards.

IV. DEFINITIONS

- A. Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend fleeing suspects who are attempting to avoid apprehension through evasive tactics.
- B. Emergency Vehicle Equipment: All emergency equipment available, to include: red and blue lights, siren and headlights.

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- C. Primary Unit: The officer initiating the pursuit or the officer who assumes the role of managing the pursuit in the event that the original officer is unable to continue the pursuit.
- D. Backup Unit: Enforcement units assisting the primary unit.
- E. Termination of Pursuit: When all pursuit measures are stopped.
- F. Tire Deflating Device: Tire deflating spikes utilized to deflate the tires of a suspect's vehicle.
- G. Unmarked Vehicle: A law enforcement vehicle that does not display departmental insignias, but has an operable red and blue light and siren.
- H. Roadblock: Establishing a physical impediment to traffic as a means for stopping a vehicle using signs, devices, actual physical obstructions or barricades.
- I. Ramming: The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

V. PROCEDURES

- A. Initiation of pursuit.
  - 1. The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the public created by the pursuit is minimal and that pursuit is necessary to apprehend the suspect(s).
  - 2. Any department law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when both of the following criteria are met:
    - a. The suspect operating the vehicle refuses to stop at the direction of the officer and
    - b. The suspect exhibits the intention to avoid the officer by using a vehicle to flee apprehension for an alleged felony or misdemeanor.

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3. The pursuing officer shall consider the following factors in determining whether to initiate or continue pursuit:
  - a. Performance capabilities of the pursuit vehicle.
  - b. Condition of the road surface upon which the pursuit is being conducted.
  - c. Amount of vehicular and pedestrian traffic in the area.
  - d. Weather conditions.
  - e. Offense for which the subject will be pursued, including the danger to the public if the subject is not immediately apprehended.
  - f. Any potential or existing hazards.
  - g. Familiarity with the area and road.
  - h. Any other pertinent factors.
  - I. Age of violator (i.e., juvenile).
4. Unmarked units will relinquish the pursuit to a marked unit as soon as practical.

B. Pursuit officer responsibilities.

1. The pursuing officer shall immediately activate all emergency equipment prior to beginning pursuit.
2. The pursuing officer shall immediately notify communications center personnel that a pursuit is underway. The officer shall provide communications personnel with the following information.

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- a. Unit identification.
  - b. Location, speed and direction of travel of both vehicles and the driving pattern of the suspect vehicle.
  - c. Description and license plate number, if known, of the fleeing vehicle.
  - d. Number of occupants in the fleeing vehicle, and descriptions, where possible.
  - e. Reasons supporting the decision to pursue.
  - f. What is known about the suspect or his actions.
3. Officers engaged in pursuit shall, at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
  4. Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect.
  5. No more than one other unit should engage in the pursuit unless and until requested by the initiating officer.
  6. Backup units shall be limited to one unless otherwise specified by a supervisor.
  7. All units involved in the pursuit should operate on the statewide radio channel.
  8. The primary unit shall control tactical operations and will be responsible for broadcasting radio communications.
  9. There shall be no ramming or blocking the pursued vehicle.

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10. All units shall maintain an adequate distance to ensure adequate reaction and braking time.
11. When approaching or entering an intersection controlled by a semaphore or a stop sign all officers shall slow their vehicles to a speed considered reasonable and which would allow them to bring their vehicle to a complete stop at a red light or sign prior to entering the intersection, if necessary. If the light is green, the officer shall slow the vehicle to a speed that is consistent with reasonable care.
12. Roadblocks are prohibited unless the circumstances would otherwise warrant the use of deadly force. If a roadblock is established, officers must:
  - a. Allow the suspect vehicle reasonable stopping distance,
  - b. Provide reasonable escape route for the suspect's vehicle and
  - c. Reasonably ensure the safety of non-involved pedestrians and motorists.
13. Department officers who are engaged in a pursuit may employ tire deflating spikes where continued movement of the pursued vehicle would result in an increased hazard to others.

Circumstances permitting, backup units will normally attempt to establish at least one location where a visible presence of a law enforcement officer, or officers, is apparent to the suspect. This will be done in an effort to make the suspect fully aware of law enforcement's command to stop and their attempts to apprehend. Should the suspect fail to stop, or if the pursuing officer or a supervisor has reason to believe that the continued movement of the pursued vehicle will place the driver and/or others in imminent danger or serious bodily harm or death, the backup units may utilize approved tire deflating spikes in order to bring the suspect vehicle to a stop.

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14. Officers shall not discharge a firearm at or from a moving vehicle unless the use of deadly force is justified and both of the following requirements can be met:
  - a. There is a substantial likelihood that the projectile will not strike any person other than the suspect.
  - b. The risk of the suspect vehicle going out of control after being hit is less than the risk of the suspect not being captured immediately.
15. The primary pursuit unit shall reduce the level of pursuit to that of support or backup unit where:
  - a. The fleeing vehicle comes under the surveillance of an air unit or
  - b. Another vehicle has been assigned primary pursuit responsibility.
16. Any primary or backup unit sustaining damage to, or failure of essential vehicular equipment during pursuit shall not be permitted to continue in the pursuit. The unit shall notify communications so that another unit may be assigned to the pursuit.
17. Pursuit with passengers is prohibited. Officers shall not engage in pursuits when their vehicle is occupied by prisoners, suspects, complainants, witnesses or any other persons who are not a peace officer. This prohibition applies whether or not the passenger has signed a waiver of liability.

C. Pursuit termination considerations.

1. A decision to terminate pursuit may be the most rational means of preserving lives and property of the public, and the officers and suspects engaged in pursuit. Pursuit may be terminated by the primary pursuing officer or a supervisor.

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2. Notify dispatch that the pursuit is being terminated, pull to the right shoulder of the highway and turn off lights and siren.
3. Pursuit shall be immediately terminated in any of the following circumstances:
  - a. Weather, speed or traffic conditions substantially increase the danger of pursuit beyond the worth of apprehending the suspect.
  - b. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile.
  - c. The danger posed by continued pursuit to the public, the officers or the suspect is greater than the value of apprehending the suspect(s).
  - d. The pursued subject can be positively identified and there is no longer a need for immediate apprehension.
  - e. Visual contact with the pursued vehicle is lost for a significant amount of time.
  - f. A supervisor directs termination of the pursuit.
  - g. Violator proceeds the wrong way on a limited access highway or one-way road and
  - h. At the state line unless exigent circumstances exist.
4. In cases where no supervisor is present, a backup unit may recommend termination of the pursuit.
5. Officers who voluntarily terminate a pursuit shall not be subject to disciplinary action.

#### VI. MEDICAL ASSISTANCE

In the event any person is injured during the course of the pursuit, the involved officer(s) shall immediately provide, or

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make arrangements for providing medical care. The care for human life will exceed the need to capture a fleeing suspect in the vast majority of situations. If the pursuit must be continued, the pursuing officer(s) must make arrangement via radio to provide victim(s) alternate care.

## VII. PURSUIT - OTHER AGENCIES OR JURISDICTIONS

### A. Assisting other agencies.

1. Department officers will not assist in active pursuit unless requested by the pursuing agency.
2. At no time will department units become actively engaged in a pursuit if two vehicles from another agency are already in active pursuit.
3. If the pursuing agency is joined by department units and the agency's backup unit arrives to assist, department units will terminate active pursuit and cease emergency operations.
4. Department officers who may be requested to assist another agency in a pursuit are required to comply with department policy at all times regarding pursuit operations irrespective of what is required by the other agency.

### B. When department initiated pursuits enter other jurisdictions the following will apply:

1. The primary officer will advise communications that the pursuit is entering another jurisdiction.
2. Communications will notify the involved jurisdiction.
3. If the agency with jurisdictional authority joins in active pursuit, the backup unit will discontinue pursuit and cease emergency operations. If two units from the other agency join the pursuit all department units will terminate their pursuit and cease emergency operations. (At no time will department units be involved in pursuits when two police units from another agency are already involved.)

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C. When other agencies become involved in department initiated pursuits, the following shall apply:

1. If another agency becomes involved in the immediate pursuit, the department backup unit will terminate emergency operations.
2. The primary unit will, if possible, advise communications of the identity of the other agencies involved so that communications can make contact and begin communications with the involved agency.

#### VIII. SUPERVISORY RESPONSIBILITIES

A. After being notified of a department pursuit, a supervisor shall:

1. Ensure proper radio channels and procedures are in use.
2. Ensure tactics are in conformance with department policy.
3. Ensure only the necessary number of units are involved.
4. Consider aborting the pursuit if cause exists.
5. Ensure post-incident notifications.
6. Ensure that proper written reports are completed and forwarded to the appropriate supervisor.

B. The supervisor should proceed to the termination point of the pursuit and provide appropriate assistance and supervision at the scene, when practical.

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IX. COMMUNICATION CENTER RESPONSIBILITIES

Upon notification that a pursuit is in progress, communications personnel shall immediately advise a field supervisor of essential information regarding the pursuit.

X. REQUIRED REPORTS

- A. The initiating officer and any backup unit will submit a report of the event to their immediate supervisor within two days of the pursuit.
- B. Any other department officer who became involved in any way with the pursuit will submit a report within two days.
- C. The immediate supervisor will complete a pursuit evaluation form. The involved officer's reports and the evaluation form will be reviewed by the appropriate regional or headquarters office for determination as to whether the pursuit was appropriate under department policy.

XI. DISCIPLINE

Department officers who fail to comply with this policy may be subject to administrative discipline irrespective of whether property damage or personal injury has resulted.

XII. TRAINING REQUIREMENT

Officers shall not engage in a pursuit until they have received a copy of and been trained in the department pursuit policy. Officers shall also be required to attend an annual course that specifically covers the department's pursuit policy.

XIII. DESIGNATED OFFICE AUTHORIZATION

Only department officers designated by their division director shall be trained and authorized to initiate or participate in pursuits.

**UTAH DEPARTMENT OF NATURAL RESOURCES  
PURSUIT EVALUATION FORM**

CASE NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

DIVISION: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_

TOTAL UNITS INVOLVED: \_\_\_\_\_

TIME: START: \_\_\_\_\_ END: \_\_\_\_\_ DURATION: \_\_\_\_\_

PRIMARY OFFICER: \_\_\_\_\_

BACKUP OFFICER: \_\_\_\_\_

VEHICLE NUMBER: \_\_\_\_\_

TYPE OF UNIT (CIRCLE): MARKED CAR UNMARKED CAR

SUSPECT'S NAME: \_\_\_\_\_

APPREHEND:  YES  NO CHARGES: \_\_\_\_\_

ALCOHOL INVOLVED:  YES  NO

INITIAL VIOLATION: \_\_\_\_\_

GEOGRAPHICAL AREA(S) INVOLVED (CIRCLE): RESIDENTIAL BUSINESS

HIGHWAY INDUSTRIAL MAIN THOROUGHFARE RURAL

OTHER: \_\_\_\_\_

DISTANCE TRAVELED (APPROXIMATE): \_\_\_\_\_

TRAFFIC CONDITIONS (CIRCLE): LIGHT MEDIUM HEAVY

ROAD CONDITIONS (CIRCLE): DRY WET FLOODED SNOW ICE

MAXIMUM PURSUIT SPEEDS SUSPECT: \_\_\_\_\_ MPH \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ MPH \_\_\_\_\_

DAMAGE: STATE VEHICLE: \_\_\_\_\_ SUSPECT VEHICLE: \_\_\_\_\_

INJURY: STATE VEHICLE: \_\_\_\_\_ SUSPECT VEHICLE: \_\_\_\_\_

PURSUIT CRITIQUE AND RECOMMENDATIONS: \_\_\_\_\_