


<p><b>RABUN COUNTY SHERIFF'S OFFICE</b></p>  <p><b>General Order Number: 4.45</b></p>	<p><b>Date of Issue</b></p> <p><b>2/23/2016</b></p>	<p><b>Effective Date</b></p> <p><b>2/23/2016</b></p>	<p><b>Revision Date</b></p> <p><b>07/26/2017</b></p>
<p>Subject: <b>VEHICLE PURSUIT</b></p>	<p>Amends:</p>	<p>Rescinds:</p>	
<p>Index as: General Policies and Procedures Vehicle Pursuit</p>	<p>State Certification Standards: 1.12, 5.6</p>		

Special Instructions:

**4.45.1 Purpose**

To maximize the safety of the deputy, the safety of the motoring public, and to minimize exposure to liability. With this in mind, this policy shall serve as a framework for deputies 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.

**4.45.2 Policy**

Sworn members of the Office are expected to make reasonable efforts to apprehend violators who flee or otherwise attempt to elude. However, the Office 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 interest is required. Deputies, in the performance of their duty, must use only the force that is reasonable necessary to bring an incident under control. It is paramount that deputies exercise prudent and sound judgement in their actions when engaging in pursuits. Deputies 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.

#### 4.45.3 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.
- 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 deputy 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 that 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 created 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.
- J. Tire Deflating Device – Tire deflating spikes utilized to deflate a pursued vehicle’s tires.

#### 4.45.4 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 and the patrol car, 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.
  - 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:
    - i) If the emergency lights and siren are employed, and
    - ii) The deputy exercises due regard for the safety of all persons.
  - b. It is understood that the sworn member's ability to supervise or control other motorist is limited by the nature of existing circumstances, but deputies should avoid contributing to the danger that has already been created by 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. Video and audio equipment, when equipped, shall be utilized during pursuits.
3. As deputies involved in pursuits should be concentrating on traffic conditions and their own driving, and blinding the driver of the vehicle being pursued necessarily makes his driving more dangerous, the use of spotlights during the vehicle pursuits is prohibited.

#### D. General Pursuit Procedures

1. The primary pursuit unit will immediately notify the 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. Initiation of a termination method;
  - g. Any need for assistance;
  - h. Speed of vehicles;
  - i. Current charges on driver, and
  - j. The jurisdiction of the chase as the chase enters different jurisdictions.
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. In the event the pursuit crosses into another jurisdiction, the primary unit, if possible, will yield the primary position to local deputy who is more familiar with the roads.
- d. Unless approved by an appropriate supervisor, no more than three patrol cars should be engaged in the pursuit at one time. Other deputies will not join in the pursuit, but shall monitor the progress of the pursuit and be prepared to assist by positioning themselves at possible intersections routes and shall exercise due regard for the safety of all persons.
- e. 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.

#### **4.45.5 Terminating a Pursuit**

##### **A. Discontinuing a Pursuit**

1. The officer in pursuit shall be responsible for constantly evaluating the situation, environment, and events to determine if the chase should be discontinued.
  - a) Under most circumstances the sworn member should exercise his discretion to discontinue a pursuit when:
    - i) The suspect is positively identified and there is no longer a need for immediate apprehension;
    - ii) The pursued vehicle's location is no longer definitely known;
    - iii) Emergency equipment or radio of the sworn member's vehicle fails to work properly, and
    - iv) Traffic volume and/or road conditions dictate that it is too hazardous for the pursuit to continue.
2. A decision to discontinue a pursuit shall be reported immediately to the Communications Center and recorded on the Communications Record.
3. Any sworn supervisor may order the termination of any pursuit.
4. Upon termination of a pursuit, all deputies will immediately turn off their emergency equipment, slow to the posted speed limit, then pull to the shoulder of the road and stop when safe to do so. Deputies with video equipment in their vehicle shall continue to record during this maneuver.

##### **B. Tire Deflating Devices**

1. The use of tire deflating devices will be governed by sound professional judgment and only when 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 office, shall be utilized in accordance with the training received.
2. When other law enforcement agencies request a sworn member to assist by using the Office's tire deflating devices, the provisions of this policy shall be followed.
3. Other deputies and agencies should be informed of the location of tire deflating devices. The deputy deploying such devices should notify communications of the location of such deployment.

### C. Roadblocks

1. Rolling roadblocks or "boxing in" may be used to stop a vehicle that refuses to stop for blue lights and siren.
  - a) Members shall use extreme caution if passing the violator's vehicle, and/or when positioning the vehicles to execute the maneuver.
  - b) 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.
2. Stationary roadblocks will be used only in extraordinary circumstances and only with the permission of a supervisor. 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, deputies 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.
3. Private vehicles shall not be used to establish a stationary roadblock.
4. Communications and the duty supervisor should be notified as soon as practical when this method is utilized in an attempt to stop a pursuit.

### D. PIT Maneuver

1. If the deputies 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.
2. The PIT maneuver shall only be used by deputies in accordance with office.
3. 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.
4. 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:
  - a) Condition of the road:
    - i) Wet or dry
    - ii) Width
    - iii) Divider or other obstruction
    - iv) Roadside obstructions (trees, ditches, buildings, etc.)
  - b) Visibility:
    - i) Distance ahead
    - ii) Darkenss

- c) Traffic volume:
    - i) Anticipated volume due to time of day (school hours, commuter traffic)
    - ii) actual volume based upon observation
  - d) Pedestrian traffic:
    - i) Anticipated volume due to location (school or college nearby, industrial area)
    - ii) Actual volume based upon observation
  - e) Type of fleeing vehicle:
    - i) Pickup truck (high center of gravity, narrow wheel base)
    - ii) Small car (barrow wheel base, small tires)
    - ii) Van (high center of gravity, narrow wheel base)
  - f) Occupants:
    - i) Number of people in the vehicle
    - ii) Whether children are visible in the vehicle
    - iii) whether the occupants are wearing seatbelts
  - g) Reasonable speed as determined by the following factors:
    - i) Whether the violator is showing total disregard for public safety
    - ii) Whether the violator is slowing but not stopping for stop signs or other traffic control devices.
    - iii) Whether the violator is darting at other vehicles
    - iv) Whether the violator is driving on the wrong side of the road
    - v) Whether the violator is running other motorist off the road.
5. The PIT maneuver is considered a use of force and the deputies' individual actions must be objectively reasonable. The deputies 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 deputy must be able to articulate the reason for his actions.
  6. The PIT maneuver shall not be used to stop a pursuit with a motorcycle or ATV.
  7. It is noted that the performance of a PIT is an intentional act; accordingly, no accident report need be filed, nor does the deputy need to submit to drug and alcohol testing pursuant to Chapter 1 of this manual unless cause is present.
  8. Communication and the duty supervisor should be notified as soon as practical when this method is utilized in an attempt to stop a pursuit.

#### E. Ramming of Vehicles

The international ramming of a pursuing vehicle is forbidden unless deadly force would be justified against all occupants of the vehicle. Use of a PIT does not constitute ramming for purpose of this section.

#### **4.45.6 Conclusion of Pursuit**

At the conclusion of a pursuit, deputies shall not rush up to the vehicle in an attempt to immediately take the suspect(s) into custody unless such action would be reasonably prudent to protect the life of an deputy or third-party. The end pursuit shall be treated as and considered a high-risk stop.

#### **4.45.7 Reporting and Review of Pursuits**

##### **A. Report and Review Requirements**

1. A member who initiates a pursuit shall complete an incident Report on the pursuit and submit it to his supervisor. Copies of videos from all units involved shall be submitted with the Incident Reports. The deputy shall keep his or her original tape.
2. The report must be filed prior to the deposits end of watch.
3. The supervisor in charge of monitoring the pursuit shall complete a pursuit report and memorandum. This will accompany the videotapes and deputies report to the Uniform Patrol Commander.
4. The Uniform Patrol Commander, after reviewing the videos and reports, shall review the pursuit with a pursuit review panel appointed by the Sheriff. If the panel finds the pursuit to be within department policy, it will note the fact on the pursuit form and return the packet to the Uniform Patrol Commander. If the panel finds problems with the initiation, continuance, or termination of the pursuit, or actions of any deputy engaged therein, the pursuit will be brought before the next regular staff meeting for view and discussion. No disciplinary action will be brought by any supervisor until the pursuit is reviewed by staff.
5. Any issues identified in the review and critique shall be discussed with the involved deputies and supervisor(s). The training director will also be made aware of any issues to identify potential training needs.

##### **B. Death or Serious Bodily Injury**

Should any pursuit end in serious injury or death to a deputy, offender, or third party, the duty supervisor(s) will be immediately notified. The sergeant shall notify the Uniform Patrol Commander, who shall notify the Chief Deputy.

The Chief Deputy, or his designee, shall be the investigating authority for the incident. The Georgia Bureau of Investigations will be contacted and utilized to provide technical assistance during the investigation.

#### **4.45.8 Use of Firearms**

- A. Firearms will not be used against a fleeing vehicle unless such action comports with § 5.1.4 and particularly subsection (C)(6) of that section
- B. 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.

#### **4.45.9 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.

#### **4.45.10 Communication Center Responsibilities**

- A. 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;
- B. Notify other agencies in the area, which may be needed to assist;
- C. Control all radio communications and clear the radio of all non-emergency calls;
- D. If the pursuit enters another jurisdiction, notify law enforcement in that jurisdiction
- E. Document all pertinent information about the pursuit.
- F. When assistance is requested by another agency, obtain and record all available information regarding the origin and progress of the pursuit and notify deputies assisting.
- G. Communication deputies shall keep all radio traffic, including their own, to a minimum, so the pursuing deputies may give updates as necessary. Communications deputies shall not repeat traffic or officers; however they should seek clarification if the traffic was not understood.
- H. If a supervisor orders the termination of a pursuit, communications shall sound an alert tone, advise all units that the pursuit has been terminated, and whose authority terminated it. For example:



#### 4.45.11 Supervisory Responsibility

While any supervisor may terminate any pursuit, the responsibility of a pursuit shall rest with the duty patrol commander. In the event multiple supervisor are on duty, the highest-ranking uniform supervisor with the most time-in-grade shall be ultimately responsible for the pursuit.

This shall not shift paperwork burdens to the patrol commander in the event all units involved are from a different command; it merely reflects the authority and responsibility of the patrol commander for all events on his or her watch.

Generally, the supervisor of the unit initiating the pursuit shall handle the paperwork requirements of this section. Alternatively, if a deputy utilizes a PIT, that deputy's supervisor shall be responsible for the paperwork. In either event, if that deputy's immediate supervisor is not on duty, the ranking deputy on duty, as described above, shall complete the required paperwork.



By Order of the Sheriff: **Chad K. Nichols**  
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