




ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

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517.03 Vehicle Pursuit

I. Policy

Officers may engage in vehicle pursuits when necessary to apprehend criminal law violators. Officers and supervisors shall carefully evaluate the circumstances and apparent risks associated with each vehicle pursuit and shall not begin or continue a pursuit if the danger posed by the pursuit is unreasonable or outweighs the value of an immediate apprehension. An appropriate balance shall be struck between these competing duties.

II. Scope

Except where stated otherwise, this directive applies equally to pursuits:

- A. Initiated by Arlington County officers.
- B. Initiated by officers from other jurisdictions but subsequently joined by ACPD officers.
- C. Occurring entirely within Arlington County.
- D. Crossing jurisdictional boundaries.

III. Definitions

- A. Piranha – A tire deflation device used to puncture the tires of a stationary vehicle as a pursuit prevention tactic.
- B. Pursuit – Following and/or overtaking of a vehicle whose driver is actively attempting to elude the police either by increasing his speed or by using evasive maneuvers.
- C. Rolling Roadblock – A timing maneuver that involves the positioning of multiple police vehicles immediately in front of, behind, and alongside a vehicle that is disregarding a reasonable command to stop. Once the police vehicles are in this position, officers promptly reduce their speed in a coordinated manner, quickly bringing their vehicles and the suspect vehicle to a stop.
- D. Stationary Roadblock – Intentional obstruction of a roadway in order to cause the fleeing motorist to voluntarily stop or, failing that, be brought to a stop through impact (or threat of impact) with the blocking police vehicles and/or other fixed objects.

- E. Stop Stick - Tire deflation device used to bring a fleeing vehicle to a stop.
- F. Trailing – Following of a vehicle whose driver is not stopping, but who is also not increasing his speed or using evasive maneuvers.

IV. Procedures

A. Criteria for Initiating Pursuits

1. Criteria for Pursuits Inside Arlington County

Provided it can be performed without unreasonable risks, a vehicle pursuit is authorized when probable cause exists that a driver or occupant of a fleeing vehicle has committed, or is committing, any of the following offenses:

- a. Any violent felony;
- b. Any offense involving the use or threatened use of a firearm;
- c. Is currently wanted (warrants on file) for any of the above-listed offenses;
- d. Additionally, the Watch Commander may authorize a pursuit within Virginia if he/she makes a determination that a pursuit is necessary to abate a danger of a substantial likelihood of death or serious bodily injury created by the vehicle to be pursued. Pursuits authorized under this paragraph shall only be permitted in order to allow officers to attempt to stop the vehicle using tactical measures authorized by this section.

Officers are not permitted to briefly pursue a vehicle or trail a vehicle with emergency equipment activated for the sole purpose of performing a wanted check on the driver or occupant to determine if he/she is wanted for any of the above-listed offenses. Additionally, officers shall not join in a pursuit initiated by another jurisdiction that enters Arlington County unless the driver or occupant is wanted for any of the above-listed offenses.

2. Criteria for Continuing Pursuits into Other Virginia Jurisdictions

The criteria for continuation of a pursuit into another Virginia jurisdiction is the same as the criteria for pursuits inside Arlington County. When it appears likely that a pursuit will leave Arlington County, the pursuing officer shall notify the ECC, who shall contact the police agency of the jurisdiction about to be entered. Watch Commanders are not required to terminate a pursuit that enters a surrounding jurisdiction even if that jurisdiction will not assist Arlington units engaged in the pursuit. However, an additional factor to be considered, collectively with those in section B, in terminating the pursuit, is the level of familiarity with the jurisdiction.

The specific steps and procedures involved in continuing a pursuit into another Virginia jurisdiction are located in this directive in subsection *D. Management of the Pursuit*, which is specifically divided into officer, supervisor, and ECC responsibilities.

3. Criteria for Continuing Pursuits Outside Virginia

The continuation of a pursuit outside Virginia (e.g., into Maryland or the District of Columbia) is authorized only when probable cause exists that the driver or occupant of the pursued vehicle has committed, or is committing, or is wanted (warrants on file) for a ***felony*** involving violence or a threat of violence (e.g., rape, robbery, malicious wounding, etc.). When it appears likely that a pursuit will leave Virginia, the pursuing officer shall notify the ECC, who in turn shall contact the police agency for the jurisdiction about to be entered.

Watch Commanders are not required to terminate a pursuit that enters a surrounding state or the District of Columbia even if that jurisdiction will not assist Arlington units engaged in the pursuit.

The specific steps and procedures involved in continuing a pursuit into another Virginia jurisdiction are located in this directive in subsection *D. Management of the Pursuit*, which is specifically divided into officer, supervisor, and ECC responsibilities.

B. Conditions Affecting the Decision to Pursue - A variety of environmental conditions and other factors shall be considered when deciding whether to commence and/or continue a vehicle pursuit. These conditions and factors include, but are not limited to:

1. Time of day.
2. Traffic density (vehicular and pedestrian).
3. Zone characteristics (rural, school, and commercial zones, etc.).
4. Roadway design.
5. Condition of the road.
6. Weather.
7. Visibility.
8. Condition of the involved vehicles.
9. Seriousness of the crime.
10. Prospects for a later arrest by alternative means.

The above factors shall be assessed collectively in order to identify the apparent risk that a given pursuit poses. That risk shall be weighed against the value of an immediate apprehension, with a reasonable decision to be rendered accordingly.

C. Vehicle Eligibility - All police vehicles are authorized to participate in vehicle pursuits, subject to the following restrictions:

1. A marked Department vehicle should be the primary pursuit vehicle.
2. Only those officers who occupy a police vehicle that is equipped with emergency lights and siren may participate in a pursuit.

3. Officers in unmarked or special use vehicles should relinquish pursuit duties to officers in marked police vehicles as soon as it is practical to do so.
4. Officers operating special use vehicles, as defined in Manual Directive 517.04 *Specialty Vehicles*, shall comply with the unique pursuit requirements governing their respective vehicles, as established by that directive.
5. If a marked vehicle is unavailable, special use vehicles should relinquish pursuit duties to an unmarked vehicle.
6. When operationally necessary, officers in vehicles that are not eligible to participate in a pursuit may trail a suspect at a safe distance, observing all applicable traffic laws, and radio for the assistance of an officer in a pursuit-eligible vehicle.

D. Management of the Pursuit

1. Pursuing Officers' Responsibilities

- a. Initiation of the Pursuit - Prior to initiating a pursuit, an officer shall assess whether subsections *IV.A. Criteria for Initiating Pursuits* and *IV.B. Conditions Affecting the Decision to Pursue* support a decision to pursue. If they do, and the officer commences the pursuit, he shall immediately notify the ECC and:
 - 1) Request a stolen/wanted check.
 - 2) Identify the reason for the pursuit (crime or violation for which the driver or occupant is wanted).
 - 3) Provide the pursued vehicle's description and direction of travel.
 - 4) Indicate how many occupants are in the pursued vehicle, if known, and whether there is any reason to believe they are armed.

Additionally, an officer trailing a vehicle rather than pursuing it shall notify the ECC.

- b. Police Vehicle Operation – An officer's operation of a police vehicle during a pursuit shall be in accordance with departmental pursuit training. During a pursuit an officer is exempt from certain traffic laws, provided that the vehicle's emergency lights and siren are in operation, and the officer exercises due regard for safety. Subject to the restrictions found in subsection, *IV.E. Tactical Measures Used to Terminate Pursuits*, officers may also employ certain tactical measures to bring a pursued vehicle to a stop.
- c. Reassessment and Advisement - As a pursuit progresses, the conditions affecting the pursuit may evolve. Consequently, officers shall continually reassess the pursuit's appropriateness in accordance with subsections, *IV.A. Criteria for Initiating Pursuits* and *IV.B. Conditions Affecting the Decision to Pursue*.

- 1) The fact that a pursuit has been initiated in no way obligates an officer to continue the pursuit. Unless explicitly directed otherwise by a Watch Commander or supervisor, officers are authorized to terminate a pursuit upon their own authority at any time.
 - 2) Officers shall also ensure that the ECC is continually updated regarding all significant developments during a pursuit. When two or more police vehicles are engaged in the pursuit, an officer to the rear of the lead pursuer shall be designated by the ECC to provide routine updates. This designation allows the lead officer to devote full attention to driving, without having to attend to the police radio.
 - 3) Generally, other officers engaged in the pursuit shall refrain from unnecessary radio traffic, in order for the radio channel to remain available for the designated update officer, the dispatcher, and the supervisor monitoring the pursuit. However, this general requirement does not prevent any officer from conveying important information that otherwise is not being reported.
- d. Crossing Jurisdictional Boundaries - When it appears likely that a pursuit will leave Arlington County, the pursuing officer shall notify the ECC, who in turn shall contact the police agency for the jurisdiction about to be entered. The pursuit may be continued if the conditions identified in *IV.A. Criteria for Initiating Pursuits* remain ongoing. The following protocol should be applied:
- 1) ACPD units will discontinue a pursuit as soon as the agency with primary jurisdiction has engaged in the pursuit or ACPD units have been advised by radio or otherwise recognize that their assistance is no longer needed - in which case the primary unit shall notify the ECC that the transfer for responsibility of the pursuit has occurred.
 - 2) Once a pursuit has been discontinued by ACPD units, permission to continue to the pursuit termination point and assist the other jurisdiction requires approval from the Watch Commander or a supervisor.
- e. Post-Pursuit Processing and Arrests - At the conclusion of a pursuit, all appropriate investigative tasks shall be performed, and the pursued vehicle shall be impounded, where appropriate.
- 1) If the pursuit ended in a jurisdiction other than Arlington County, processing and impoundment may be performed by police officers from the other jurisdiction or may be performed by ACPD officers if the other agency agrees.

2) If an apprehension is made, the following procedures apply:

- i. If the arrest occurred in Arlington County and Arlington County charges are to be filed, the suspect shall first be taken before an Arlington County magistrate. He may subsequently be released to officers from other jurisdictions after the Arlington charges have been placed.
- ii. If the arrest occurred in either Alexandria, Falls Church, or Fairfax County, officers from the jurisdiction where the arrest occurred shall have the option to immediately charge in their jurisdiction. Once those charges have been placed, the suspect may be returned to Arlington for the filing of Arlington charges.
- iii. If the arrest occurred in a Virginia jurisdiction other than Alexandria, Falls Church, or Fairfax County, the suspect shall be taken to a magistrate in the jurisdiction where the arrest occurred. If Arlington charges are to be placed, they shall be placed with the magistrate in the County where the arrest occurred.
- iv. If the arrest occurred in the District of Columbia or another state, normal extradition procedures shall be followed.

Officers desiring further guidance on the processing of arrests in other Virginia jurisdictions may refer to sections 19.2-76 and 19.2-77 in the Code of Virginia.

2. Supervisor's Responsibilities

- a. General Responsibilities - Upon learning of a pursuit, the Watch Commander and other affected supervisor(s) shall:
 - 1) Monitor the radio channel where the pursuit is broadcast.
 - 2) Provide appropriate instructions to pursuing units in a manner consistent with chain of command and established incident command procedures.
 - 3) Promptly ascertain the basis for the pursuit and determine whether its continuation is appropriate.
 - 4) Order the termination of a pursuit if the supervisor believes the pursuit is not justified or that the dangers associated with the pursuit outweigh the potential benefits of an immediate apprehension.
 - 5) At the earliest practical opportunity confirm with the dispatcher that the ECC has requested aviation assistance, as described in subsection, *IV.D.3. ECC Responsibilities*.
- b. Crossing Jurisdictional Boundaries - Once the other agency's units are in position, and a transfer of primary responsibility can be made without jeopardizing the success of the pursuit:

- 1) ACPD officers shall fall back and permit the other agency to become primary.
 - 2) The ECC shall be notified when this transfer occurs.
 - 3) The Watch Commander (or supervisor) shall then designate unit(s) to continue in the pursuit with the other agency.
 - 4) At this point all other non-supervisory ACPD units shall discontinue their involvement in the pursuit.
- c. Authorizing Tactical Measures - During the course of a pursuit, the Watch Commander or supervisor shall also assess potential opportunities to end the pursuit through various tactical measures, including the deployment of Stop Sticks and roadblocks, etc. For more information regarding these measures, refer to subsection, IV.E. Tactical Measures Used to Terminate Pursuits.
- d. Post-Pursuit Duties
- 1) The Watch Commander or supervisor shall respond to the scene of an apprehension following a vehicle pursuit.
 - 2) Ensure that all appropriate evidence processing and arrest activities are performed.
 - 3) Ensure photographs are taken and any video or audio documenting the encounter is preserved.
 - 4) Complete a Vehicle Pursuit review in BlueTeam in accordance with subsection IV. F. *BlueTeam Incident Assignments*
- e. Pursuit Related Death or Serious Bodily Injury - In any instance where death or serious bodily injury occurs during the course of a pursuit, refer to Manual directive 538.07 *Officer Involved Action Resulting in Death or Serious Bodily Injury*.

3. ECC Responsibilities

- a. General Responsibilities - Upon receiving notification from an officer that they are in pursuit, the ECC shall:
- 1) Dispatch an appropriate number of additional units to assist with the pursuit.
 - 2) Inform the Watch Commander via radio or, if necessary, by telephone.
 - 3) Identify the primary officer (lead pursuer) and designate a secondary officer to perform radio duties during the pursuit.
 - 4) Perform a stolen check and obtain registration information for the license tag number provided by the officer.
 - 5) Request helicopter or other aviation assistance from any nearby law enforcement agency having such capabilities.
 - 6) Where appropriate, dedicate the primary radio channel to the pursuit, and move call-handling to an alternate channel.

- b. Crossing Jurisdictional Boundaries - When a pursuit moves, or is about to cross into another jurisdiction, the ECC shall:
 - 1) Quickly notify the police agency for that jurisdiction.
 - 2) Provide the pursuit's current location and direction of travel.
 - 3) Inform the other agency of the reason for the pursuit.
 - 4) Specifically inquire whether it will be joining the pursuit.
 - 5) Immediately inform the Watch Commander or other supervisor directing the pursuit of the other agency's decision to take part in the pursuit.

This information is crucial, as the ACPD Watch Commander's decision regarding the number of Arlington units to send into the other jurisdiction will, in most cases, depend upon the other agency's response. If the other agency's dispatcher is unable to provide an immediate answer to the above question, the ECC shall remain in direct contact whether by PMARS or telephone, etc., until the answer becomes available.

E. Tactical Measures Used to Terminate Pursuits - Officers may employ the following measures to bring a pursuit to an end and shall only utilize these techniques after being trained to do so:

1. Stop Sticks - Stop Sticks shall be deployed in accordance with the officer's stop-stick training, as well as the manufacturer's instructions.
 - a. These sticks shall be positioned at locations where the movement of other vehicles (e.g., vehicles operated by the general public and police vehicles involved in the pursuit) can be controlled, in order that unintended vehicles not come into contact with the sticks.
 - b. Officers shall also keep in mind that the pursued vehicle's tires will likely deflate within 20-60 seconds after striking the Stop Stick, and the pursued driver's ability to control their vehicle may be diminished as a result.
 - c. Accordingly, when deciding if and where to deploy Stop Sticks, officers shall carefully consider the potential risk to pedestrians and other drivers that may be posed by the pursued driver's diminished control of his vehicle.
2. Rolling Roadblock – Rolling Roadblocks are used to box in a stationary vehicle to prevent it from going mobile, or on a vehicle that is not stopping, (e.g. - driver not stopping, not evading, not fleeing, etc.). It is not to be used as a tactic to bring a vehicle pursuit to an end and should not be initiated at high speeds. A rolling road block shall only be attempted by officers trained in this technique by ACPD EVOC staff.

Supervisory approval is required for the deployment of a rolling roadblock. Prior to approving such a roadblock, supervisors shall consider the unique risks associated with this maneuver. These risks include:

- a. The risk that the vehicle being shadowed will collide with police vehicles if the driver attempts to avoid being boxed in, and/or fails to reduce the speed of the vehicle.
- b. The vulnerability to close-range gunfire that the officers will experience when they move into boxing positions.
- c. The risk that uninvolved traffic to the rear of the pursuit will overtake and then interfere with or be affected by the pursuit as police vehicles and the pursued vehicle come to a gradual stop on the roadway.

The use of a civilian, non-police vehicle as part of a rolling roadblock, whether or not such use is consensual on the part of the citizen, is forbidden.

- 3. Stationary Roadblocks - Generally, stationary roadblocks are considered to be more dangerous than rolling roadblocks, therefore extreme caution shall be exercised when deploying such roadblocks. The following requirements apply:
 - a. Only a Department Commander, Watch Commander or Acting Watch Commander have the authority to approve the deployment of a stationery roadblock.
 - b. The roadblock is placed in a highly visible location that can be seen from a distance and provides approaching drivers with adequate warning and ample stopping distance.
 - c. At least one police vehicle with its emergency lights flashing is positioned prominently in the roadblock.
 - d. All vehicles used in the roadblock are unoccupied.

Unlike rolling roadblocks, there is no absolute prohibition against using a civilian vehicle in a stationary roadblock. Such use is generally discouraged, however, and should be employed only in the most extreme cases. Further, in no instance shall an owner, driver, or occupant of a civilian vehicle be permitted to move that vehicle into position or otherwise become personally involved in any aspect of a roadblock's implementation.

- 4. Ramming, Bumping, and Other Intentional Impact Maneuvers - The intentional ramming or bumping of a pursued vehicle by a moving police vehicle is an extreme course of action reserved for life-threatening situations. Such action is appropriate only when the dangers posed by the pursuit to officers and/or the general public are so dangerous that the pursuit must be ended quickly, even at the risk of causing an accident.
 - a. To the extent that is feasible and practical, if a decision to ram or bump a pursued vehicle is made, officers shall select a location where the risk of injury to bystanders, as well as to the officers and pursued vehicle's occupants, will be minimized.

- b. The initiation of intentional contact between a moving police vehicle and a pursued vehicle may subsequently be interpreted as a use of deadly force and therefore subject to Manual directive *538.04 Use of Force*.
- 5. Shooting at a Pursued Vehicle – Manual directive *538.04 Use of Force* sets forth regulations pertaining to the use of force generally and firing at moving vehicles specifically.

F. Pursuit Prevention Techniques

1. Piranha Tire Deflation Device

- a. Piranha tire-deflation devices may only be used by officers trained in their deployment and only on a stationary target vehicle in order to prevent a pursuit.
 - b. The following factors must be considered prior to the deployment of a Piranha:
 - 1) The potential for a subject to flee from police.
 - 2) The occupant of a vehicle has just committed a criminal offense or is indicating a wanted status in NCIC/VCIN.
 - 3) The vehicle or license plate is indicating a stolen status in NCIC/VCIN.
 - 4) Deployment does not present an extraordinary risk to the personal safety of the officer.
 - 5) The deployment location allows for subsequent observation of the target vehicle.
 - c. A Piranha should not be deployed on vehicles with fewer than four wheels.
2. Tactical Vehicle Containment – Surrounding a stationary, stopped, or stopping motor vehicle with police vehicles or other barriers in order to effectively prevent it from being moved. Supervisory approval is not required to employ this technique.

G. BlueTeam Assignments

1. Supervisor Responsibilities

- a. All vehicle pursuit incidents, tactical measures, and pursuit prevention techniques used to terminate or prevent a pursuit will be entered into BlueTeam (Vehicle Pursuit or Vehicle Stop – Tactical Measures); except for the deployment of a Piranha where the vehicle does not go mobile.
- b. Each BlueTeam screen will be populated with the requisite incident details and supplemented by a summary of the event, the associated Case Report, and any other relevant materials.

- c. Upon completion of the BlueTeam incident report it shall be forwarded through the chain of command to the Office of Professional Responsibility (OPR) and the Chief of Police.

2. Office of Professional Responsibility Review

- a. All vehicle pursuit incidents entered into BlueTeam will be reviewed by OPR to assess whether any related policy, training, or equipment issues should be addressed.
- b. OPR shall annually perform a review of all vehicle pursuits occurring within the last calendar year to assess whether any related policy, training, or equipment issues should be addressed.

- H. After Action Review

1. At the conclusion of an administrative review or investigation following a pursuit or the use of a tactical measure to terminate or prevent a pursuit, the Watch Commander, other supervisors, and subordinate officers involved in the incident should convene an after-action meeting, with a focus toward learning from the experience in order to achieve a better outcome or to repeat the success in the future.
2. This critique shall not be scheduled while any departmental review involving the incident is in progress.