



Policy 1503

Subject	
EMERGENCY VEHICLE OPERATION AND PURSUIT	
Date Published	Page
DRAFT 26 July 2023	1 of 12

By Order of the Police Commissioner

POLICY

The purpose of this policy is to provide guidance on conducting safe emergency vehicle operations and pursuits. Members shall use sound judgement and discretion while upholding the sanctity of human life in all instances of emergency response and pursuit.

While members must at all times comply with the minimum legal requirements governing the use of force, they must also comply with even stricter standards set forth by Departmental Policy.

CORE PRINCIPLES

Member and Public Safety. Members shall operate all vehicles with the utmost care and caution, and will comply with all traffic regulations. While operating in Emergency Response Mode, members shall comply with Maryland State Law governing emergency vehicle operations. Members shall weigh the risks of driving in Emergency Response Mode against the nature of the emergency.

Sanctity of Human Life. Members shall make every effort to preserve human life in all situations.

Value and Worth of All Persons. All human beings have equal value and worth and members shall respect and uphold the value and dignity of all persons at all times.

Peaceful Resolutions. Members shall avoid the use of force unless it is not possible to do so.

De-Escalation. Members shall use de-escalation techniques and tactics to reduce any threat or gain compliance to lawful commands without the use of force or with the lowest level of force possible (See Policy 1107, *De-Escalation*).

Avoiding Escalation. Members shall not do or say anything that escalates an encounter unless necessary to achieve a lawful purpose.

Assessment. Members shall continuously assess each situation and change the member's response as the circumstances change. Members may be justified in using force in one instance, but not justified in using force an instant later. This duty to assess includes the continuous assessment of circumstances before and after the member uses force.

Use of Force: Reasonable, Necessary, and Proportional. Members shall use only the force reasonable, necessary, and proportional to respond to the threat or resistance to effectively and safely resolve an incident, and will immediately reduce the level of force as the threat or resistance diminishes.

Reporting Use of Force. Each member who uses force, or observes another member or members use force, shall immediately notify their supervisor, and will accurately and completely report the use of force

by the end of their tour of duty (See Policy 725, *Use of Force Reporting, Review, and Assessment*).

Duty to Intervene. Members shall intervene to prevent the abusive conduct or the use of excessive force by another member (See Policy 319, *Duty to Intervene*).

Duty to Provide Medical Assistance. After any use of force incident, members shall immediately render aid to any injured person consistent with the member's training and request medical assistance. If restrained, persons are not to be positioned facedown as it may cause positional asphyxia, and placing restrained persons on their back may lead to radial nerve damage to the wrists and forearms. Restrained persons are to be placed in a seated position or on their sides.

Accountability. Members shall be held accountable for uses of force that violate law or policy.

Sound Judgement and Discretion. The BPD recognizes it is better to allow a suspect to temporarily escape apprehension than to jeopardize anyone's safety in a Vehicle Pursuit. No member shall be criticized or disciplined for a decision not to engage in a Vehicle Pursuit or to Terminate an ongoing Vehicle Pursuit based on the risk involved, even in circumstances where this policy would permit the commencement or continuation of a pursuit.

Retaliatory Force. Members are prohibited from using force against persons engaged in First Amendment protected activities or to punish persons for fleeing, resisting arrest or assaulting a member, or for any other punitive reason (See Policy 804, *First Amendment Protected Activity*).

DEFINITIONS

Emergency Response Mode – Driving with emergency lights and siren activated.

Eluding – An Eluding driver increases speed, takes evasive action, and/or refuses to stop despite a member's signaling to stop by hand, voice, emergency lights, and/or siren even after a reasonable amount of time to yield or stop has passed.

Primary Unit – The law enforcement vehicle driven by a member who initiates a pursuit, or any unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the Eluding vehicle).

Secondary Unit – Any law enforcement vehicle which becomes involved as a backup to the Primary Unit and follows the Primary Unit at a safe distance.

Street Paralleling – Driving a law enforcement vehicle on a street parallel to a street on which a pursuit is occurring.

Terminate – To discontinue the pursuit of an Eluding vehicle.

Trail – Following the path of the pursuit while obeying all traffic laws and without activating emergency lights or sirens. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

Vehicle Pursuit — When a member operating a law enforcement vehicle attempts to keep pace and/or to immediately apprehend one or more occupants of an Eluding vehicle.

DIRECTIVES

Emergency Response Mode

1. Driving in Emergency Response Mode is only permitted in law enforcement vehicles equipped with emergency lights and siren.
2. Members shall not drive in Emergency Response Mode when transporting civilians or prisoners.
3. Before operating a law enforcement vehicle in an Emergency Response Mode, members shall consider the following:
 - 3.1. The nature or seriousness of the offense or the call for service.
 - 3.2. Current road or environmental conditions.
 - 3.3. Familiarity with the route and destination.
 - 3.4. Pedestrian and vehicular density.
4. When operating in an Emergency Response Mode, in keeping with Maryland Code, Transportation Section 21-106, "Privileges for Drivers of Emergency Vehicles", members may:
 - 4.1. Exceed the speed limit, so long as members do not endanger life or property.
 - 4.2. Proceed through a red light or stop signal, a stop sign, or a yield sign, but only after slowing down as necessary for safety.
 - 4.3. Disregard regulations governing turning or movement in a specified direction.

Vehicle Pursuit Authorization

56. Members may pursue an Eluding vehicle when:
 - 5.1. The vehicle contains a felony suspect and failure to immediately apprehend poses an immediate threat of death or serious bodily injury to the member or others; and
 - 5.2. Before the pursuit is initiated, there exists probable cause to believe the fleeing suspect committed a felony which resulted, or could have resulted, in death or serious bodily injury.
 - 5.3. Supervisors shall ask clarifying questions to determine whether the elements listed above exist. If there is an allegation of an Aggravated Assault, the supervisor shall ask clarifying questions to determine the extent of injuries, if any, the extent of damage, and the circumstances surrounding the event.
57. Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a Vehicle Pursuit, include, but are not limited to:

- 57.1. The safety of the public, including: the type of area, such as a school zone; time of day and lighting; weather, road conditions, and density of vehicular and pedestrian traffic; and the speed of the pursuit relative to these factors.
 - 57.2. The pursuing members' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and dispatchers/supervisors, and the driving capabilities of the pursuing member(s) under the conditions of the pursuit.
 - 57.3. Whether or not the identity of the suspect has been verified.
 - 57.4. The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
 - 57.5. Other persons in or on the Eluding vehicle, such as passengers, suspects, and hostages.
 - 57.6. The availability of other resources, such as air support assistance.
 - 57.7. The likelihood of apprehension at a later time.
7. Upon notification that a Vehicle Pursuit has been initiated, supervisors shall, at their discretion, approve or disapprove the continuation of the pursuit and may direct additional units to join the pursuit.

Vehicle Pursuit Prohibitions

8. Members are prohibited from initiating a Vehicle Pursuit when:
- 8.1. Transporting passengers (including arrestees) other than on-duty police officers.
 - 8.2. The initial violation is a crime against property (including auto theft), misdemeanor, a traffic offense without imminent danger, or is a non-violent warrant.
 - 8.3. The vehicle (marked or unmarked) is not equipped with lights and siren, or the lights and siren are malfunctioning.
 - 8.4. The risk of a Vehicle Pursuit outweighs the need to stop the Eluding driver, including:
 - 8.4.1. Underlying reason for pursuit.
 - 8.4.2. Traffic conditions (density of pedestrians and vehicles).
 - 8.4.3. Weather and road conditions.
 - 8.4.4. Speed and capabilities of the Eluding vehicle.
 - 8.4.5. Geographic considerations (e.g., direction of travel, location density, terrain).

- 8.4.6. Traffic violations (e.g., speeding, failing to stop at red lights, driving the wrong way on a one-way street).
- 8.4.7. Length of the Vehicle Pursuit in time and distance.

Vehicle Pursuit Considerations

9. The decision to use specific driving tactics requires the same assessment of safety factors that a member considers when determining whether to initiate and/or Terminate a Vehicle Pursuit.
10. Members must space themselves from other involved vehicles to enable them to see and avoid hazards or react safely to unusual maneuvers by any vehicle involved in the Vehicle Pursuit.
11. Because intersections present a high risk of collisions, members shall exercise due caution and slow down, as necessary, when proceeding through intersections, especially controlled intersections.
12. Members shall not pursue a vehicle driving the wrong direction on a roadway. In the event the Eluding vehicle drives in the wrong direction, members shall maintain visual contact with the Eluding vehicle by paralleling the vehicle while driving on the correct side of the roadway.
13. Members shall not attempt to pass other pursuing vehicles unless requested to do so by the Primary Unit, and there is a clear understanding between all members involved that a member will be passing the other vehicles.
14. If the Eluding driver exits the vehicle during the Vehicle Pursuit and continues to flee on foot, the member should determine whether to (1) continue the pursuit on foot; or (2) arrange through transmissions to cordon off the area. When determining whether to continue with a foot pursuit, the member shall consider the factors outlined in Policy 1505, *Foot Pursuits*.

Primary Unit Responsibilities

15. The Primary Unit is responsible for the conduct of the Vehicle Pursuit unless they are unable to remain reasonably close to the Eluding vehicle. The highest responsibility of the Primary Unit is the preservation of life and public safety.
16. At the earliest practical time when the member anticipates that a pursuit might be required, the member shall activate their body-worn camera in compliance with Policy 824, *Body-Worn Cameras*.
17. The Primary Unit shall notify the dispatcher that a Vehicle Pursuit has been initiated, commencing with a request for priority radio traffic, and for the Aviation Unit to respond. As soon as practicable, the Primary Unit shall provide information including, but not limited to:
 - 17.1. Location, direction of travel, and estimated speed of the Eluding vehicle.
 - 17.2. Description of the Eluding vehicle including the license plate number, if known.
 - 17.3. Reason for the Vehicle Pursuit.

- 17.4. Use of firearms, threat of force, violence, injuries, hostages, or other safety hazards.
 - 17.5. Number, identity, and description of occupants in the Eluding vehicle.
 - 17.6. Weather, road, and traffic conditions.
 - 17.7. Need for any additional resources or equipment.
 - 17.8. Identity of other law enforcement agencies involved in the Vehicle Pursuit.
18. Until relieved by a supervisor or a Secondary Unit, the Primary Unit shall be responsible for broadcasting the progress of the Vehicle Pursuit. Unless circumstances reasonably indicate otherwise, the Primary Unit shall relinquish the responsibility of broadcasting the progress of the pursuit to a Secondary Unit or to air support to minimize distractions and allow the Primary Unit to concentrate foremost on safe pursuit tactics.

Secondary Unit Pursuit Responsibilities

19. Immediately notify the dispatcher of entry into the Vehicle Pursuit and continue pursuit at supervisor's discretion.
20. At the earliest practical time when the member anticipates that a pursuit might be required, the member shall activate their body-worn camera in compliance with Policy 824, *Body-Worn Cameras*.
21. Use a different siren sound (e.g., wail or yelp) than the Primary Unit.
22. Remain a safe distance behind the Primary Unit, unless directed to assume the role of Primary Unit.
23. Assume broadcast responsibilities from the Primary Unit until the Aviation Unit assumes this responsibility.
24. Serve as backup to the Primary Unit once the Eluding vehicle has been stopped.

Aviation Unit

25. The air support crew shall video record the pursuit and assume the primary communication over the pursuit once visual contact with the Eluding Vehicle is established.
26. The air support crew shall coordinate the activities of resources on the ground, report on the progress of the pursuit, and provide members with details of upcoming traffic congestion, road hazards, or other pertinent information to assist in evaluating whether to continue the pursuit.
27. Air support should provide information to ground units and supervisors about the safety considerations outlined in the **Vehicle Pursuit Prohibitions** section.
28. At any time, air support can Terminate the Vehicle Pursuit. If members on the ground are not within visual contact of the Eluding vehicle, and the air support crew determines that it is unsafe

to continue the pursuit, the air support crew shall Terminate the pursuit or instruct ground units to, "Trail Only. Obey all Traffic Laws.

Pursuit Trailing

29. In the event that the Primary Unit relinquishes control of the Vehicle Pursuit to another agency, the Primary Unit and/or any Secondary Units may, with the permission of a supervisor, Trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and in reporting the incident.
30. While Trailing, regardless of the jurisdiction, members shall continue to follow this policy.

Pursuit Ending Tactics

31. The use of a Departmental vehicle to deliberately strike another vehicle or to act as a roadblock is strictly limited to exigent circumstances and may only be used when:
 - 31.1. The Eluding vehicle is being operated in such a manner as to pose an imminent threat of death or serious bodily injury to members or others; and
 - 31.2. Insufficient time exists to resort to other alternatives.
32. The use of non-Departmental vehicles in Pursuit Ending Tactics is strictly prohibited.
33. At no time will a roadblock be established until:
 - 33.1. Authorized by the Shift Commander; and
 - 33.2. All pursuing police vehicles are made aware of the existence of the roadblock and its location, and have acknowledged this awareness via radio communications.
34. Members shall not remain inside vehicles acting as blocking vehicles.
35. Intentional vehicle-to-vehicle contact is a use of force that members must report as directed in Policy 725, *Use of Force Reporting, Review, and Assessment*.
36. The stationary placement of a BPD vehicle to protect an accident or crime scene shall not be considered a roadblock.

Terminating a Pursuit

37. When a supervisor directs the Vehicle Pursuit to be Terminated, members shall immediately Terminate the pursuit, acknowledge receipt of the directive to terminate the pursuit, and advise the Communications Section dispatcher of their location
38. Members may Terminate a pursuit when the pursuing member believes that the danger to the member(s) or the public outweighs the necessity for immediate apprehension of the Eluding driver, even if not directed to Terminate the pursuit.

39. Factors that shall be considered, both individually and collectively, when deciding to Terminate a Vehicle Pursuit, include, but are not limited to:
- 39.1. If there is a person(s) injured during the pursuit and there are no other personnel able to render immediate medical assistance.
 - 39.2. The distance between the pursuing vehicle and the Eluding vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
 - 39.3. The Eluding vehicle's location is no longer definitively known.
 - 39.4. The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
 - 39.5. The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
 - 39.6. When the identity of the Eluding driver is known and it does not reasonably appear that the safety needs for immediate capture outweigh the risks associated with continuing the pursuit.
 - 39.7. When pursuit requires that the member(s) drive in a manner which exceeds the performance capabilities of the pursuing vehicles or the member(s) involved in the pursuit.
40. When Terminating a Vehicle Pursuit, Primary and Secondary Units will call out the location and last known direction of Eluding vehicle.
41. Primary and Secondary Units shall Terminate the Vehicle Pursuit by:
- 41.1. Calling out their location and mileage to dispatch,
 - 41.2. Turning off the vehicle's lights and sirens, and
 - 41.3. Immediately pulling over or taking the nearest right turn in order to safely pull over.
42. Instructions by the Aviation Unit, or any involved member or supervisor, to Terminate the pursuit or to Trail Only, shall not be subject to criticism or review.

No member, regardless of rank, shall override the decision to Terminate a pursuit.

Use of Firearms

43. Members shall not fire any weapon from or at a moving vehicle, except:
- 43.1. To counter an immediate threat of death or serious physical injury to the member or another person, by a person in the vehicle using means other than the vehicle.

- 43.2. To counter a situation where the officer or another person is unavoidably in the path of the vehicle and cannot move to safety. Members shall not position themselves in the path of a moving vehicle where they have no option but to use deadly force/lethal force (See Policy 1115, *Use of Force*).

Inter-Jurisdictional Considerations

44. Due to communications limitations between local law enforcement agencies, a request for an outside agency's assistance requires the outside agency to assume responsibility for the pursuit once the pursuit enters a foreign jurisdiction.
45. BPD shall only assist outside jurisdictions with Vehicle Pursuits when they meet BPD Vehicle Pursuit authorization criteria.
46. Members should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor, except when a single vehicle from the initiating agency is in pursuit. Under this circumstance, a member may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.
47. When a request is made to assist or take over a Vehicle Pursuit that has entered Baltimore City, the supervisor shall consider all of the factors this policy requires for authorizing or terminating a pursuit.
48. In the event that the termination point of a Vehicle Pursuit from an outside agency is within the City, members shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports, and any other assistance requested or needed.

Members Not Involved in the Pursuit

49. Members not involved in or assigned to the Vehicle Pursuit shall remain in their assigned areas, shall not parallel the pursuit route, and shall not become involved with the pursuit unless directed otherwise by a supervisor.
50. When authorized by a supervisor, uninvolved members may use police vehicles and emergency equipment along the pursuit path to keep intersections clear of vehicular and pedestrian traffic to protect the public. Those members shall account for the tactical positioning of their vehicle to avoid additional collisions and collateral damage from the pursuit.

Reporting Requirements

51. The Primary Unit who initiated the Vehicle Pursuit must complete an Incident Report detailing the facts providing probable cause for the pursuit.
52. The Primary Unit must also document the facts that caused the member to believe the safety risks of the pursuit were outweighed by the risks that the Eluding driver might seriously injure someone if not immediately apprehended.

53. All members and supervisors who participate in a Vehicle Pursuit shall tag and download body-worn camera data in accordance with Policy 824, *Body-Worn Cameras*. Members who did not activate their body-worn camera during the pursuit shall submit a supplemental report detailing their actions.

REQUIRED ACTION

Supervisor

54. Supervisors shall manage control over all Vehicle Pursuits involving supervised members.
55. The first-line supervisor of the Primary Unit, or if unavailable, the nearest supervisor, shall:
- 55.1. Engage in the Vehicle Pursuit, when appropriate. If engaging, supervisors shall activate their body-worn cameras.
 - 55.2. Ensure that no more than three law enforcement vehicles are pursuing the Eluding vehicle (not to include Street Paralleling drivers or intersection control drivers).
 - 55.3. Direct the pursuit to be Terminated at any time.
 - 55.4. When driving on a highway, request other members to monitor exits available to the Eluding vehicle.
 - 55.5. Determine if the Vehicle Pursuit violates this policy.
 - 55.6. Determine whether the danger of injury to members or others outweighs the danger that the Eluding driver will injure or kill someone if not immediately apprehended. In making this determination, supervisors shall weigh the factors listed in **Vehicle Pursuit Authorization** for initiating or Terminating a pursuit.
 - 55.7. Ensure that assistance from air support, canine, or additional resources are requested when appropriate.
 - 55.8. Ensure that the Shift Commander is notified of the pursuit as soon as practicable.
 - 55.9. Control and manage BPD Members when a pursuit enters another jurisdiction.
 - 55.10. ensure all incident reports and other required documentation are completed and entered into BlueTeam.
56. Supervisors shall Terminate authorization for a Vehicle Pursuit when the threat of danger or harm to the public, including the subject of the pursuit, and the member's life has surpassed the lawful object of the pursuit. At such point, the supervisor shall request that the dispatcher use an alert tone and Terminate the pursuit.

Shift Commander

57. Shift Commander shall, monitor and continually assess the pursuit and ensure it is conducted within the requirements of this policy. The Shift Commander has the final responsibility for the coordination, control, and termination of a Vehicle Pursuit and shall be in overall command.
58. Approve/Disapprove requests by members or supervisors to establish a roadblock.
59. When the order to Terminate a pursuit is given, notify the Primary Unit and any Secondary Units that they are prohibited from continuing to follow or remain behind the Eluding vehicle.

Communications Section

60. If the Vehicle Pursuit is confined within City limits, radio communications shall be conducted on the primary channel, unless instructed otherwise by a supervisor or dispatcher. If the pursuit is approaching a different jurisdiction, or once it leaves the City's jurisdiction, involved members shall respond when dispatch directs them to switch radio communications to a tactical or emergency channel most accessible to participating agencies.
61. Upon notification that a Vehicle Pursuit has been initiated, the dispatcher shall:
 - 61.1. Clear the radio of non-emergency communications.
 - 61.2. Notify a supervisor of the pursuit.
 - 61.3. Coordinate pursuit communications of the involved members.
 - 61.4. Broadcast pursuit updates as well as other pertinent information, as necessary.
 - 61.5. Notify and coordinate with other involved and affected agencies.
 - 61.6. Notify the Shift Commander of the pursuit.
 - 61.7. Ensure all members participating in the pursuit are logged into Computer Aided Dispatch (CAD).
62. Communications shall notify the Maryland State Police and/or other law enforcement agencies if it appears that the pursuit may enter another jurisdiction.

Education and Training (E&T) Section

63. When necessary, E&T shall provide a remedial Emergency Vehicle Operations course for members.

ASSOCIATED POLICIES

Policy 319, *Duty to Intervene*

Policy 705, *Procedure for Assist an Officer Call*
Policy 725, *Use of Force Reporting, Review, and Assessment*
Policy 804, *First Amendment Protected Activities*
Policy 824, *Body-Worn Cameras*
Policy 1107, *De-Escalation*
Policy 1115, *Use of Force*
Policy 1505, *Foot Pursuits*

RESCISSION

Rescind Policy 1503, *Emergency Vehicle Operation and Pursuit Policy*, dated 24 November 2019.

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.