



# Clayton County Police Department

# PROCEDURES

Subject <b>VEHICLE PURSUITS</b>		Procedure # <b>D3</b>	
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## I. PURPOSE

The purpose of this policy is to provide sworn personnel of the Clayton County Police Department (CCPD) with guidelines and procedures for engaging in and conducting vehicle pursuits.

## II. POLICY

A vehicle pursuit of a fleeing suspect can present a danger to the lives of the public, officer(s) and suspect(s) involved in the pursuit. Methods used to stop a fleeing vehicle may be considered a use of force. It is the policy of the Clayton County Police Department (CCPD) to regulate the manner in which vehicle pursuits are undertaken and performed. It is paramount that officers exercise prudent and sound judgment in their actions when engaging in vehicle pursuits. Officers must adhere to both existing laws governing vehicle pursuits and departmental procedures. At the same time, officers 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. Even if a pursuit is terminated, officers can still attempt to apprehend the suspect through other means, such as surveillance, or obtaining warrants for their arrest.

## III. DEFINITIONS

As used in this procedure, the following words and terms shall have the meaning ascribed:

Authorized Emergency Vehicle: An authorized law enforcement vehicle must make use of an audible signal (siren) capable of being heard under normal conditions for a distance of not less than 500 feet and a flashing or revolving blue light visible under normal atmospheric conditions from a distance of 500 feet to the front of the vehicle, pursuant to OCGA § 40-1-1, 40-6-6 and 40-8-94.

Caravanning: Unauthorized additional police units responding to assist in close pursuit.

Communication: Only the police radio will be used during pursuits to transmit information to dispatch and pursuit supervisors. To avoid confusion, no other communication devices (e.g., cellular phones, etc.) are authorized to transmit information during a pursuit.

Emergency Equipment: Officers engaged in a pursuit shall operate their vehicle with emergency equipment activated throughout the pursuit, pursuant to OCGA § 40-6-6.

Forcible Felony: Any felony which involves the use or threat of physical force or violence against any person, pursuant to OCGA § 16-1-3(6).

Offset Pursuit Position: Involves moving the police vehicle approximately one-half vehicle width to either side of the fleeing vehicle (similar to the position taken when parking during a traffic stop) while continuing to pursue.

Paralleling: Additional police units assisting in a pursuit that are utilizing adjacent roadways to the pursuit in order to maintain proximity to the pursuit.

Primary Pursuit Unit: The police unit (officer) who initiated the pursuit or the lead police vehicle in the pursuit when the initiating officer relinquishes their position.

Pursuit Supervisor: A Shift/Unit Commander responsible for monitoring and controlling the pursuit, authorizing back-up units and ensuring the pursuit is in compliance with policy. Normally, the Pursuit Supervisor is a lieutenant of the officer who initiates a pursuit, or lieutenant of the sector where the pursuit enters the County. If a lieutenant is not available, the highest-ranking supervisor in the district will be the Pursuit Supervisor.

Reasonable: What a law enforcement officer believes and/or perceives is appropriate based on the totality of the circumstances.

Reasonable Suspicion: It is a legal standard of proof that is less than probable cause, but is based on specific and articulable facts with rational inferences taken from those facts, and would lead a reasonable officer to believe that criminal activity has been, is being, or will be committed.

Secondary Pursuit Unit: The police unit (officer) who assists the Primary Pursuit Unit at a safe distance and who is immediately available to assume the Primary Pursuit Unit role or assist in the event the fleeing vehicle stops. There may be more than one Secondary Pursuit Unit during a pursuit.

Stationary Roadblock: Any stationary device, method, restriction, or obstruction utilized/intended for the purpose of preventing free passage of motor vehicles in order to affect the arrest of an actual or suspected violator in a motor vehicle. Generally, a restricted route through the stationary roadblock is left open. Stationary roadblocks **will not** be used by the CCPD as a means of ending a pursuit except under the most unusual circumstance and only then under the express orders of the Pursuit Supervisor.

Stop Stick: The brand of deflation device used by the CCPD. The Stop Stick is designed to cause the slow deflation of a tire when struck and is intended for use to slow or disable a moving vehicle.

Vehicle Pursuit: An active attempt by a law enforcement officer, in an authorized emergency vehicle, to stop or apprehend one (1) or more occupants of another moving vehicle, where the officer has reasonable suspicion that the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension. This is generally manifested by an increase in speed or evasive driving maneuvers.

#### IV. PURSUIT PROCEDURES

- A. When engaged in a vehicle pursuit, officers shall operate authorized emergency vehicles by activating the vehicle's emergency equipment and shall exercise due regard for all persons in the area.
- B. It is realized that in all instances, the initial decision whether or not to engage in a pursuit must be left to the discretion of the officer on the scene based on the facts presented. While no guidelines can be written to cover and anticipate all possible situations, the officer should consider the contents of this procedure prior to engaging in and while engaged in a pursuit.
- C. Officers engaged in a pursuit will maintain a reasonable distance between the pursued vehicle and/or other law enforcement vehicle(s) involved in the pursuit to allow adequate reaction and braking time should any leading vehicle stop, slow or turn.
- D. Officers **shall not** pull alongside a fleeing motorist because it significantly increases the danger of a sideswipe collision, especially on multi-lane highways, and a sudden stop or turn by the fleeing driver could make it easier for them to evade capture.

- E. Officers engaged in a pursuit must realize that intersections pose an increased risk to the safety of the officer and citizens. Officers involved in a pursuit will exercise care when approaching and entering an intersection and **will not** enter an intersection without exercising due regard for the safety of others. If confronted with a traffic control device requiring a stop or yield, a pursuing officer will proceed (i.e., take the right of way, etc.) only after determining that it is safe to do so. If two (2) or more authorized emergency vehicles approach an intersection at the same time, any traffic control device and/or the *Uniform Rules of the Road* will determine which vehicle has the right of way.
- F. If during a pursuit, the fleeing vehicle goes the wrong way in a traffic lane on a divided highway, such as Tara Boulevard (SR 3) or Interstate 75 (I-75), the pursuing officer(s) **will not** pursue or follow the fleeing vehicle the wrong way on a divided highway. The officer(s) may pursue or attempt to keep sight of the fleeing vehicle by traveling in the correct traffic lane.
- G. The use of tire deflation devices (Stop Sticks), stationary roadblocks and firearms, should only be utilized at a supervisor's discretion. For further information refer to *Section IV. R. Forced Stopping Methods to End Pursuits of Fleeing Vehicles* of this policy.

**The Department prohibits the use of certain forcible stopping techniques, such as the Pursuit Intervention/Immobilization Technique (PIT) maneuver, boxing-in/rolling road block and ramming, due to the elevated risks they pose to both officers and the public.**

- H. When the fleeing vehicle has been stopped and the suspect(s) apprehended, the Pursuit Supervisor will direct officers in the police investigation.
- I. Officers **will not** engage in the pursuit of a fleeing vehicle if there is a civilian witness, prisoner, or suspect in the patrol vehicle, except as approved below.

Officers who have civilian observers may only participate in pursuits when exigent circumstances exist that require their participation. In such an event, before engaging in the pursuit, or as soon as immediately possible, the civilian observer shall be left at a secure location and radio shall be notified to dispatch another car to pick up the observer.

- J. Factors to Consider Before and During a Pursuit [CALEA 41.2.2(a)]

The pursuing officers and the Pursuit Supervisor, in exercise of their discretion to initiate or continue a pursuit, should consider the following factors:

1. Location (i.e., active school zone, business district, residential area, etc.);
2. Road and traffic conditions;
3. Weather conditions and visibility;
4. Time of day and day of week;
5. Condition of vehicles involved;
6. Performance capabilities of the police vehicle involved;
7. Amount of vehicular and pedestrian traffic;
8. Population density; and
9. Experience and training of the officer(s) involved.

- K. **Authorized & Unauthorized Pursuits**

1. **Authorized Pursuit:** Vehicle pursuits are prohibited unless there is reasonable suspicion to believe that the person(s) being pursued have committed or are committing the following [CALEA 41.2.2 (b)]:

- a. **Murder;**
- b. **Voluntary Manslaughter;**

- c. **Involuntary Manslaughter;**
  - d. **Homicide by Vehicle in the First Degree;**
  - e. **Rape;**
  - f. **Aggravated Assault;**
  - g. **Aggravated Battery;**
  - h. **Aggravated Sodomy;**
  - i. **Aggravated Child Molestation;**
  - j. **Aggravated Sexual Battery;**
  - k. **Kidnapping;**
  - l. **Armed Robbery or Robbery by Force;**
  - m. **Motor Vehicle Hijacking within a reasonable amount of time of occurrence; and**
  - n. **Person(s) wanted for the above crimes.**
2. **Unauthorized Pursuit: Vehicle pursuits for any other circumstances not identified as authorized (e.g., robbery by sudden snatching, D.U.I., etc.) are prohibited.**
  3. **Following or Caravanning, with or without emergency equipment activated, in any agency's vehicle pursuit is strictly prohibited, if the pursuit is not authorized by departmental policy.**
- L. Responsibilities of Officer(s) Engaging in a Pursuit [CALEA 41.2.2(c)]
1. When an officer of this Department engages in a pursuit of a vehicle, the Primary Pursuit Unit (officer) will activate all emergency equipment and will immediately notify the E911/Communications Dispatcher of the following:
    - a. The Primary Pursuit Unit (officer) is engaged in a vehicle pursuit;
    - b. The reason for the pursuit (e.g., specific and/or suspected felony charge(s), etc.);
    - c. The location, direction of travel (DOT) and speed;
    - d. The description and tag number of the vehicle being pursued, if available;
    - e. The approximate age, gender and description of the pursued vehicle's occupant(s), if possible; and
    - f. The pursuit is continuing.
  2. Progress Reports
 

Officers shall provide progress reports, via radio, as the pursuit develops or continues. The progress reports shall be provided at approximately fifteen (15) to thirty (30) second intervals, unless priority circumstances dictate a necessary delay in relaying such information. Progress reports may include, but are not limited to, a change in the Primary Pursuit Unit (officer); additional reason(s) to continue the pursuit; location, direction of travel (DOT) and speed; updated suspect and/or suspect vehicle descriptions; etc.
  3. Failure to provide the information in subsections 1 and 2 above will authorize the Pursuit Supervisor, or other supervisor, to order all Pursuit Units to disengage from the pursuit.
  4. Nothing in this policy restricts an officer from conducting a follow-up investigation of an incident of "Fleeing or Attempting to Elude" (OCGA § 40-6-395). If an officer attempts to initiate a traffic stop, and the violator flees from the officer, and the officer **does not** pursue the violator due to the circumstances not meeting the requirements of this policy, the officer shall complete an *Incident Report*.

5. Regardless of an officer's status as Primary or Secondary Pursuit Unit during a pursuit, the officer who initiated the pursuit is responsible for the completion of an *Incident Report*, in addition to any other required reports or documents, for the pursuit. [CALEA 41.2.2(k)]  
All Secondary Pursuit Units (officers) involved or assisting in the pursuit will complete *Incident Supplemental Reports* documenting their involvement in the pursuit. [CALEA 41.2.2(d & k)]
  6. All Primary & Secondary Pursuit Units (officers) are responsible for ensuring that all audio/video recordings utilized in the pursuit are given to the Pursuit Supervisor as soon as immediately possible, but before the conclusion of the involved officers' shift.
- M. E911/Communications Dispatcher Responsibilities During Pursuit [CALEA 41.2.2(f)]
1. Upon notification given by an officer of this Department that a pursuit has been initiated or is in progress, the E911/Communications Dispatcher will:
    - a. Hold all non-emergency radio traffic on the pursuit's radio frequency;
    - b. Notify all other units on each of the County's public safety radio frequencies that a pursuit is in progress; and
    - c. Confirm that a Pursuit Supervisor is aware of the pursuit, unless awareness has already been indicated by a Pursuit Supervisor.
  2. Responsibilities Throughout a Pursuit
    - a. Identify to all units, through all County radio frequencies, the identity (radio number) of the Pursuit Supervisor;
    - b. Ascertain the location and direction of travel (DOT) of the pursuit;
    - c. Closely monitor the pursuit radio traffic;
    - d. Seek progress reports from the pursuing officer(s) if and when the officer(s) are not providing updated information in approximate fifteen (15) to thirty (30) second intervals;
    - e. Send the closest backup unit to assist, when needed;
    - f. Notify surrounding agencies and ask for assistance if the pursuit enters their jurisdictional boundaries;
    - g. Notify the Aviation Unit, that the pursuit is in progress and request their assistance; and
    - h. If the Pursuit Supervisor authorizes the use of a stationary roadblock, announce on all County public safety radio frequencies that the stationary roadblock is being set up, the location of the stationary roadblock and the reason for the pursuit. If the Primary and Secondary Pursuit Units **do not** acknowledge the existence of the stationary roadblock, the dispatcher will notify the Pursuit Supervisor of this fact, and the Pursuit Supervisor will immediately order the stationary roadblock to be cancelled.
  3. If the circumstances indicate that a pursuit of this Department may leave Clayton County, or enter another agency's jurisdiction within the County, the E911/Communications Dispatcher will notify the concerned agency of the following:
    - a. Pursuit is about to enter or has entered their jurisdiction;
    - b. Reason for the pursuit and the charges against the driver and/or passengers in the vehicle being pursued;
    - c. Location and direction of travel (DOT) of the pursuit;
    - d. Description of the vehicle and occupant(s), if available;
    - e. Number of law enforcement units involved in the pursuit;
    - f. Whether or not assistance is needed at the time;

- g. Pursuit is leaving their jurisdictional boundaries or that the pursuit has terminated in their jurisdiction; and
  - h. Any other information deemed important or necessary.
4. If the dispatcher is notified that another agency is entering the jurisdiction of this Department in pursuit of a vehicle, the dispatcher will:
- a. Obtain as much of the information outlined in subsection J above, "Responsibilities of Officer(s) Engaging in A Pursuit," as possible, and relay this information to the Pursuit Supervisor and the units in the area of the pursuit; and
  - b. When or if directed to do so by the Pursuit Supervisor, notify the other agency that the reason for the pursuit **does not** comply with this Department's policy and that this Department **will not** actively take part in the pursuit.

N. Supervisor Responsibilities During Pursuit [CALEA 41.2.2(g)]

- 1. Upon notice of a pursuit in progress, the Shift/Unit Commander assigned to the area where the pursuit was initiated will immediately assert control of the pursuit as the Pursuit Supervisor and will notify the E911/Communications Dispatcher and the officer engaged in the pursuit that they are aware of the pursuit. As with any tactical field matter, it is not necessary that the supervisor be physically engaged in the pursuit in order to assert control of and coordinate the pursuit.
- 2. Upon being notified of the pursuit, the Pursuit Supervisor will:
  - a. Ascertain the reason for the pursuit (e.g., specific and/or suspected felony charge(s), etc.), if not immediately given;
  - b. Ascertain the location and direction of travel (DOT) of the pursuit;
  - c. Maintain contact with the pursuing officer(s) to determine the pursuit conditions;
  - d. Limit the pursuit of the fleeing vehicle to three (3) police vehicles, unless exigent circumstances exist or a stationary roadblock is to be authorized;
  - e. Direct specific units in or out of the pursuit;
  - f. Continue to direct the pursuit, approve or order alternative tactics, such as the use of a stationary roadblock, and maintain control until the pursuit is terminated; and
  - g. Order the officers to disengage from the pursuit if adequate information is not provided by the pursuing units or when required by this procedure.
- 3. If a sergeant is notified of a pursuit or hears a pursuit in progress and believes that a lieutenant is unaware of the pursuit, the sergeant will assume control of the pursuit and will remain in control unless relieved of control by a lieutenant or higher-ranking supervisor.
- 4. If a supervisor is actively participating in the pursuit and/or observes a policy violation, the Pursuit Supervisor will be notified immediately.
- 5. If involved or assisting in the pursuit, supervisors will complete an *Incident Supplemental Report* documenting their involvement in the pursuit.
- 6. All involved supervisors are responsible for ensuring that all audio/video recordings utilized in the pursuit are given to the Pursuit Supervisor as soon as immediately possible, but before the conclusion of the involved supervisors' shift.

O. Responsibilities of Assisting Officers [CALEA 41.2.2(d)]

- 1. Unless directed otherwise by a Pursuit Supervisor, no more than two (2) Secondary Pursuit Units may assist with a vehicle pursuit.
  - a. Any officer intending to engage in a pursuit to assist as a Secondary Pursuit Unit shall inform the concerned E911/Communications Dispatcher.

- b. Any officers acting as Secondary Pursuit Units shall operate their police vehicles with emergency lights and sirens activated toward the location or direction of the pursuit.
  - c. Serve only to assist the Primary Pursuit Unit, unless conditions of the pursuit dictate that they become the Primary Pursuit Unit.
2. If the Primary Pursuit Unit becomes disabled, the Secondary Pursuit Unit will become the Primary Unit. The next unit to join the pursuit will be designated as the new Secondary Pursuit Unit. When necessary the communications dispatcher will advise the Pursuit Supervisor that a new primary or secondary unit is needed.
  3. When practical, the Secondary Pursuit Unit will handle radio communication pertaining to the pursuit.

P. Units **Not** Engaged in the Pursuit

1. No units other than the Primary and Secondary Pursuit Unit shall leave their assigned sector to participate in the actual pursuit unless instructed or approved by the Pursuit Supervisor.
2. Units **not** engaged in the pursuit will remain alert to the direction and travel (DOT) of the pursuit and may position themselves at strategic sites along the probable pursuit route, or on parallel roadways for response to any emergencies that may develop.
3. Units **not** directed to engage in the pursuit are **not** to be operated as emergency vehicles.

Q. Number of Units Assisting in a Pursuit or Stationary Roadblock

1. No more than three (3) police vehicles, the Primary and Secondary Pursuit Units, will engage in a pursuit, unless additional units are directed by the Pursuit Supervisor.
2. The number of units directed to assist in a pursuit or stationary roadblock will be determined by the Pursuit Supervisor and will depend on the:
  - a. Nature of offense;
  - b. Number of suspects; and/or
  - c. Other clear and articulated facts that would warrant the increased number of vehicles.
3. Pursuit Supervisors may engage in a pursuit as they deem necessary, regardless of the number of vehicles in the pursuit.

R. Forced Stopping Methods to End Pursuits of Fleeing Vehicles [CALEA 41.2.3]

1. General Guidelines [CALEA 41.2.3 (a)]

- a. The use of force, including forced stopping methods, must be reasonably necessary to bring an incident under the control while protecting their lives and others. Officers must adhere to departmental training and procedures when using force to end a pursuit. See also CCPD SOP: A5: *Use of Force*.
- b. An officer is authorized to use deadly force when it is objectively reasonable under the totality of the circumstances. Use of deadly force is justified when one (1) or both of the following apply:
  - 1) To protect the officer or others from what is reasonably believed to be an immediate threat of death or serious bodily injury;
  - 2) To prevent the escape of a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit a felony involving serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to the officer or another if the subject is not immediately apprehended.
- c. Unless exigent circumstances exist, prior to using force to attempt to stop a vehicle being pursued, the primary officer in the pursuit will advise the Pursuit Supervisor of the

proposed force and the reason for the need to use the force. The pursuing officers **will not** use force unless permission is obtained from the Pursuit Supervisor.

- d. Supervisors will conduct use of force investigations in accordance with departmental procedures, and will complete a *Use of Force Report* and any other required documents/forms related to such incident.

## 2. Tire Deflation Devices (Stop Stick) [CALEA 41.2.3 (b)]

The Stop Stick is a tire deflation device that is placed on the roadway in the path of the pursued vehicle. It is designed to slowly deflate the tire(s) of the pursued vehicle, thus slowing it down or disabling it to the extent that it comes to a stop. Generally, it does not immediately stop the pursued vehicle, but it's effective at reducing the speed of the pursuit.

### a. Use of the Stop Stick

- 1) Officer and citizen safety will be the primary consideration when deploying the Stop Stick. If attempts to deploy the Stop Stick compromise safety, it will not be utilized.
- 2) Only officers who have been properly trained in the operation, deployment and control of the Stop Stick will be issued or assigned the Stop Stick for use. [CALEA 41.2.3(c)]
- 3) The Stop Stick will be utilized only at the discretion of the Pursuit Supervisor, and must be in compliance with departmental training, use of force procedures and this policy.
- 4) The Stop Stick will only be utilized on four-wheeled vehicles, and **will not** be used on the following vehicles:
  - (a) Motorcycles, all-terrain vehicles (ATVs), and 4-wheelers;
  - (b) Any vehicle transporting a hazardous material;
  - (c) Any passenger bus or van transporting passengers; or
  - (d) Any other vehicle that would pose an unusual hazard to innocent persons.
- 5) If an outside law enforcement agency is involved in a vehicle pursuit within the CCPD's jurisdiction, the Stop Stick may be utilized at the discretion of the Pursuit Supervisor. Outside agencies do not need to specifically ask for the CCPD's assistance to deploy a tire deflation device.
- 6) The Stop Stick **will not** be utilized outside the geographic boundaries of Clayton County.

### b. Officer Communication Requirements

- 1) Before utilization of the Stop Stick, all officers involved in the pursuit should be on the same communications frequency. The officer deploying the Stop Stick should have a portable radio for use.
- 2) The Pursuit Supervisor and/or deploying officer will notify the E911/Communications Dispatcher of the specific location of the Stop Stick deployment. The E911/Communications Center will broadcast the Stop Stick location on all public safety radio frequencies.
- 3) Pursuing officers shall keep officers at the Stop Stick site informed of the following:
  - (a) Current location;
  - (b) Direction of travel (DOT) and speed;
  - (c) Erratic driving behaviors;
  - (d) Possible weapons involved; and
  - (e) Any other information deemed important or necessary.



- 4) When nearing the Stop Stick location, pursuing officers and the officer deploying the device must maintain communication. The pursuing officers must back off to allow the device to be cleared from the roadway.
- c. Deployment
- 1) The Stop Stick is normally carried in marked patrol cars utilized for patrol and/or traffic enforcement duties.
  - 2) When deploying the Stop Stick, the following precautions should be considered:
    - (a) The officer deploying the Stop Stick should do so from a position of safety;
    - (b) The Stop Stick **should not** be used in locations where specific geographic configurations or known circumstances of the pursuit increase the risk of serious injuries to the deploying officer, other officers, suspect, or the public (e.g., heavy traffic, within 300 feet of any major intersection, in populated areas or locations with pedestrians nearby, roadways bounded by steep descending or ascending embankments, construction zones, alongside of waterways, curves, bridges, or other areas or locations where the safety of other traffic cannot be reasonably assured);
    - (c) Traffic cones and/or road flares should be set up, if possible; and
    - (d) The Stop Stick **should not** be deployed on two-way roadways, unless oncoming traffic has been stopped some distance from the actual deployment site.
  - 3) The Stop Stick should only be utilized on hard roadway surfaces.
  - 4) Officers will refrain from entering traffic lanes to deploy the Stop Stick, but rather throw them into the traffic lane using the cord reel to position the device.
  - 5) Deployment of the Stop Stick in the deployment sleeve with the retractable cord reel attached is the sole recommended method for deployment of the Stop Stick.
  - 6) If police vehicle headlights and emergency lights are being used to mask the deployed Stop Stick, no one should occupy the illuminating vehicle(s).
  - 7) The officer deploying the Stop Stick will be responsible for the immediate removal of the device from the roadway after use.
  - 8) Every effort should be made to avoid uninvolved motorists running over the Stop Stick. If an uninvolved motorist does run over the strip, the driver should be contacted by a supervisor, as soon as possible, to explain the situation.
- d. Investigations of Stop Stick Use
- 1) Use of the Stop Stick will be indicated on the *Vehicle Pursuit Report*.
  - 2) If the Stop Stick is deployed as a result of a vehicle pursuit, such deployment shall be documented by the deploying officer on an *Incident Supplemental Report*.
  - 3) If the deployment of the Stop Stick causes a reportable collision, other than damage to tires and wheels, a *Motor Vehicle Accident Report* shall be completed.
  - 4) If the Stop Stick is engaged by the suspect vehicle, a supervisor will conduct a use of force investigation.
  - 5) If an uninvolved citizen's vehicle engages the Stop Stick, a supervisor shall complete an *Incident Report* and any other documents related to such incident.
  - 6) If any other damage results from the engagement of the Stop Stick it shall be documented and photographed.
  - 7) The reporting supervisor will ensure that the County Department of Risk Management is notified and/or sent a copy of the completed report and any other required information, documentation, and photos.
  - 8) All reports will be prepared and reviewed by the chain of command.

### 3. Stationary Roadblocks

- a. Because of the dangers inherent in the use of stationary roadblocks in pursuit situations, stationary roadblocks should only be used after all other reasonable means have failed, been deemed inadequate or more dangerous under the circumstances, and it is reasonable to believe that the person eluding apprehension presents a significant threat to police officers and/or citizens if not apprehended without delay.
- b. Extremely careful consideration must be given to establishing a stationary roadblock so as not to jeopardize the safety of citizens or officers and will only be established with the permission of the Pursuit Supervisor.

Before giving permission to establish a stationary roadblock the Pursuit Supervisor will consider the speed of the vehicles involved; traffic and road conditions; weather and visibility; the type of area involved (e.g., school zone, business district, subdivision, etc.); the amount of vehicle and/or pedestrian traffic in the area; and whether or not the other traffic in the area can be controlled.

- c. Only marked patrol vehicles with their emergency lights and sirens operating will be used to establish a stationary roadblock and officers **will not** remain inside any vehicle which is part of the stationary roadblock.
- d. The stationary roadblock should be clearly visible from at least 500 feet in both directions and will be set up to provide adequate warning to allow the violator and other drivers who approach the stationary roadblock an adequate stopping distance. If the weather or road conditions **do not** allow the proper visibility as required by this procedure, a stationary roadblock **will not** be used.
- e. The roadway should not be completely blocked by a stationary roadblock unless the use of deadly force would be authorized. The use of force must be in compliance with departmental training, use of force procedures and this policy.
- f. No civilian vehicles will be used in constructing the stationary roadblock under any circumstances.
- g. The E911/Communications Dispatcher will announce on all County radio frequencies the location of the stationary roadblock and the situation requiring its use. The dispatcher will also ensure that the pursuit units acknowledge the location of the stationary roadblock. If the units do not acknowledge the existence of the stationary roadblock, the Pursuit Supervisor will immediately order the stationary roadblock to be abandoned.
- h. Officers pursuing a fleeing motorcycle **will not** utilize a stationary roadblock as a means to stop the violator.
- i. Only officers that have been trained in stationary roadblock tactics are authorized to use stationary roadblocks as a method for stopping a fleeing vehicle.

### 4. Shooting at Fleeing Vehicles

- a. Shots fired at a moving vehicle are to be avoided except when in compliance with departmental training, use of force procedures and this policy.
- b. Except in exigent circumstances, no shots will be fired at a fleeing vehicle without the permission of the Pursuit Supervisor. The decision to fire at a moving vehicle must be based on the most compelling circumstances and will be subject to careful review.
- c. Prior to firing at a fleeing vehicle, officers shall take into consideration the charges against the suspect(s), the type of area involved, vehicular and pedestrian traffic and the potential hazard(s) to innocent persons.

- d. Officers **will not** fire at a fleeing vehicle if there is apparent danger to innocent persons in the officer's line of fire or if there are hostages or innocent persons in the vehicle with the suspect.
- e. Officers will only fire to disable a fleeing vehicle as a last resort and only when failure to stop the vehicle may result in injury or death to innocent persons.

S. Pursuit Termination [CALEA 41.2.2(h)]

1. Pursuits may be terminated under the following conditions:

- a. When the primary pursuit unit, Pursuit Supervisor, or a superior, orders the pursuit terminated. [CALEA 41.2.2 (i)]
- b. When the officer loses visual contact with the suspect for an extended period of time.
- c. When the pursuing officer is not familiar with the area and is alone.
- d. When there is an equipment failure involving an emergency signaling device, radio, brakes, steering, or other essential mechanical equipment.
- e. When a Pursuit Supervisor has not acknowledged the pursuit.
- f. When conditions or locale make further pursuit unreasonably hazardous to the safety of the public or the officer(s) involved.

2. When a pursuit is terminated, officers will deactivate all emergency equipment and abide by all traffic laws.

T. Involvement of Specialized Vehicles [CALEA 41.2.2(e)]

1. Motorcycle Unit Involvement

- a. If a motorcycle officer initiates a pursuit, they may continue that pursuit until a four-wheeled marked patrol vehicle joins the pursuit, at which time the motorcycle officer shall discontinue the pursuit.
- b. After abandoning the pursuit and deactivating emergency equipment, the motorcycle officer should proceed to the termination point while obeying all traffic laws, should there be an apprehension or need for further assistance.
- c. Motorcycle units are **not authorized** to join a pursuit as Secondary Pursuit Units without the approval of the Pursuit Supervisor.

2. Unmarked Unit Involvement

- a. Unmarked units that are not equipped with emergency lights and sirens **will not** become involved in any pursuit.
- b. If a pursuit is initiated by an officer in an unmarked unit that is equipped with emergency lights and siren, the unmarked unit may continue that pursuit until a marked patrol unit joins the pursuit.
- c. The unmarked unit may continue as a Secondary Pursuit Unit until another marked patrol unit joins the pursuit. The marked patrol unit will take over as Secondary Pursuit Unit. The unmarked vehicle will then disengage from the pursuit.
- d. After abandoning the pursuit and deactivating emergency equipment, the unmarked unit should proceed to the termination point while obeying all traffic laws, should there be an apprehension or need for further assistance.

3. Canine (K-9) Unit Involvement

- a. If a K-9 Unit initiates a pursuit or acts as a Secondary Pursuit Unit in a marked police vehicle, they may continue the pursuit.

- b. The K-9 Unit's primary mission in this circumstance should be providing support to officers if the vehicle pursuit ends and a foot pursuit begins. The K-9 Unit should immediately proceed to the termination point should there be an apprehension.
  - c. The K-9 Unit **will not** respond to another agency's jurisdictions during a pursuit unless specifically requested and dispatched by the other agency to assist.
4. Prisoner transport vans, trucks, and other special purpose vehicles are prohibited from engaging in pursuits.

#### U. Air Support

When an aircraft is available to assist, the following guidelines will be used:

1. When the aircraft has advised that the suspect vehicle is in view, the Pursuit Supervisor may direct that the Primary and Secondary Pursuit Units to discontinue close pursuit. Consideration should be given by the Pursuit Supervisor to the factors involved in the pursuit when making this decision.
2. The aircraft should continue to advise the suspect vehicle's location and approximate speed.
3. When directed by the Pursuit Supervisor, and if feasible to do so, police units may remain in the area of the suspect vehicle in order to apprehend the suspect. See also CCPD SOP: *D22: Aviation Unit*.

#### V. Multi-Jurisdictional Pursuits [CALEA 41.2.2(j)]

Following or caravanning, with or without emergency equipment activated, during a vehicle pursuit is strictly prohibited, if the pursuit is **not** authorized by departmental policy.

##### 1. Within Clayton County

- a. When a CCPD pursuit enters a municipality within Clayton County, the pursuit is to be conducted in accordance with this policy.
  - 1) The municipal agency may join the pursuit to provide support at the discretion of the municipality.
  - 2) When a serious injury accident involving a pursued vehicle occurs within a city jurisdiction, the Georgia State Patrol (GSP) will conduct the investigation with the assistance of the CCPD's Specialized Traffic Accident Reconstruction (STAR) Unit.
  - 3) The concerned municipality may also conduct its own investigation of the vehicle accident subject to its own policies and procedures.
- b. When a municipality or other jurisdiction pursues a vehicle into unincorporated Clayton County and requests assistance in the pursuit:
  - 1) The assistance in the pursuit must be approved by a supervisor; and
  - 2) The pursuit shall be conducted in accordance with this policy.

##### 2. Outside Clayton County

The Pursuit Supervisor will be notified at the earliest opportunity that a pursuit has entered an adjacent county or municipality outside the boundaries of Clayton County. At the discretion of the Pursuit Supervisor, the pursuit may be continued or terminated.

#### W. Responsibility of the Initiating Agency

1. Arraignment of arrested persons;
2. Disposition of any passengers;
3. Disposition of arrested person's vehicle; and
4. Coordination of all reports, citations and criminal charges, with the exception of *Accident Reports*.

## V. SUPERVISOR'S INVESTIGATION & PURSUIT REPORT

- A. After any pursuit, the Pursuit Supervisor shall review the pursuit to ensure officer compliance with this policy.
  1. The Pursuit Supervisor will obtain a copy of the *Incident Report* and all other supporting documents/items (e.g., *Incident Supplemental Reports*, *Arrest Warrants*, *Accident Reports*, when applicable, all audio/video recordings, utilized in the pursuit, etc.).
  2. The Pursuit Supervisor will review the pursuit with all involved personnel, to include viewing all audio/video recordings utilized in the pursuit. After the pursuit is reviewed, it is the responsibility of the Pursuit Supervisor to place all audio/video recordings related to the vehicle pursuit into evidence.
- B. Generally, supervisors should use the following criteria in making a threshold determination for the application of the pursuit critique procedure:
  1. Whether the officer was in close proximity to the vehicle, was in a marked vehicle, activated all their emergency vehicle equipment, requiring the driver to yield to the officer's authority; and
  2. The driver made evasive maneuvers, increased vehicle speed, or refused to stop while maintaining a legal speed.

### C. Vehicle Pursuit Report [CALEA 41.2.2(k)]

Immediately following a vehicle pursuit, the Pursuit Supervisor is responsible for documenting the incident using the *Vehicle Pursuit Report*. This report is accessible through the Blue Team Field Entry Support application on the CCPD's intranet site.

1. This report will be a synopsis of the pursuit and contain the following information:
  - a. Type of offense(s) known at the time the pursuit was initiated;
  - b. Pursuit initiation and termination locations;
  - c. Duration;
  - d. Weather conditions;
  - e. Traffic conditions;
  - f. Approximate greatest speed of violator;
  - g. Any unusual incidents or circumstances;
  - h. Any vehicle collisions;
  - i. Names of officers participating in the pursuit;
  - j. Names of assisting agencies and the assisting officers' names;
  - k. Outcome of the pursuit (i.e., arrests made, termination, etc.); and
  - l. Any forcible stopping method used, e.g., Stop Sticks, stationary roadblocks, firearms, etc.
2. When entering data into a *Vehicle Pursuit Report* using Blue Team Field Entry Support, the Pursuit Supervisor will attach all relevant documentation to the incident by clicking on the attachment icon.
  - a. The following documentation shall be attached with the report:
    - 1) *Incident Report*,
    - 2) *Incident Supplemental Report(s)* by all personnel directly involved and/or with knowledge of evidentiary value to contribute to the investigation; and
    - 3) Photographs, if applicable.
  - b. The Pursuit Supervisor may attach any other supporting documentation believed to have evidentiary value.

3. Prior to forwarding the *Vehicle Pursuit Report*, the Pursuit Supervisor shall state, "For your review," in the comments/instruction section.
4. **The *Vehicle Pursuit Report* must be completed and submitted to the concerned chain of command by the reporting supervisor within ten (10) calendar days of the incident.** The supervisor is required to notify the concerned Division Commander and the OPS Commander, via County email, when a *Vehicle Pursuit Report* cannot be completed and submitted within the designated time period. The notification will clearly explain the reason(s) for the delay.
5. Prior to forwarding the *Vehicle Pursuit Report*, the reporting supervisor shall state, "For your review," in the comments/instruction section. **If any level of the chain of command, including the reporting supervisor, detects a legal or procedural discrepancy with a vehicle pursuit, that supervisor or commander shall immediately notify the concerned chain of command. The concerned Captain will be responsible for immediately notifying the Assistant Chief, or the Deputy Chief, and the OPS Commander via County email. The notification shall include the corresponding case number and the details and/or circumstances in question.**

## VI. ADMINISTRATIVE REVIEWS & ANALYSIS

### A. Administrative Reviews of Vehicle Pursuits [CALEA 41.2.2 (k)]

1. Following the completion of each pursuit and *Vehicle Pursuit Report*, an administrative review will be conducted by the concerned chain of command, up to and including the Chief of Police. **This review encompassing the entire concerned chain of command, shall be completed within twenty (20) calendar days of the incident.** Any failure will result in disciplinary action. The reports, created using Blue Team Field Entry Support shall be forwarded through the chain of command via County email. These administrative reviews shall be completed using the IA Pro database maintained by the Office of Professional Standards (OPS) Commander.
2. All vehicle pursuits will be reviewed by a Post-Incident Review Board (PIRB), which can make recommendations to changes in policy, procedures, training and/or equipment. See also CCPD SOP: *B23: Post Incident Review Board (PIRB)*.

### B. Annual Analysis of *Vehicle Pursuit Reports* [CALEA 41.2.2(l)]

In February of each calendar year, the OPS Commander will complete a documented annual analysis of all *Vehicle Pursuit Reports* for the previous calendar year. The annual analysis will be forwarded to the Chief of Police for review. A copy will be provided to the Accreditation Manager.

### C. Annual Review of Pursuit Policy [CALEA 41.2.2 (l)]

A documented annual review of this policy and pursuit reporting procedures shall be completed by the OPS Commander. The annual review will be forwarded to the Chief of Police. A copy will be provided to the Accreditation Manager.

## VII. TRAINING REQUIREMENTS

- A. All sworn personnel will have direct access to this policy through PowerDMS which can be accessed through the CCPD's intranet site.
- B. All sworn personnel shall receive initial training on this policy and its procedures, prior to being released to solo patrol. [CALEA 41.2.2 (m)]
- C. Annually all sworn personnel shall review this policy. [CALEA 41.2.2 (n)]

## VIII. CANCELLATION

This procedure amends and supersedes the following standard operating procedure: *D3: Motor Vehicle Pursuits*, dated November 28, 2023.