

City of Johns Creek Police Department

<i>Subject:</i> Motor Vehicle Pursuits		<i>Number:</i> 04-19
<i>Reference:</i> See also "Use of Force"		<i>Amends:</i> 04-21
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PURPOSE:

Establish directives governing proper conduct by police officers in vehicle pursuits and clarify the criteria determining when pursuits are prohibited. This policy and the standards contained herein are for Johns Creek Police Department use only, and the standards or policy established do not apply in any criminal or civil proceedings. Even though, in certain instances, the standards or policy contained herein may be more stringent than legal standards for criminal or civil liability. The violation of this policy will subject the officer to Department sanctions or disciplinary action only, and shall not for the basis of a civil or criminal action.

DEFINITIONS:

Motor Vehicle Pursuit (also referred to as: pursuit): An active attempt by a law enforcement officer in a motor vehicle to apprehend one 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 and/or evasive driving maneuvers. An officer who follows a driver whom he reasonably believes is in compliance with OCGA 40-8-91(e) shall not be considered to be engaging in a Motor Vehicle Pursuit.

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

Forcible Misdemeanor: Any misdemeanor which involves the use or threat of physical force or violence against any person [OCGA § 16-1-3 (7)].

Reasonable Suspicion: Those specific, articulable facts and rational inferences taken therefrom, based upon the officer's knowledge, training and experience, that would lead a reasonable officer to believe that criminal activity is being, is about to be, or has been committed.

Pursuit Supervisor: The on duty ranking patrol supervisor responsible for monitoring and controlling the pursuit, authorizing back-up units, and ensuring the pursuit is in compliance with policy.

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

Secondary Pursuit Unit: The police unit (officer) who trails the Primary Pursuit Unit at a safe distance who is immediately available to assume the primary pursuit role or assist in the event the fleeing vehicle stops.

Third Pursuit Unit: The police unit (officer) who trails the Secondary Pursuit Unit at a safe distances, and is available to assist in the Precision Immobilization Technique (PIT) maneuver or rolling roadblock/boxing-in, or in the event the fleeing vehicle stops.

Stationary Roadblock: Any stationary device, method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles in order to affect the apprehension of an actual or suspected violator in a motor vehicle. The use of channelization, rolling roadblocks/boxing-in, or the PIT maneuver shall not be considered a Stationary Roadblock.

Ramming: The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop. [Note: The Precision Immobilization Technique (PIT) is not considered Ramming.] It should be noted that ramming the violator's vehicle is an act of deadly force, and should only be used to apprehend a suspected felon only when the officer reasonably believes that the suspect possesses a deadly weapon or any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury (see O.C.G.A. 17-4-20(F)(b)).

Caravanning: Unauthorized additional police units responding with their emergency equipment activated attempting to assist in close pursuit.

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

POLICY: (04-19)

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

PROCEDURES (04-19-01)

A. Emergency Equipment

Department vehicles involved in a vehicle pursuit must be equipped with working blue lights and siren. Department vehicles not equipped with headlight strobe flashers or wig-wag devices shall activate the vehicle's headlights. **All emergency equipment shall be activated at all times during the pursuit.** (see O.C.G.A. 40-6-6 – Authorized emergency vehicles)

B. Traffic Stop Initiation

Officers intending to initiate a traffic stop should be in close proximity to the vehicle before activating the vehicle's emergency equipment. This may reduce the violator's temptation to attempt to elude the officer.

C. Pursuit Responsibilities and Procedures

The decision to initiate a pursuit must be based on the **pursuing officer's** conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.

1. An officer shall only initiate a motor vehicle pursuit when there is reasonable suspicion that the driver or occupant(s) have committed, are attempting to commit, or are committing any one or more of the following offenses:
 - a. any Forcible Felony
 - b. any violations which create an immediate threat of death or serious bodily injury

Note: If after the initiation of a lawful traffic stop, the driver attempts to flee, the officer is authorized to engage in a pursuit for a reasonable period of time in order to determine if any of the criteria listed in subsections a or b are present. Additionally, if the driver obeys all

traffic laws while being pursued; the officer is authorized to extend the amount of time determining if any of the criteria listed in subsections a or b are present. However, officers engaging in a pursuit under this subsection **cannot** use the suspect's flight after the traffic stop is initiated to establish a violation under subsections a or b in order to justify the pursuit.

2. Additional factors to be considered before initiating and while continuing a pursuit are the:
 - a. Performance capabilities of the police vehicle.
 - b. Performance capability of the vehicle being pursued.
 - c. Training and experience of the officer.
 - d. Weather conditions.
 - e. Roadway surface conditions.
 - f. Traffic conditions.
 - g. Time of day.

It is the responsibility of the Primary Pursuit Unit to reach a reasonable conclusion as to whether or not to pursue a fleeing vehicle based on the criteria above.

3. Notification procedures are:

Once a pursuit is initiated, the officer should immediately provide the Communications Center with the following information:

- a. Initiating unit identification.
- b. Location, direction of travel, and speed.
- c. License number (if available) and violator's vehicle description.
- d. Nature of offense.
- e. Number and description of occupants (sex, race, and age, if known).
- f. Any information concerning the use of weapons, threat of force, or other unusual hazards.

Failure to provide this information may be cause for the Pursuit Supervisor to order the termination of the pursuit.

All radio traffic involving a pursuit should remain on the JCPD main dispatch channel.

4. Pursuit Progress Reports

Generally, at 15 to 30 second intervals, the officer should provide progress reports as the pursuit develops (e.g. – current location, changes in speed, driving behavior, traffic/road conditions, weather, etc...).

5. Audio Documentation

When not transmitting information over the police vehicle's mobile radio, officers are strongly encouraged to continually verbalize the hazards being created by the fleeing driver during vehicle pursuits. This information will be documented via the audio recorder, which was activated upon initiation of the pursuit, and will tend to support officers' judgments in continuing and/or terminating pursuits.

D. Assisting Unit Responsibilities and Procedures (04-19-02)

Unless directed otherwise by the Pursuit Supervisor, two additional police units may join in close pursuit of the fleeing vehicle.

1. The closest unit to the pursuit shall advise the Communications Center of his/her location and his/her intent to assist the primary unit.
2. It is the responsibility of the Secondary Pursuit Unit to provide immediate and close support to the Primary Pursuit Unit.
3. Once the Secondary Pursuit Unit has constant visual contact with the Primary Pursuit Unit, the Secondary Pursuit Unit should assume radio communication responsibilities such as providing appropriate pursuit progress reports.
4. Should the Primary Pursuit Unit discontinue pursuit due to damage or malfunction of the unit, the Secondary or Third Pursuit Unit may take over as the Primary Pursuit Unit.
5. All assisting units shall maintain a safe interval behind the Primary Pursuit Unit and other assisting units.

E. Pursuit Supervisor Responsibilities and Procedures (04-19-03)

1. Upon notification that a pursuit has been initiated, the on-duty shift supervisor shall notify the Communications Center that he/she is aware of the pursuit. He/she will then assume responsibilities of Pursuit Supervisor, unless directed otherwise by a superior officer.

2. The Pursuit Supervisor shall continuously review the information related to the pursuit as it develops to determine if the pursuit should continue or be terminated.
3. The Pursuit Supervisor shall proceed in the direction of the progress of the pursuit in a non-emergency mode.
4. The Pursuit Supervisor shall proceed to the termination point of the pursuit if the violator's vehicle stops.
5. The Pursuit Supervisor shall request that the Communications Center notify other agencies of the pursuit when appropriate.
6. The Pursuit Supervisor shall coordinate any available support, such as K-9 support or air support.
7. The Pursuit Supervisor should not be a Primary, Secondary, or Third Pursuit Unit unless no other marked patrol vehicles are reasonably available.
 - a. Should the Pursuit Supervisor assume the role of Primary, Secondary, or Third Pursuit Unit, he/she should direct other marked patrol units to take over as Primary, Secondary, or Third Pursuit Unit responsibilities when safe to do so.
 - b. Should it be necessary for the Pursuit Supervisor to remain as a Primary, Secondary, or Third Pursuit Unit, he/she should request that another supervisor take over as Pursuit Supervisor. All decisions made by the new Pursuit Supervisor will be adhered to by the pursuing supervisor regardless of assignment or rank.

F. Pursuits Involving Multiple Divisions/Units (04-19-04)

1. The Pursuit Supervisor remains in overall command of the pursuit unless directed otherwise by a superior officer in his/her chain of command.
2. No officer from another division/unit shall join the pursuit unless specifically authorized by the Pursuit Supervisor.

G. Communications Procedures (04-19-05)

1. The Primary, Secondary, and Third Pursuit Units involved in a pursuit are required to advise ChatComm, via radio, of their involvement. Any additional units that are paralleling the pursuit, and units that are safeguarding intersections shall notify the Communications Center of their status and location, when practical.

2. Upon notification that a pursuit is in progress, communications personnel shall immediately advise a supervisor of essential information regarding the pursuit.
 - a. Receive and record all incoming information on the pursuit and the pursued vehicle;
 - b. Control all radio communications and clear the radio channels of all non-emergency calls;
 - c. Obtain criminal record and vehicle checks of the suspects, if available;
 - d. Notify and coordinate air support; and
 - e. Notify neighboring jurisdictions, where practical, when pursuit may extend to their locality.

PURSUIT MANAGEMENT AND SAFETY PROCEDURES (04-19-06)

A. Number of Vehicles Directly Involved in Pursuit

1. Generally, no more than three police vehicles shall be used for close pursuit of a fleeing vehicle unless additional units are directed to do so by the Pursuit Supervisor.
2. Other police vehicles may be assigned by the Pursuit Supervisor to follow the pursuit at a safe distance. Generally, no more than two police vehicles will be assigned to follow the pursuit. They may respond in a non-emergency mode.
3. The Pursuit Supervisor may assign additional units to the pursuit, or restrict additional units based upon:
 - a. The nature of the offense for which the pursuit was initiated.
 - b. The number of suspects.
 - c. Any known propensity for violence by the suspect(s).
 - d. The type of vehicle being pursued.
 - e. The number of officers in the pursuit vehicle(s).
 - f. Units needed for specialty stopping techniques.
 - g. Any damage to vehicles or injuries to the officer(s) assigned to the pursuit.

B. Safety Procedures for Units not Directly Involved in the Pursuit

Other police vehicles not directly involved in the pursuit, but in the vicinity of a pursuit, may intersect the pursuit in order to safeguard intersections or warn motorists who are in front of the pursuit.

1. These units will advise the Communications Center of their location.
2. If an officer decides to safeguard an intersection, he/she will not position their vehicle so as to create a Stationary Roadblock.
3. These units will not join the pursuit unless directed to do so by the Pursuit Supervisor. Should these units join the pursuit, they shall inform the Communications Center.

PURSUIT INTERVENTION TACTICS AND PROCEDURES (04-19-07)

The following pursuit intervention tactics shall only be utilized by officers trained in their use.

A. Stationary Roadblocks

Stationary Roadblocks may be utilized by officers during a motor vehicle pursuit only on the order of the Pursuit Supervisor, and then (1) when the person(s) being pursued has/have committed a felony involving the infliction or threatened infliction of serious physical harm or (2) when the suspect's flight poses a substantial and immediate risk of serious physical injury to others. The following procedures will be followed when a Stationary Roadblock is utilized:

1. Due to the inherent danger in the use of Stationary Roadblocks, officers will refrain from setting up Stationary Roadblocks for the purpose of apprehending suspects when it is apparent that innocent persons could be endangered.
2. Stationary Roadblocks will be allowed only at the Pursuit Supervisor's direction.
3. No Stationary Roadblocks will be erected unless road and weather conditions allow visibility in both directions for a minimum of 500 feet. Rolling roadblocks/boxing-in should be considered before resorting to Stationary Roadblocks.
4. Only Johns Creek Police vehicles shall be used in conjunction with any Stationary Roadblock.

5. No officer will remain in the police vehicle after it is stationed as part of a Stationary Roadblock.
6. A path of escape for the pursued vehicle, police vehicle, or an uninvolved motorist must be established at the Stationary Roadblock.

B. Forcing a Vehicle from the Roadway

If a pursued vehicle poses a substantial and immediate risk of serious physical injury to the officers or uninvolved public, and the vehicle should be stopped immediately in order to safeguard life and preserve the public safety, or if the suspect(s) have committed a crime involving the infliction or threatened infliction of serious physical harm, the police vehicle may be used to physically force the fleeing vehicle off the roadway by ramming or by other reasonable means in order to stop it (this is not considered a PIT maneuver). This decision must take into account the Department's training and policies on use of force, the safety of bystanders, the risk to the occupants of the pursued vehicle, and to the officer himself.

C. Rolling Roadblock/Boxing-in

This is a technique designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Rolling roadblocks/boxing-in may be used during a pursuit, or prior to the initiation of a pursuit, when an officer based upon his knowledge, training, and experience suspects that a driver will attempt to flee once traffic stop procedures are initiated.

1. The maneuver should be restricted to pursuits on roadways divided by a physical barrier. It may be used on roadways without a physical barrier, but consideration must be given by the officers and the Pursuit Supervisor that the vehicles involved in the maneuver may become positioned into the oncoming traffic lane(s).
2. The Primary Pursuit Unit should coordinate the rolling roadblock/boxing-in maneuver.
3. Any officer or the Pursuit Supervisor may direct that the maneuver be abandoned if it becomes apparent that it is no longer safe to continue with the maneuver (i.e. speeds significantly increase, a firearm is observed, etc.).
4. If the maneuver is abandoned or fails, units other than the Primary, Secondary or Third Pursuit Unit should discontinue close pursuit of the fleeing vehicle, unless directed otherwise by the Pursuit Supervisor.

D. Channelization

Channelization is a tactic used to re-direct the path of a pursuit. It is a technique similar to a Stationary Roadblock in which vehicles, cones, or flares are placed in the anticipated path of a pursued vehicle with the intent to alter its direction. It may be used either on the roadway of the pursuit to direct the fleeing vehicle into a specific lane, or to maneuver the fleeing vehicle from one roadway to another.

1. Officers deciding to utilize channelization should notify the Pursuit Supervisor.
2. An officer may use his/her vehicle in motion for channelization. An example would be the positioning of a police vehicle near an exit ramp to restrict a vehicle from utilizing the exit ramp.
3. Officers may utilize flares or traffic cones in this attempt as well. Officers may use their vehicle for channelization, but should not position their vehicle so as to create a Stationary Roadblock.
4. When channelization is being used, the Communications Center should be notified.

E. Creating Slow Moving Traffic

This is a tactic in which patrol units not involved in the pursuit enter the roadway ahead of the violator to slow the normal flow of traffic. By slowing the flow of normal traffic the violator and pursuit vehicles are forced to reduce their speed. This may allow other intervention tactics to be more safely utilized (i.e. rolling roadblock/boxing-in, channelization, etc...).

1. Creating slow moving traffic shall only be initiated when authorized by the Pursuit Supervisor.
2. The maneuver should not be used during times of high traffic flow when the actions of the officers may inadvertently cause traffic to come to a complete stop.
3. Slowing traffic should not be utilized in areas where there is any road construction or other activity that is already slowing or restricting the flow of traffic.
4. The maneuver should be restricted to pursuits on roadways divided by a median. It may be used on roadways without a median, but consideration must be given by the officers and the Pursuit Supervisor that a fleeing

vehicle may maneuver around the slow moving traffic into the oncoming traffic lane(s).

F. Precision Immobilization Technique (PIT Maneuver)

The PIT maneuver is a technique by which a patrol unit is used to push the side of the pursued vehicle at an oblique angle, causing the pursued vehicle to rotate into a position where it can be trapped by other law enforcement vehicles.

1. If the officer or officers in the pursuit determine that the fleeing vehicle must be stopped immediately to safeguard life and preserve public safety, the PIT maneuver may be used.
2. The PIT maneuver **shall only** be used by officers specifically trained in this technique.
3. The following safety related factors should be considered before the PIT maneuver is utilized:
 - a. Speed at the time of the initiation of the PIT maneuver
 - b. Visibility
 - c. Vehicular traffic conditions
 - d. Pedestrian traffic
 - e. Type of fleeing vehicle
 - f. Whether children are known to be in the vehicle
 - g. Road conditions
 - h. Driving manifestations including, but not limited to, any one of the following:
 1. Whether the driver is showing a disregard for public safety
 2. Whether the driver is driving on the wrong side of the road
 3. Whether the driver is running other motorists off the road
 4. Whether the driver is slowing but not stopping for stop signs or other traffic control devices
4. The officer will consider all the factors listed above, including his experience, his abilities, and the danger of continuing the pursuit. The officer must be able to articulate the reason for his actions.
5. The PIT maneuver shall not be used to stop a pursuit with a motorcycle or ATV.

G. Stop Sticks

Stop sticks will not be utilized in pursuits, even if the suspect vehicle has stopped. However, a supervisor may authorize the use of stop sticks on parked stationary cars, to prevent suspect flight (i.e.- suspect barricaded near a vehicle and supervisor wants to prevent escape in the vehicle).

PROHIBITED PRACTICES (04-19-08)

- A.** Officers should not pursue violators the wrong way on one-way roadways, divided highways, or entrance/exit ramps thereto/from. This does not prohibit officers from driving parallel to the violator on the correct side of the roadway, or conducting an immediate pursuit ending tactic on the wrong way before oncoming traffic.
- B.** Officers will not discharge their firearms at or from a moving vehicle unless the use of deadly force is justified.
- C.** Officers will, at all costs, avoid intersecting the path of an on-coming high-speed vehicle.
- D.** Officers will not attempt to force the vehicle from the roadway by driving alongside or in front of the fleeing vehicle.
- E.** There should be no attempt made to pass the Primary Pursuit Unit unless circumstances dictate the need for such action or the passing officer receives specific permission from the Primary Pursuit Unit or the Pursuit Supervisor.
- F.** No officer shall engage in close pursuit except as the Primary, Secondary or Third Pursuit Unit, unless authorized by the Pursuit Supervisor (also known as Caravanning).
- G.** Officers are strictly prohibited from using a cellphone, handheld or handsfree, while engaged in a pursuit.

SPECIALIZED VEHICLES (04-19-09)

- A. Unmarked Units, Non-Pursuit rated SUVs, Vans, or Trucks (hereafter referred to as Specialized Vehicles)**
 - 1. Unmarked units will not become involved in a pursuit without operational blue lights and siren.
 - 2. If a pursuit is initiated by an officer in one of these specialized vehicles, he may continue that pursuit until a marked patrol unit joins the pursuit.
 - 3. These specialized vehicles 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 specialized vehicle can then continue as a Third Pursuit Unit until another marked patrol unit joins the pursuit. The specialized vehicle should then discontinue the pursuit.

4. The specialized vehicle should proceed to the termination point should there be an apprehension.

B. Motorcycle Units and Prisoner Transport Vans

Motorcycle Units and prisoner transport vans will not become involved in pursuits.

C. Vehicles with Passengers

Vehicles that are transporting prisoners, witnesses, suspects, complainants, or passengers other than on-duty Johns Creek Police Officers will not engage in pursuits.

AIR SUPPORT (04-19-10)

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

- A. When the aircraft has advised that the suspect vehicle is in view, the Pursuit Supervisor may direct that the pursuing units discontinue close pursuit. However, the pursuing officers should continue using all of their emergency equipment (blue lights and sirens). Consideration should be given by the Pursuit Supervisor to the factors involved in the pursuit when making this decision.
- B. The aircraft should continue to advise the suspect's vehicle location and approximate speed.
- C. When directed to do so by the Pursuit Supervisor, police units may remain in the area of the suspect's vehicle in order to apprehend the suspect when feasible to do so.

METROPOLITAN ATLANTA INTER-JURISDICTIONAL PURSUIT POLICY (04-19-11)

- A. Before entering another jurisdiction, the pursuing agency shall notify the other agency with the following information:
 1. Pursuit is about to enter their jurisdiction.
 2. Reason for the pursuit and the nature of the violation.
 3. Location and direction of pursuit.
 4. Complete description of occupants and vehicle.
 5. Number of units involved in pursuit.

6. Whether or not assistance is needed.
7. When applicable, notify agency when pursuit is leaving their jurisdiction boundaries, or the location of termination.

In order to lessen the dangers created by pursuits, agencies that maintain an air/aviation unit will agree to provide such assistance, when available, to any and all signatories upon a direct request. Any signatory obtaining aviation support in the future will also provide this assistance. The following agencies that will provide this assistance are: Atlanta, Clayton County, Dekalb County, Fulton County, and Gwinnett County.

The initiating agency will have control of the pursuit and be responsible for the pursuit. Other agencies will not participate unless requested to assist.

No more than a total of three vehicles from the combined jurisdictions will be involved in any pursuit: Two units from initiating agency and one additional from assisting agency.

Where pursuits enter third and subsequent jurisdictions, the assisting unit, due to boundary familiarity and greater ability to maintain radio communications, will notify the next jurisdiction of a desire for assistance. The assisting unit will then remain with the pursuit until replaced by the next assisting agency. If the person is apprehended, all concerned agencies will be notified of the location and supplied pertinent information for appropriate charges.

B. Responsibility of the Initiating Agency

The following are the responsibilities of the initiating agency:

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

A supervisor from the agency where the pursuit terminates will respond to the location to supervise and assist officers.

C. Pursuits Entering City

Officers ***shall not join pursuits*** of other jurisdictions entering the City without specific authorization of a supervisor. Officers joining a pursuit will be required to adhere to all policies as established.

1. Officers may assist in pursuits initiated by other agencies by blocking side streets at intersections to allow pursuing officers and fleeing vehicle a clear passage

through the area. These actions are directed at preserving the safety of the pursuing officer and other motorists on the highway.

2. Officers may assist in pursuits initiated by other agencies by positioning zone officers in strategic locations which can be determined by the pursuit direction of travel. These actions are directed at preserving the safety and well being of the pursuing officer.
3. Officers may assist in pursuits initiated by other agencies by following behind the pursuit, (at a safe speed), close enough to maintain visual contact with the vehicles involved, yet not actively involved in the pursuit, until such time other assistance is provided or such time the pursuit leaves our city limits. If this be the case, the following criteria must also be met:
 - a. Assistance has been requested.
 - b. The reason for the pursuit is known to the assisting officer and his/her Shift Supervisor.
 - c. The pursuing officer is alone and if assistance is not provided there is likelihood that the officer's safety or physical well-being is placed in jeopardy.

PURSUIT TERMINATION (04-19-12)

- A.** Pursuits typically will be terminated under the following conditions:
1. When the initiating officer determines that the driver is fleeing for an offense that is not authorized by this policy.
 2. When the offense is a non-violent felony or forcible misdemeanor and the suspect's identity has been established to a point that later apprehension can be accomplished.
 3. When the pursuing officer knows, or is reasonably certain, that the offender is a juvenile and the offense is a non-violent felony or forcible misdemeanor. The safety factors involved are obviously greater than the juvenile driver's capabilities.
 4. When the Pursuit Supervisor, or a superior, orders the pursuit terminated.
 5. When the officer loses visual contact with the suspect for an extended period of time.

6. When the pursuing officer is not familiar with the area and is alone.
 7. When there is an equipment failure involving an emergency signaling device, radio, brakes, steering, or other essential mechanical equipment.
 8. When a supervisor has not acknowledged that he is aware of the pursuit.
 9. When Johns Creek Police Officers are assisting another agency in a pursuit that was initiated by said other agency and that other agency discontinues the pursuit.
- B.** Pursuits will be terminated regardless of the seriousness of the crime when weather, traffic, road conditions, or locale make further pursuit unreasonably hazardous to the safety of the public or the officer(s) involved.
- C.** When a pursuit is terminated, officers will deactivate all emergency equipment and abide by all traffic laws.

INVESTIGATIONS (04-19-13)

Nothing in this policy restricts an officer from conducting a follow-up investigation of an incident of “Attempting to Elude.” 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. The incident may be investigated by that officer, or assigned to the Traffic unit for follow-up investigation in accordance with other Departmental policies.

PURSUIT CRITIQUE PROCEDURE (04-19-14)

A. Critique Criteria

1. Supervisors shall make a threshold determination as to whether an incident involving a motorist falls under the purview of this procedure. O.C.G.A. § 40-6-395 Attempting to Elude Police Officer contains the statutory language defining the offense of eluding a police officer. The act of eluding police often involves a vehicle pursuit but not always. An example would be at a traffic safety checkpoint where a driver refuses hand and audible signals by an officer to stop. If the officer gets into his patrol car, falls in behind the violator’s vehicle, activates his emergency equipment, and the vehicle then comes to a stop, the violator committed the offense of eluding, but there was no vehicle pursuit.
2. Supervisors shall use the following criteria in making a threshold determination for the application of the pursuit critique procedure:

- a. The officer was in close proximity to the vehicle, was in marked vehicle, had activated all his emergency vehicle equipment, requiring the driver to yield to his authority; and
- b. The driver made evasive maneuvers, increased vehicle speed, or refused to stop while maintaining a legal speed.

B. Officer Responsibilities

1. The initiating officer of the pursuit is responsible for the completion of an Incident Report (in addition to any other required reports, warrants, or documents) on all pursuits. All pursuits shall be reported whether or not apprehension is made, and/or whether or not the pursuit concludes in another jurisdiction.
2. All officers involved or assisting in the pursuit will complete a supplemental report documenting their involvement in the pursuit.
3. The incident report and all supplemental reports will be completed, submitted and approved prior to the end of the officer's shift rotation. If audio/video is available, it should be downloaded prior to the end of the shift.

C. Reporting and Administrative Review

1. After the pursuit action has been concluded the pursuit supervisor shall respond immediately to the point of termination and evaluate the circumstances for a subsequent administrative review of the pursuit. The pursuit supervisor shall review all reports, supplemental(s) and audio/video recordings in order to complete the required fields in the OSSI pursuit report module. The pursuit supervisor shall complete the required fields in OSSI, and ensure all supplementals, reports, and videos are uploaded, prior to the end of their shift rotation. The pursuit supervisor will also enter the pursuit into Guardian Tracking as "pursuit pending" for each officer involved.
2. After the pursuit supervisor has completed the required reporting the involved officer's Lieutenant shall conduct an administrative review of the pursuit and complete the required fields in the OSSI pursuit report module. The Lieutenant shall obtain all necessary recordings and documentation from Chatt Comm and attach them to the pursuit report in OSSI. The review shall determine if the pursuit was necessary and conducted within department policy and procedures, whether the policy should be modified or revised and if additional training is required. The involved Officer's Lieutenant shall, within ten days of the incident, document his/her findings in OSSI with "In Policy" or "Out of Policy".

3. Once the Lieutenant's administrative review has been completed, the Training Unit shall review the pursuit to look specifically at the officer's actions in the pursuit and compare the officer's training record. The Training Unit should make a recommendation for any identified training issues with the pursuit. The Training Unit will sign that they reviewed the pursuit within ten days. The sign off shall be completed in OSSI and shall include any recommendations, if applicable.
4. Once the Training Unit has completed their review, the Division Major shall, within ten days, review the pursuit findings and document if he/she "concur" or does "not concur" with the findings. The Division Major should conduct their review in light of the Lieutenants administrative review and Training's recommendations. The sign off shall be completed in OSSI.
5. The Chief of Police shall have the final review and approval of the pursuit findings. The Chief of Police shall have the decision to "concur" or "not concur" with the Lieutenant's administrative review. The Chief of Police will have final approving authority to implement any remedial training recommended by the Training Unit. If the Lieutenant determines that the pursuit does not fall within the policy, and the Chief of Police concurs with his/her findings, then the report shall be forwarded back to the Lieutenant for a disciplinary recommendation. The procedures for the disciplinary process shall be adhered to at this point.
6. If additional time is needed the extensions must be approved by the Chief of Police or his/her designee.
7. The administrative review and report shall be maintained in OSSI and available to the Office of Professional Standards and the Training Unit to review for future training opportunities, if applicable.
8. This reporting and administrative review process is not intended to suppress the intelligent exercise of initiative or discretion by any officer, nor does it eliminate the duty of all officers to pursue and arrest violators of the law.

D. Annual Review and Analysis of Pursuits (04-19-15)

1. The Training Unit shall complete a documented annual review of all vehicle pursuits and annual vehicle pursuit training. The review is intended to reveal any patterns or trends that indicate a training need or a policy modification. The review shall include any motor vehicle pursuit that did not fall within agency policy or was outside the involved officer(s) level of training for that particular

pursuit and what corrective training was conducted. The review shall also include any recommendations for future training. Once complete the review shall be forwarded to the Office of Professional Standards.

2. Annually, the Office of Professional Standards, or his/her designee shall conduct an analysis of all of pursuit actions to assess patterns or trends that may indicate training needs, recommendations or policy modifications. Additionally, the annual analysis shall include a documented review of pursuit policies and reporting procedures. In the event there are no pursuits in the reporting year the annual review of the policies, procedures and practices associated with pursuits shall be completed. The annual review and analysis shall be submitted to the Chief of Police.