

# MONTPELIER POLICE DEPARTMENT

<b>Foot Pursuit</b>	Related Policies: Pursuit
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Vermont Statutes:	
CALEA Standard:	
Date Implemented: February 5, 2014	Review Date: February 3, 2023

- I. **Purpose:** To provide for the safety of law enforcement personnel while at the same time facilitating the safe apprehension of suspects.
- II. **Policy:** Whenever an officer decides to engage or continue a foot pursuit, a quick and continuous risk assessment must take place. The officer must evaluate the risk involved to themselves, the suspect and the community versus the benefit of the pursuit.
- III. **Definitions:**
  - A. **Foot Pursuit:** A situation in which an officer chases a suspect on foot in an effort to detain or arrest the suspect who is resisting apprehension by fleeing from the officer.
  - B. **Suspect:** Includes any individual who a police officer reasonably believes is about to commit, is committing or has committed a crime or who poses an imminent threat to the safety of the public, other officers or themselves.
  - C. **Contact/Cover:** A tactical practice of having two or more officers working together during a foot pursuit. The officers work as a team utilizing direct or indirect communication methods to coordinate their efforts, remain aware of the locations of officers and suspects, and keep abreast of the status of the pursuit.
- IV. **Procedure:**
  - A. **Alternatives to Foot Pursuit:** To the extent that resources are available, officers should consider the following alternatives to a foot pursuit:
    - a. Area Containment
    - b. Additional officers
    - c. Surveillance until additional resources become available
  - B. **Factors to Consider in Conducting the Risk Assessment:**
    - a. Whether the suspect is armed

- b. How serious is the suspect's offense i.e. does he or she pose a serious threat to the community if allowed to escape
- c. Officer acting alone
- d. Backup is not available in a timely manner
- e. Officer pursuing more than one suspect
- f. Officer not in physical condition to pursue a subject on foot
- g. Location:
  - i. Nature of area- (i.e. residential, commercial, highway) which impacts the safety of all those who may be affected by the foot pursuit.
  - ii. Conditions of structures: abandoned and condemned
  - iii. Environmental factors: weather conditions or darkness
  - iv. Area of pursuit is hostile to law enforcement personnel
- h. Ability to apprehend the subject at a later time. i.e. identity is known
- i. Communications Issues:
  - i. Officer familiarity with location-able to identify subject's location with accuracy during pursuit.
  - ii. Radio frequency and coverage- Is officer in area where radio coverage may fail.

### **C. Pursuing Officer Responsibilities:**

- a. The decision to initiate or continue a foot pursuit requires weighing the need to apprehend the suspect against the degree of risk to which the officer and others are exposed to as a result of the pursuit.
- b. Once an officer decides to engage in a foot pursuit, the officer must immediately relay the following information to communications:
  - i. Officer identifier
  - ii. Location (continuing responsibility)
  - iii. Direction of travel
  - iv. Description of suspect
  - v. Whether suspect is armed
  - vi. Reason for foot pursuit
  - vii. Whether the officer is coordinating with other officers to establish perimeter for containment.
- c. The primary officer should maintain sufficient tactical gap between him or herself and the suspect to allow time for maintaining cover and allow for the arrival of backup officers before engagement.
- d. An officer should not enter a building, structure or area of limited or no cover without a backup officer present.
- e. An officer should not continue a foot pursuit if the officer has lost their firearm.

**D. Supervisor's responsibility:** If a supervisor is on duty, the supervisor shall:

- a. Monitor the pursuit and direct available resources to provide for the swift and safe apprehension of the suspect.
- b. Terminate any foot pursuit where the risk to the officer, the public, or the suspect outweighs the need for the foot pursuit.
- c. Consider the use of specialized units/personnel to aid in the apprehension i.e. canine, tactical team (if warranted) following containment etc. In the absence of a supervisor, this consideration should be undertaken by involved officers.

**E. Communications Responsibility:**

- a. Maintain open communications with involved officer.
- b. Notify a supervisor and provide relevant information (without compromising ability of involved officer in communicating ongoing information)

**F. Termination of Foot Pursuits:** Officers shall terminate a foot pursuit:

- a. If ordered by a supervisor
- b. If the officer believes the danger to the pursuing officers or the public outweighs the necessity for the immediate apprehension of the suspect.
- c. If the suspect's identity is known and he or she is not an imminent threat to the safety of the public or other officers, consider terminating the pursuit and apprehend at a later date.
- d. After termination of a foot pursuit, the involved officers will notify communications of the last known location of the suspect or in cases of apprehension, the location of apprehension.

**G. Review of Foot Pursuits:** At the conclusion of a foot pursuit as defined by this policy, officers shall compile a report in the department's record management system. The report shall be reviewed by:

- a. First line supervisor
- b. The report shall then be forwarded up the chain of command to the Chief of Police or his designee for final review.