



**DEPARTMENT OF PUBLIC SAFETY
INTRA-DEPARTMENTAL CORRESPONDENCE**



DATE: FEBRUARY 22, 2022

**FROM: CHIEF TIM Q. JOHNSON TQJ
DEPUTY SECRETARY - OPERATIONS**

TO: ALL COMMISSIONED PERSONNEL

SUBJECT: DIRECTIVE 2022-01 PURSUITS

The purpose of this directive is to provide updated direction to commissioned personnel regarding vehicular pursuits.

Commissioned personnel may initiate a high-speed pursuit to apprehend a suspect who the officer has reasonable grounds to believe poses a clear and immediate threat of death or serious injury to others or who the officer has probable cause to believe poses a clear and immediate threat to the safety of others that is ongoing and that existed prior to the high-speed pursuit.

Broken down into two parts:

Part 1 - "Commissioned personnel may initiate a high-speed pursuit to apprehend a suspect who the officer has reasonable grounds to believe poses a clear and immediate threat of death or serious injury to others....."

Absent a clear and immediate threat of death or serious injury to others, pursuits initiated due to traffic violations, based exclusively on that, are contrary to this directive.

Absent a clear and immediate threat of death or serious injury to others, a pursuit, based exclusively on a misdemeanor warrant or warrant for a non-violent felony, is contrary to this directive.

A pursuit is not authorized based solely on the driver/suspect's driving behavior post lawful signal to stop (emergency equipment).

Part 2 - ".....or who the officer has probable cause to believe poses a clear and immediate threat to the safety of others that is ongoing and that existed prior to the high-speed pursuit."

Driver/suspect just committed or is committing a violent felony.

Driver/suspect's driving creates reasonable suspicion that they are operating a motor vehicle while under the influence of alcohol or drugs.

Directive 2022-01 Pursuits

Said reasonable suspicion must have been present prior to the lawful signal to stop.

The following sections of policy are immediately struck:

- Any mention of the Reactive Control Model (RCM)
- 6.0 (A) Procedure: "An officer shall also consider if to initiate a pursuit when, in the officer's opinion, an individual clearly exhibits intent to avoid arrest by using a motor vehicle to actively flee."

An updated policy and subsequent training on the policy will be sent to the field in coming weeks. In the meantime, please understand this directive, and the future updated policy, IS NOT an outright ban on pursuits. Rather, this is a stricter interpretation of acceptable reasons to pursue. The adjustment to policy and practice is very important to maintain the safety of our personnel, those being chased, and the public we serve. Equally important is to protect the reputation of the New Mexico State Police and hardworking working men and women that it's comprised of.

Thank you in advance for your attention and compliance with this directive.

TQJ:tj