	PARADISE VALLEY POLICE GENERAL ORDER Emergency Vehicle Operations - Pursuits and Emergency Driving	Order Number
		41.6 Date 10-23-20

41.6 ***Emergency Vehicle Operations - Pursuits and Emergency Driving***

- A. *Authorized emergency vehicle operations shall be conducted in accordance with applicable laws and Department policies, which shall be reviewed annually. Both emergency response to calls for service and vehicle pursuits of fleeing suspects present dangers to law enforcement officers, the offender(s) and the general public.*
- B. *While state law permits officers to disregard specified traffic laws while engaged in emergency driving, the exemption from government and personal liability that is provided by statute may be lost if the facts show an officer drove with reckless disregard or is not operating as an authorized emergency vehicle.*

41.6.1 **Definitions**

When used in G.O. section #41.6, these terms are defined as follows.


Authorized Emergency Vehicle: A police vehicle equipped with at least one red or blue light and siren.

Code Three: The operation of a police vehicle under *emergency* conditions, with red/blue or red light(s) and siren activated. An *officer may* respond Code Three when permitted by this policy.

Emergency Call: A situation where an *officer* is dispatched or responding to a life-threatening situation or a violent crime in progress. This does not include pursuits, traffic enforcement or other routine activities.

Emergency Driving: The operation of an *authorized emergency vehicle*, with the use of lights and siren as required by *Arizona law*, in response to an *emergency*, at a speed above the posted speed limit and/or in disregard of traffic control devices governing the movement of motor vehicles.

Primary Unit: The police vehicle that initiated the pursuit, or any unit that assumes the lead vehicle position behind the fleeing vehicle.

	PARADISE VALLEY POLICE GENERAL ORDER Emergency Vehicle Operations - Pursuits and Emergency Driving	Order Number
		41.6 Date 10-23-20

Secondary Unit: The police vehicle that becomes involved in a pursuit as the backup to the *primary unit*.

Pursuit Driving: An active attempt by an *officer*, operating an *authorized emergency vehicle*, to apprehend a suspect in another vehicle.

Pursuit Supervisor: A person holding the highest position of: Field Training *Officer* (FTO), Corporal or Sergeant or above who assumes control of a vehicle pursuit. The pursuit supervisor *shall* not be the *primary* or *secondary unit*.

Terminate: All units discontinue *emergency driving*, resume the posted speed limits, and cease pursuit of the fleeing vehicle. Vehicles are to come to a complete stop and report their position, or are to take a driving action with their vehicles that would clearly indicate to the pursued vehicle that the pursuit has been terminated.

41.6.2 Emergency Response Driving – Code Three

A. The authority under state law for police *officers* to operate *emergency vehicles* is found in A.R.S. § 28-624:

A.R.S. § 28-624, *Authorized Emergency Vehicles*

1. If an *authorized emergency vehicle* is driven in response to an *emergency* call, in pursuit of an actual or suspected violator of law or in response to but not on return from a fire alarm, the driver *may* exercise the privileges provided in this section subject to the conditions stated in this section.
2. If the driver of an *authorized emergency vehicle* is operating at least one lighted lamp displaying a red or red and blue light or lens visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle, the driver *may*.
 - a. Notwithstanding this chapter, park or stand.
 - b. Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation.



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

- c. Exceed the prima facie speed limits if the driver does not endanger life or property.
 - d. Disregard laws or rules governing the direction of movement or turning in specified directions.
 - 3. The exemptions authorized by this section for an *authorized emergency vehicle* apply only if the driver of the vehicle while in motion sounds an audible signal by bell, siren or exhaust whistle as reasonably necessary and if the vehicle is equipped with at least one lighted lamp displaying a red or red and blue light or lens visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle, except that an *authorized emergency vehicle* operated as a police vehicle need not be equipped with or display a red or red and blue light or lens visible from in front of the vehicle.
 - 4. This section does not relieve the driver of an *authorized emergency vehicle* from the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of the driver's reckless disregard for the safety of others.
- B. An officer may only respond *Code Three* when responding to an emergency call and must:
 - 1. be driving an *authorized emergency vehicle*, and
 - 2. the siren *must* be sounding, as reasonably necessary, and emergency lights *must* be activated.
- C. An officer who experiences failure of any of the vehicle's *emergency* equipment, or essential vehicle equipment, *shall* discontinue the *Code Three* response.
- D. When officers are responding *Code Three* to an *emergency* call, the following *will* apply:
 - 1. the officer *shall* notify the dispatcher immediately upon beginning a *Code Three* response.



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

2. *officers shall* come to a complete stop prior to entering any intersection with a red light, stop signal or stop sign facing the *officer's* direction of travel, or when approaching an intersection in the oncoming or center lanes even if a signal is green for the *officer's* direction of travel. The *officer shall* proceed when safe to do so.
 3. care is to be exercised when exceeding the speed limit, with consideration to visibility, traffic and road conditions. *Officers shall* not exceed the posted speed limit when approaching a controlled intersection, nor exceed 15 miles per hour when traveling in center or opposite lanes of traffic.
 4. continuous evaluation of traffic volume, time of day, type of crime in progress, distance to the location and potential hazards is required.
- E. An *officer shall* immediately cease driving *Code Three* when the *emergency* need is resolved or when *ordered* to do so by a *supervisor*.

41.6.3 Pursuit Driving

- A. Vehicle pursuits *shall* only be initiated when an *officer* has reason to believe that the occupant of the fleeing vehicle has been involved in a felony offense against persons (for example, homicide, sexual assault, aggravated assault or robbery), or is likely to endanger human life or cause serious injury to another unless apprehended without delay. Pursuits for traffic offenses (including unlawful flight), non-violent felonies, property crimes (whether felony or misdemeanor), and suspicious activities are prohibited.
- B. A pursuit *shall* not be initiated if the suspect is known, and those in the vehicle are not engaged in ongoing violent activities, such as shooting from the vehicle.
- C. The decision to begin, the responsibility for continuing, and the choice of method of pursuit rests primarily with the individual *officer* involved.
- D. The policies set forth in the previous section on *emergency driving* apply to *pursuit driving* as well.



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

41.6.3.1 Pursuit Procedure

- A. *Primary unit.* Once the requirements for a pursuit are met, the initiating officer becomes the *primary unit*. The initiating officer shall activate lights and siren, advise dispatch the officer is in pursuit, and should:

Advise dispatch of:

1. the officer's call sign,
2. a description of the vehicle, including plate if possible,
3. the reason for the pursuit,
4. the location and direction of travel,
5. the speed of the suspect vehicle,
6. current traffic conditions,
7. any additional officer safety

On a continuous basis, advise dispatch of changes in:

1. location,
2. direction,
3. speed,
4. any traffic offenses or hazardous conditions caused by the suspect.

Terminate the pursuit at any point in time that:

1. termination is required by this policy or
2. the officer reasonably believes the danger to the public or other officers outweighs the need for the immediate apprehension of the suspect(s), based on the totality of the circumstances involved.



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

- B. *Secondary unit.* One *secondary unit* may join the pursuit to assist the *primary unit*. The *secondary unit* shall:
1. activate lights and siren,
 2. advise dispatch of unit identifier and intention to take over communication responsibilities for *primary unit*,
 3. follow the *primary unit* at a safe distance,
 4. *terminate* the pursuit at any point in time that termination is required by this policy or at any point in time that the *officer* reasonably believes the danger to the public or other *officers* outweighs the need for the immediate apprehension of the suspect(s), based on the totality of the circumstances involved.
- C. *Support units.* In the absence of express permission by the *pursuit supervisor*, no more than two units *shall* be involved in the pursuit. Other support units *may* be utilized only as assigned by the *pursuit supervisor* and then only for traffic control, covering escape routes, and assuming tactical positions. Support units *may* use lights and siren only to warn uninvolved citizens of the pursuit. Support units may not attempt to follow the pursuit on parallel streets and shall not intervene in the pursuit if they intentionally or inadvertently intercept the suspect vehicle.
- D. *Pursuit supervisor.* An *on duty supervisor* shall immediately assume supervision of the pursuit. The *pursuit supervisor* shall:
1. broadcast that they are monitoring the pursuit,
 2. monitor the pursuit, directing pursuit vehicles into or out of the pursuit,
 3. continuously evaluate whether the pursuit *should* continue,
 4. determine whether any effort *should* be made to forcibly *stop* the vehicle, see GO 41.6.3.4,



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

5. approve or disapprove of leaving the *jurisdiction* to continue the pursuit,
6. *terminate* the pursuit at any point in time that termination is required by this policy,

E. Communications *shall*:

1. order the police radio cleared of all but *emergency* traffic,
2. confirm that an *on duty supervisor* knows of the pursuit and is monitoring it,
3. gather and broadcast information concerning the pursuit and the suspects,
4. assist in directing back-up units to strategic locations,
5. if necessary, contact and advise adjoining jurisdictions of the pursuit,
6. advise all units once pursuit is *terminated*.

41.6.3.2 Authorized Pursuit Vehicles

Only fully marked authorized four wheel *emergency vehicles* used for ordinary patrol duties *shall* engage in a pursuit as a *primary* or *secondary unit*. Any pursuit that is initiated by an *officer* operating any other type of *Department* vehicle (including unmarked vehicles, motorcycles, or transport vehicles) *shall* immediately turn pursuit duties over to the next available fully marked authorized four wheel *emergency vehicle*. The *officer* who yields the pursuit to another vehicle *shall* immediately withdraw from the pursuit. No unit transporting any person other than an *on duty sworn employee* *shall* engage in a pursuit in any capacity.

41.6.3.3 Air Support

If air support is available, it *shall* be requested if needed by the *pursuit supervisor*. Once air support has located the pursued vehicle, the ground pursuit



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

shall be immediately *terminated* and the pursuing vehicles *shall* back off to a position out of view of the suspect vehicle. The air unit *shall* keep the *pursuit supervisor* informed; the *pursuit supervisor shall* direct support units so that they are in a position to apprehend the suspect(s) when the suspect vehicle stops.

41.6.3.4 Forcible Stop of a Pursued Vehicle or Fleeing Felon

- A. Unless an *officer* has justification for the use of *deadly force* and the use of *deadly force* does not create a greater danger to the public than the danger faced by the *officer*:
 - 1. an *officer shall* not intentionally ram, bump, or collide with a fleeing vehicle, nor pull alongside the vehicle in an attempt to force the vehicle off the road or into an obstacle.
 - 2. an *officer shall* not shoot a firearm at or from a moving vehicle.
- B. *Officers may* not box in or surround a moving vehicle.
- C. Rolling roadblocks *shall* not be used. Stationary roadblocks *shall* not be used in the absence of approval of a *commander* and justification for the use of *deadly force*. Any such roadblock *must* be in a well-lit area, vehicle emergency lights *shall* be on, flares and traffic cones *shall* be used if available, an avoidance route *must* be available to the pursued vehicle, and the utmost consideration *shall* be given to the safety of *officers* and the public.
- D. *Stop sticks* are no longer approved for use. (*This section is reserved for possible future pursuit termination devices*)
- E. The Pursuit Intervention Technique (PIT) is an interdiction technique that involves direct vehicle-to-vehicle contact between a law enforcement vehicle and a fleeing vehicle. The PIT is intended to cause the fleeing vehicle to spin out and stall, ending the pursuit.

The PIT maneuver *may* be used only when all of the following requirements are met:

- 1. the *officer* has received formal training in use of the PIT,



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

2. a *supervisor* has given approval,
3. the moving vehicle poses an imminent threat to public safety,
4. the speed of the fleeing vehicle does not exceed 35 MPH,
5. the *officer* is operating emergency lights and siren,
6. the environmental, traffic, and roadway conditions are suitable for use of the PIT, and
7. *officers* in the area have been warned of the impending use of the maneuver.

41.6.3.5 Pursuit Termination

The *primary* and *secondary unit(s)* shall cease the pursuit in any of the following circumstances:

- A. when the *supervisor terminates* the pursuit.
- B. when in the opinion of the *officer* operating the *primary* or *secondary unit*, or of the *pursuit supervisor*, the danger to the public or other *officers* outweighs the need for the immediate apprehension of the suspect(s), based on the totality of the circumstances involved.
- C. if information that is likely to lead to the identification and apprehension of the suspect is discovered and made known to the *officers* involved in the pursuit or the *supervisor* and those in the vehicle are not engaged in ongoing violent activities, such as shooting from the vehicle.
- D. when the distance between the pursuit vehicle and the fleeing vehicle is so great that further pursuit is futile.
- E. when visual contact is lost for 15 seconds or more.
- F. if the *officer* is unfamiliar with the area of the pursuit and is unable to accurately notify the dispatcher of the location and direction of travel.



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

- G. if the *officer* determines they are driving beyond their capability or beyond the capability of their vehicle.
- H. if the pursuit requires the *officer* to drive on the wrong side of any divided roadway or one-way street.

41.6.3.6 Apprehension of the suspect

Once the suspect vehicle has *stopped*, the *primary* and *secondary units* should initiate a high risk *stop*. *Officers* shall utilize appropriate *officer* safety tactics and *shall* be aware of the necessity to utilize only reasonable and necessary force to take suspects into custody. If readily available, support units *should* take the suspects into custody and clear the vehicle.

41.6.3.7 Inter-Jurisdictional Pursuits

- A. If it is likely a *Department* pursuit *will* enter another jurisdiction, Communications *shall* advise the affected agencies of the circumstances. Any assistance that is needed *shall* be requested by the *pursuit supervisor*. If a collision involving the pursuit occurs in another jurisdiction, the *supervisor* *shall* request the law enforcement agency in that jurisdiction to respond; *Department* investigators *shall* also respond.
- B. If another agency's pursuit enters this *jurisdiction*, Communications *will* request the nature of the pursuit and *will* notify a *supervisor*. *Officers* *will* not join the pursuit unless a request is made by the other agency, the pursuit meets the requirements contained in this policy and an *on duty supervisor* approves of the assistance. If the other agency's pursuit does not fall within the requirements contained in this policy, then *officers* *shall* not join the pursuit, but *may* assist with traffic control and (with *supervisor* approval) associated high risk *stops*. If an accident occurs in this *jurisdiction* as a result of another agency's pursuit, this *Department* *shall* conduct the accident investigation. Investigators from the pursuing agency *shall* be permitted to observe the investigation.



PARADISE VALLEY POLICE GENERAL ORDER

Emergency Vehicle Operations - Pursuits and Emergency Driving

Order Number

41.6

Date

10-23-20

41.6.3.8 Documentation

- A. Following a pursuit, whether or not the suspect is apprehended, all involved *officers shall* complete detailed *reports*. In addition, the *pursuit supervisor shall* complete an after action *report*. These *reports shall* be submitted within 24 hours of the pursuit. If any involved *officer* is injured, or otherwise unable to complete a *report*, a *supervisor may* authorize another *officer* to complete the *report*. Whenever reasonable to do so, the *officer* completing the *report will* first interview the involved *officer*.
- B. In addition, the *pursuit supervisor should* debrief all involved *officers* immediately following the pursuit, or within 24 hours if immediate debriefing is not possible.
- C. All departmental *reports*, including the after-action *report*, *shall* be submitted by the end of shift unless otherwise directed by a supervisor. The after action *report shall* be archived with Records separate from the case file.
- D. An internal pursuit investigation should be conducted administratively by the Commander over the pursuit supervisor to ensure all tenants of this policy were followed and acted upon appropriately. The results of this investigation will be forwarded to the Chief for final review and direction.