

# Vehicle Pursuits

## 307.1 PURPOSE AND SCOPE

Vehicle pursuits of suspected or known violators of the law expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and officer safety against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to reduce the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of intelligence, competency, and sound judgment. Officers must be mindful that the immediate apprehension of a suspect is not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officer's conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An unreasonable individual's desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

## 307.2 POLICY

It is the policy of the Santa Monica Police Department that pursuits are permitted when the necessity of immediate apprehension outweighs the degree of danger created by the pursuit, and only when the pursuit is in compliance with this policy and applicable State laws.

There are numerous situations which arise in law enforcement that are unique; it is impossible for this policy to anticipate all possible circumstances. Therefore, it is the intent of this policy to direct as well as guide sworn member's exercise of competent discretion in matters involving vehicular pursuits.

### 307.2.1 VEHICLE PURSUIT DEFINED

A vehicle pursuit is an active attempt by one or more law enforcement officers to apprehend a suspect, who is attempting to avoid apprehension while operating a motor vehicle by using evasive tactics, or after a short period of time, willfully fails to stop after the police vehicle's lights and siren have been activated. Following a vehicle whose driver is attempting to evade, or has willfully failed

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to yield, after a reasonably short period of time, whether accomplished with or without red lights and siren activated, and regardless of the terminology used to describe these acts is also a pursuit.

#### **307.3 OFFICER RESPONSIBILITIES**

It shall be the policy of this department that a vehicle pursuit shall be conducted only with red light and siren as required by Vehicle Code § 21055 for exemption from compliance with the rules of the road. The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code § 21056.

The courts have defined due regard as follows:

This special rule governing drivers of emergency vehicles permits them to cautiously circumvent strict application of the traffic laws in the interest of hastening their mission, thus promoting the public safety and welfare. It does not permit them carte blanche authority to charge into heavily traveled urban intersections in defiance of all reason.

##### **307.3.1 VEHICLE PURSUIT CONSIDERATIONS**

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.

The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

- (a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) Apparent nature of the fleeing suspects (e.g., whether the suspects represent a serious threat to public safety).
- (d) The identity of the suspects has been verified and there is comparatively minimal risk in allowing the suspects to be apprehended at a later time.
- (e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.
- (f) Pursuing officers familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.

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- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) Availability of other resources such as air support.
- (l) The police unit is carrying passengers other than police officers. Generally, pursuits shall not be undertaken with a prisoner in the police vehicle and/or police ride along.
- (m) Any other factor that would indicate the interests of public safety and effective law enforcement would not justify the initiation of a pursuit.
- (n) Prior to initiating a pursuit with a partner officer, decision-making involving whether to pursue or not shall be discussed. If the pursuit is found to be out of policy, both officers may be subject to discipline.

#### 307.3.2 PURSUIT PROHIBITIONS- REDACTED

#### 307.3.3 WHEN TO INITIATE A PURSUIT

Officers may initiate a vehicular pursuit under the following conditions:

- (a) Known or suspected serious felony has been committed; or
  - (a) "Serious Felony" as used in this section includes, but is not limited to, attempting or actual murder, mayhem, violent sex crimes, hit and run, robbery, kidnapping, carjacking, assault with a deadly weapon, major narcotics violations, and overt acts of terrorism.
- (b) Known residential burglary where the full extent of the crime is unknown; the pursuit may continue only if it is determined that the suspect has committed an offense otherwise specified in this policy; or
- (c) Known residential or commercial arson where the structure is fully involved in fire and it can be reasonably articulated the structure is inhabited and severe injury has likely occurred to the occupants as a result of the fire or the full extent of the crime

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is unknown; the pursuit may only continue if it is determined that the suspect has committed an offense specified in this policy; or

- (d) Misdemeanor suspects only in the following situations:
  - (a) Where a police officer or other reliable witness(s) has observed the suspect(s) displaying a firearm in an assaultive manner reasonably close in time to the initiation of the pursuit; or
  - (b) Where there is reasonable suspicion to believe the suspect is driving under the influence of alcohol and/or drug, or is otherwise impaired, and the suspect's driving is so flagrantly reckless as to be a clear and present danger to other users of the highway, and the failure to apprehend the violator would likely present an imminent, life threatening danger to the public.
    - (a) Examples of such flagrantly reckless driving include, but are not limited to, collisions with other vehicles or objects, forcing other vehicles to take evasive action to avoid collision, failure to stop at controlled intersections without slowing, or driving on the wrong side of the highway. These conditions are to be articulated by the officer at the initiation of the pursuit.
- (e) The set of clearly articulable facts that would lead an officer to reasonably believe the vehicle to be pursued is currently involved in "suspicious activity" indicative of the intent to commit a violent crime.

#### 307.3.4 WHEN TO TERMINATE A PURSUIT- REDACTED

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#### **307.3.5 SPEED LIMITS**

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the officer.
- (c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

#### **307.4 PURSUIT UNITS**

Pursuit units should be limited to five (5) marked vehicles (four units and one supervisor); however, the number of units involved will vary with the circumstances. A sworn officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspect(s). All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

##### **307.4.1 MOTORCYCLE OFFICERS**

A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle as primary and/or secondary pursuit unit as soon as practical.

##### **307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT**

Vehicles not equipped with red light and siren are prohibited from initiating or joining in any pursuit. The exemptions provided by Vehicle Code § 21055 do not apply to officers using vehicles without emergency equipment.

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#### 307.4.3 UNMARKED VEHICLES WITH EMERGENCY EQUIPMENT

Unmarked vehicles (i.e. detective units) equipped with red light and sirens are generally prohibited from initiating or joining in any pursuit. Employee(s) in such vehicles, however, may become involved in pursuits involving serious crimes or life threatening situations. Those employees shall terminate their involvement in any pursuit upon arrival of a sufficient number of marked police vehicles or any police helicopter. A distinctively marked patrol vehicle equipped with emergency overhead lighting shall replace an unmarked police vehicle as the primary and/or secondary pursuit unit as soon as practical.

#### 307.4.4 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to him/herself or other persons.

The primary unit shall constantly evaluate the necessity of continuing the pursuit in light of the totality of the circumstances.

Notify Public Safety Communications Center that a vehicle pursuit has been initiated and as soon as practicable provide information including, but not limited to:

- (a) Reason for the pursuit.
- (b) Location and direction of travel.
- (c) Speed of the fleeing vehicle.
- (d) Description of the fleeing vehicle and license number, if known.
- (e) Number of known occupants.
- (f) The identity or description of the known occupants.
- (g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the primary unit shall be responsible for the broadcasting of the progress of the pursuit. If a passenger employee is present, he/she should broadcast the pursuit, allowing the driver to concentrate on driving tactics and pursuit safety. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit.

#### 307.4.5 SECONDARY UNITS RESPONSIBILITIES

The officer in the secondary unit in the pursuit are responsible for the following:

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- (a) The secondary unit shall immediately notify the dispatcher of entry into the pursuit.
- (b) Remain a safe distance behind the primary unit unless directed to assume the role of primary unit, or if the primary unit is unable to continue the pursuit.
- (c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise and
- (d) The secondary unit shall provide back-up for the primary unit

#### 307.4.6 PURSUIT DRIVING TACTICS- REDACTED

#### 307.4.7 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

Non-pursuing personnel needed at the termination of the pursuit shall respond at a safe speed, observing the rules of the road.

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The primary and secondary units shall be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit or emergency assistance is needed at the end of a pursuit.

#### **307.4.8 PURSUIT TRAILING**

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the suspects.

The term "trail" means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

#### **307.4.9 AIR SUPPORT**

When available, air support should be requested. Aircraft assistance should be requested by either the primary or secondary unit. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary units shall consider the availability of participation of aircraft assistance when determining whether to continue the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, illuminate the pursued vehicle during hours of darkness, report on actions of the suspect(s) or other persons in the suspect vehicle, and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit's suggestion will be highly considered when determining to continue or terminate the pursuit.

If the pursuit is discontinued, the primary and secondary ground units may continue with their emergency equipment activated ("Code 3") and follow the suspect vehicle at a distance. The air unit may direct the employees to the suspect(s) ultimate location, which will allow the opportunity to apprehend the suspect(s) at that time.

Law enforcement aircraft is not defined as an authorized emergency vehicle in the California Vehicle Code; therefore, aircraft is not to be described as a pursuit vehicle.

#### **307.5 SUPERVISORY CONTROL AND RESPONSIBILITY**

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this Department.

The nearest field supervisor shall acknowledge and actively monitor the pursuit. The sergeant will be responsible for the following:



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- (a) Upon becoming aware of a pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established Department guidelines.
- (b) Responding to the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not on scene.
- (d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that aircraft are requested if available.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
- (i) Controlling and managing SMPD units when a pursuit enters another jurisdiction.
- (j) Responding immediately to the termination point of the pursuit and assuming command to provide the necessary supervision in accordance with the following:
  - 1. Ensure the safety of employees, occupant(s) of the suspect vehicle, and the public;
  - 2. Monitor command and control tactics to be employed or employed in the apprehension of the suspect(s), including any use of force;
  - 3. Access the scene to determine if there are any injuries, whether in the course of the arrest, a traffic collision, or through any other means, and to ensure prompt medical attention is requested/undertaken for the treatment of injuries;
  - 4. Ensure the expeditious removal of the suspect(s) from the pursuit's termination point;
  - 5. Clear the scene of all uninvolved or unnecessary law enforcement personnel;
  - 6. Ensure the investigation and documentation of traffic collisions or other property damage related to the pursuit;
  - 7. Notify the Watch Commander of the details of the pursuit; and
  - 8. Collect all information needed to meaningfully assess and evaluate the pursuit and adherence with Department policies
- (k) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

#### 307.5.1 WATCH COMMANDER RESPONSIBILITY

Upon becoming aware that a pursuit has been initiated, the Watch Commander shall monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and

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requirements of this policy. The Watch Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit.

The Watch Commander shall make appropriate notifications as soon as practical upon being advised of the pursuit details by a field supervisor.

The Watch Commander shall review all pertinent reports for content and forward to the Operations Division Captain.

#### **307.6 COMMUNICATIONS**

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a field supervisor or public safety dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

##### **307.6.1 COMMUNICATION CENTER RESPONSIBILITIES**

Upon notification that a pursuit has been initiated, Public Safety Communications Center will:

- (a) Coordinate pursuit communications of the involved units.
- (b) Notify and coordinate with other involved or affected agencies as practicable.
- (c) Ensure that a field supervisor is notified of the pursuit.
- (d) Assign an incident number and log all pursuit activities.
- (e) Broadcast pursuit updates as well as other pertinent information as necessary.
- (f) Notify the Watch Commander as soon as practicable.

The broadcast of a pursuit shall not, by itself, be considered authorization for other unit's participation in the pursuit.

##### **307.6.2 LOSS OF PURSUED VEHICLE**

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

#### **307.7 INTER-JURISDICTIONAL CONSIDERATIONS**

A vehicle pursuit by Department employees, originating within the City of Santa Monica, which subsequently enters another jurisdiction, shall not be terminated merely because the pursued vehicle fled into a neighboring jurisdiction.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether or not such jurisdiction is expected to assist.

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The primary unit may request (due to such factors as unfamiliarity with the neighboring jurisdiction's streets or other considerations for public safety) that the neighboring jurisdiction assume control of the pursuit.

If the neighboring jurisdiction assumes control of the pursuit, it may terminate the pursuit at its discretion.

#### 307.7.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Units originally involved will discontinue the pursuit when advised that another agency has assumed control of the pursuit and assistance of the Santa Monica Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this Department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and CHP units, a request for CHP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves the freeway and a request for assistance is made to this Department, the CHP should relinquish control.

#### 307.7.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this Department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this Department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this Department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

- (a) Ability to maintain the pursuit
- (b) Circumstances serious enough to continue the pursuit
- (c) Adequate staffing to continue the pursuit
- (d) The public's safety within this jurisdiction
- (e) Safety of the pursuing officers
- (f) If the agency originating the pursuit is not vested in the pursuit, this agency should not continue the pursuit on their behalf.

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As soon as practical, a supervisor or the Watch Commander shall review a request for assistance from another agency. The Watch Commander or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency's pursuit.

When engaged in a pursuit initiated by an outside agency, employees from this Department providing assistance shall adhere to all applicable Department policies regarding emergency vehicle operations and pursuits. Assistance to a pursuing allied agency by officers of this Department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this Department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

#### 307.7.3 SUPERVISOR RESPONSIBILITIES

Upon being notified of an outside agency's pursuit into or approaching the City of Santa Monica necessitating participation from employees of this Department (in accordance with this policy), the supervisor shall continually monitor the pursuit. The supervisor shall assess the situation to ensure adherence with Department policy. If a supervisor is initially designated as the assisting unit, that supervisor should relinquish the assisting position to another marked unit as soon as practical and continue in the supervisory position.

#### 307.7.4 INITIATING PURSUITS OUTSIDE OF THE CITY

Employees of this Department shall only initiate a vehicular pursuit outside the City when a serious crime is reasonably believed to have been committed. During any pursuit initiated outside the City, all applicable Department pursuit policies shall govern the actions of the employee(s).

#### 307.7.5 TRAFFIC COLLISION JURISDICTION

In the case of a traffic collision involving the pursued vehicle and/or the pursuing employee(s), the collision investigation shall be conducted by the agency having jurisdiction of the collision scene. If the collision occurs within the City limits and involves a death or significant injuries, the collision shall be investigated by the California Highway Patrol.

#### 307.7.6 MEDICAL ASSISTANCE

In the event any person is injured during the course of a pursuit, the supervisor shall ensure:

- (a) At least one employee is immediately assigned to the collision scene to ascertain the nature of the injuries and render assistance; and
- (b) If medical care is needed, it is promptly requested, and any intermediate aid is rendered.

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### **307.8 PURSUIT INTERVENTION**

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures. In this context, ramming shall be construed to mean maneuvering the police unit into contact with the pursued vehicle to mechanically disable or forcibly position it such that further flight is not possible or practicable.

#### **307.8.1 DEFINITIONS**

**Blocking or vehicle intercept** - A slow-speed coordinated maneuver where two or more patrol vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

**Boxing-in** - A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.

**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.

**Roadblocks** - A tactic designed to stop a violator's vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the violator's vehicle.

**Spikes or tack strips** - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

#### **307.8.2 UNAUTHORIZED INTERVENTION TACTICS**

Employees of this Department shall **NOT** use any of the following intervention tactics:

- (a) Blocking or Vehicle Intercept
- (b) Boxing-in
- (c) Pursuit Intervention Technique (PIT)
- (d) Ramming
- (e) Roadblocks
- (f) Spike or Tack Strips

#### **307.8.3 USE OF SPIKE OR TACK STRIPS**

Static or covert spike or tack strips may be deployed in front of the tires of unoccupied, parked felony vehicles to prevent the escape of a suspect who is expected to return to and take possession of the vehicle. Every effort should be made to detain or arrest the suspect before the suspect can control and maneuver the vehicle. No static spike or tack strips shall be deployed unless the felony vehicle is under constant surveillance and employees are in place to immediately apprehend the returning suspect in a tactically appropriate manner.

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#### **307.8.4 USE OF FIREARMS**

The use of firearms to disable a pursued vehicle is not an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon against the officer or others.

Officers may use deadly force to stop a fleeing suspect when the officer has probable cause to believe that the suspect has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death and the officer reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to others if the suspect is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force when feasible.

#### **307.8.5 CAPTURE OF SUSPECTS**

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Officers shall consider safety of the public and the involved officers when formulating plans to contain and capture the suspects.

Unless relieved by a supervisor, the primary officer will coordinate efforts to apprehend the suspects following the pursuit. The secondary unit shall be responsible for providing back-up to the primary unit and broadcasting all pertinent information.

When an employee, at the termination point of the pursuit, broadcasts that additional assistance is not needed, all other units shall remain clear of the termination point.

#### **307.9 POST-PURSUIT ASSESSMENT AND EVALUATION**

Following a pursuit, it shall be the responsibility of the Watch Commander to ensure the pursuit is debriefed in subsequent roll call/briefing environments. The purpose of the debriefing will be to review the circumstances of the pursuit and to address areas for improvement.

#### **307.10 REPORTING REQUIREMENTS**

The following reports shall be completed upon conclusion of all pursuits:

- (a) The primary officer shall make a verbal report of the circumstances of the pursuit to the on scene supervisor and/or Watch Commander as soon as practical at the conclusion of the pursuit. The primary unit shall complete appropriate crime/arrest reports.

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- (b) The field supervisor who directed the pursuit shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A), to be reviewed by the Watch Commander, is filed with the CHP not later than 30 days following the pursuit (Vehicle Code § 14602.1). This pursuit report shall minimally contain the following information:
  - 1. Whether any person involved in the pursuit or subsequent arrest was injured, specifying the nature of that injury and differentiating between the suspect driver, a suspect passenger, and the employees involved.
  - 2. The violation(s) that caused the pursuit to be initiated.
  - 3. The identity of the employees involved in the pursuit.
  - 4. The means or methods used to stop the suspect being pursued
  - 5. The charges filed with the court by the District Attorney or City Attorney
  - 6. Whether the pursuit resulted in a collision and a resulting injury or fatality to an uninvolved third party and the corresponding number of persons involved.
  - 7. Whether the pursuit involved multiple agencies.
  - 8. How the pursuit was terminated.
  - 9. The conditions of the pursuit, including, but not limited to, all of the following:
    - (a) Duration
    - (b) Mileage
    - (c) Number of units involved
    - (d) Maximum number of units involved
    - (e) Time of day
    - (f) Weather
    - (g) Maximum speeds
- (c) After first obtaining the available information, the on-scene field supervisor or Watch Commander shall promptly complete a Supervisor's Summary Memorandum, briefly summarizing the pursuit. This memorandum shall be submitted through the chain of command to the primary unit's Division Commander as soon as possible, but no later than five days after the pursuit. This memorandum should minimally contain the following information:
  - (a)
    - 1. Date and time of pursuit
    - 2. Length of pursuit
    - 3. Involved officers
    - 4. Initial reason for pursuit
    - 5. Starting and termination points

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6. Disposition (arrest, citation), including arrestee information if applicable
7. Injuries and/or property damage
8. Medical treatment/ aid rendered by whom
9. Name of supervisor at scene
10. Significant events during the pursuit, including actions taken by the suspect(s) and pursuing employees;
11. Support from outside agencies (e.g. air support, CHP, etc.); and
12. A preliminary determination whether the pursuit appears to be in compliance with this policy and whether additional review or follow-up is warranted

#### **307.10.1 REGULAR AND PERIODIC PURSUIT TRAINING**

In addition to initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, all sworn members of this Department will participate in regular and periodic Department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 17004.7(d)).

#### **307.10.2 POLICY REVIEW**

This Department's pursuit policy is a comprehensive plan to ensure that pursuits, when necessary, are managed as safely as possible and adhere to all applicable State laws. Because the policy is comprehensive, sworn personnel must understand it in its entirety. This will ensure proper coordination, oversight, and review.

Pursuant to State law each sworn member of this Department shall certify in writing that he/she has received, read this policy initially, and upon any revisions. Compliance may be achieved through roll call training, testing, or other process as determined by the Chief of Police.

Supervisors are to review this policy with subordinate personnel on a regular basis. Upon revisions to this policy, supervisors are to review the revisions with subordinate personnel as soon as practical after the revisions are adopted.

This policy is to be evaluated annually to determine whether any revisions are required and/or whether training modifications are warranted. In conducting the policy evaluation, all supervisor reports regarding pursuits occurring since the last evaluation shall be reviewed, as well as current, relevant statutory case law.

#### **307.11 APPLICATION OF VEHICLE PURSUIT POLICY**

This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.



# Santa Monica Police Department

## Santa Monica Police Department Policy Manual

### *Vehicle Pursuits*

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#### **307.12 INCIDENT REVIEW BOARD**

All vehicle pursuits will be reviewed by the Incident Review Board. The Board shall determine if the pursuit was conducted in accordance with Department policy. In making its determination, the Board shall consider all of the relevant facts known to the officers and supervisors (as articulated in the associated reports, in conjunction with any testimony provided during the course of the Board meeting).

The final recommendations will be reached by a majority vote of the Board. The Board's conclusions shall be forwarded, in memorandum form, to the Operations Division Commander. After review, the Division Commander shall forward the Board's findings to the Deputy Chief of Police and the Chief of Police.

If the pursuit is found not in compliance with Department policy, a personnel complaint shall be generated by the concerned Division Commander or his/her designee. In this event, the procedures outlined in the Disciplinary Policy shall be followed. Any ensuing disciplinary actions shall be consistent with the principles of progressive discipline.