

## RESOLUTION NO. 94-05

### A RESOLUTION OF THE RIDGECREST CITY COUNCIL ADOPTING A REVISED POLICE DEPARTMENT VEHICLE PURSUIT POLICY

**BE IT RESOLVED BY THE RIDGECREST CITY COUNCIL** as follows:

#### Section 1. **Purpose**

This policy directive revises the uniform guidelines regarding the vehicular pursuit of suspects, and provides a coordinated effort when multi-agency pursuits take place.

#### Section 2. **Initiating Pursuit**

Police personnel may only initiate a police vehicle pursuit when a known wanted felon is in a vehicle, or the occupants of the vehicle have committed a crime in the officer's presence. At no point shall a vehicular pursuit be initiated when such pursuit creates an unreasonable danger to the officers or others. An unreasonable danger exists when speeds dangerously exceed the normal flow of traffic or when vehicular or pedestrian traffic necessitates dangerous maneuvering exceeding the performance capabilities of the vehicle or driver, or when the reason for apprehending the pursued vehicle clearly is outweighed by the risk of harm imposed on the persons or the property of the officers or others if the pursuit is continued.

#### Section 3. **Continuing Pursuit**

Police personnel who become involved in pursuits must carefully evaluate the following factors when continuing a pursuit:

- (1) The seriousness of the originating crime and its relationship to community safety;
- (2) Safety of the public in the area of the pursuit;
- (3) Safety of the pursuing officer(s);
- (4) Volume of vehicular traffic;
- (5) Volume of pedestrian traffic;
- (6) Location of the pursuit;
- (7) Speed(s) required to carry out the pursuit;
- (8) Time of day;
- (9) Weather conditions;
- (10) Road conditions;

- (11) Familiarity of the officer and supervisor or watch commander with the area of pursuit;
- (12) Quality of radio communication linking the pursuing unit(s), the dispatcher and the supervisor; and
- (13) The capabilities of the police vehicles involved.

Any officer directly involved in a vehicular pursuit will be subject to departmental discipline for the continuation of a pursuit when, (1) on the basis the facts known to the officer and considered with the significant factors set forth in this procedure, a person of reasonable caution would be justified in believing that the level of danger to the community created by the pursuit outweighs the necessity of immediate apprehension, or, (2) when pursuit is continued after it has been ordered terminated.

#### **Section 4. Termination of Pursuit**

Pursuit shall be immediately terminated under any of the following circumstances:

- (1) The pursuit creates an "unreasonable danger" to the officers or others; or
- (2) The pursuit is a result of action by another police department transversing the City's jurisdiction and the City's assistance is no longer needed.

#### **Section 5. Pursuit Procedure**

Only vehicles with operating emergency lights and sirens will be used in a pursuit. If an officer in a vehicle without this equipment initiates a pursuit, the first available marked unit with operating equipment shall relieve the initiating vehicle.

The initial pursuing unit shall be designated as the primary pursuit vehicle. The initial back up police unit shall be the secondary unit. If the primary unit cannot continue as the primary unit, the secondary unit shall become the primary unit. Likewise, if another unit becomes better positioned to provide cover for the primary unit than the secondary unit, then that unit shall become the secondary unit and the former secondary unit shall cease any violation of traffic laws.

The primary unit shall immediately notify the dispatcher of being in pursuit and will provide the following information, if available:

- A. Identification of the unit in pursuit.
- B. Location and direction of travel.
- C. Suspect vehicle description.
- D. Initial violation or reason for the pursuit.
- E. Approximate speed of the vehicles involved.
- F. Number of known or suspected occupants in the vehicle.
- G. Name or identifying information of the driver if known.
- H. Suspected or confirmed weapons in possession of the suspect or passengers.
- I. Possible destination, when known.

The initial pursuing police unit (primary unit) and the back up police unit (secondary unit) shall be the only units to pursue the suspect vehicle. The primary unit may request additional units to join the pursuit only if it appears necessary to safely effect the arrest of the suspect(s).

The secondary unit shall assume the responsibility for broadcasting the pursuit information and the primary unit shall not be passed by other units unless the primary officer or a supervisor so directs. Other units shall monitor the progress of the pursuit and stand by at strategic locations or drive on roads parallel to the pursuit in anticipation of assisting or assuming the pursuit if so directed.

If a law enforcement aircraft is available, the air crew will notify dispatch that they are available to follow the suspect vehicle. When in position, the air crew will "call" the pursuit and all other units will restrict radio traffic to a minimum. The air crew will assume the responsibility for coordinating the ground units in order that they may effect the arrest.

Based upon the above factors, any officer involved in a pursuit, may drop out or abandon a pursuit at any time without permission from a supervisor. Officers ordered to terminate a pursuit will discontinue the pursuit immediately.

#### Section 6. **Dispatch Responsibility**

Upon learning of a Ridgecrest Police vehicle in a pursuit, the Watch Commander will be immediately informed by the Dispatcher. Upon learning of an allied agency unit in pursuit either within the City of Ridgecrest or approaching the City of Ridgecrest, the same action shall be taken. Dispatch shall maintain communications with pursuing

units of the Ridgecrest Police Department and/or shall render whatever assistance is requested by other agency units. The dispatcher must remain aware of the direction of travel and the nature of the pursuit at all times.

In those instances where a Ridgecrest Police Officer pursues a vehicle into another jurisdiction, the dispatcher will notify the responsible agency and relay any request for assistance from the pursuing officer.

A notification of a pursuit in progress shall not be assumed to be a request for assistance. This is true for those units entering the City of Ridgecrest as well as for Ridgecrest Police units entering another jurisdiction. The dispatcher has the authority to restrict unnecessary radio traffic during a pursuit situation.

**Section 7. Supervisor's Responsibility**

The watch commander is responsible for determining the number of units involved in the pursuit. The watch commander shall ensure that the affected allied agencies are notified of the pursuit and specific assistance requested or supplied.

All sworn supervisors and the officers involved in the pursuit have the authority to cancel a pursuit involving a member of the Ridgecrest Police Department when the potential safety risks outweigh the need for apprehension based on the factors listed above. The watch commander shall be ultimately responsible for any decision made based on these factors.

**Section 8. Special Tactics and Assistance**

The use of special tactics (road blocks, channelization, etc.) remains the responsibility of the primary pursuing agency. When assisting other agencies, no member (members) of the Ridgecrest Police Department will employ special tactics without the consent of the Ridgecrest Police Department Watch Commander.

There is no requirement that assistance be rendered to an allied agency even when such assistance is requested. Although protocol and custom may dictate that such assistance will be provided, the individual officer and supervisor must remain accountable to his or her agency for any actions taken. The assistance requested and rendered must be reasonable for the situation. The initiating agency will retain jurisdiction and remain responsible for a pursuit in progress, even though it enters the

boundaries of the City of Ridgecrest.

Section 9. **Geographical Considerations**

The City of Ridgecrest includes many desert areas and is surrounded by rough terrain. The standard Ridgecrest Police Department patrol vehicle was neither designed nor intended to traverse such unimproved areas at high speed. The pursuit of motorcycles and other off-road vehicles will rarely be successful. Due to the increased likelihood of damage or injury, off-road pursuits, though not prohibited, are strongly discouraged as a matter of department policy.

**APPROVED AND ADOPTED THIS** 16th day of February, 1994, by the following vote:

Ayes: Mayor Corlett, Council Members Auld, Bryan, and Parode.

Noes: None.

Abstain: None.

Absent: Council Member Bitney.

  
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Kevin S. Corlett, Mayor

ATTEST:

  
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Pamela Snyder, City Clerk