

COVINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

Subject: PURSUIT OF MOTOR VEHICLES

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I. Purpose

To establish procedures and guidelines for officers in the pursuit of motor vehicles.

II. Statement of Policy

Pursuits present a dangerous situation to the officers and suspects involved in the pursuit and the public at-large. It is the policy of this department to protect all persons' lives to the extent possible when enforcing the law. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. Officers will always consider the safety of the public when responding to calls, pursuing violators, or conducting felony stops. Officers will always consider the totality of the dangers involved in a vehicle pursuit.

III. General Guidelines

- A. Police pursuit of motor vehicles shall be conducted in strict accordance with existing statutes. To be considered an "Authorized Emergency Vehicle," officers must activate their blue lights and siren when engaged in a pursuit.
- B. All personnel operating departmental vehicles shall exercise due regard for the safety of all persons.
- C. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary.
- D. Department personnel will be held strictly accountable for the consequences of their reckless disregard for the safety of others.

IV. Definitions

- A. **AUTHORIZED EMERGENCY VEHICLE**— A motor vehicle belonging to a federal, state, or local law enforcement agency and operated as such will be making use of an audible signal and a flashing or revolving blue light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, in compliance with O.C.G.A. 40-6-6.

- B. DUE REGARD – The duty of a law enforcement officer to drive in a manner that considers the safety of all persons.
- C. EXIGENT CIRCUMSTANCES – Unforeseen threats to public safety which are not included in the “Authorized Pursuits Section” where the continuing conduct of the violator presents an immediate and life-threatening danger to the public, law enforcement or violator.
- D. FORCIBLE FELONY - Any felony which involves the use or threat of physical force or violence against any person.
- E. OFFICER REASONABLY BELIEVES – Means what a reasonable person in the same or similar circumstance would believe based upon his knowledge of the facts surrounding the event as they existed at the time of the event. This is more than mere suspicion.
- F. PRECISION IMMOBILIZATION TECHNIQUE (PIT) MANEUVER – The intentional act of using a law enforcement vehicle to physically force a fleeing vehicle from a course of travel in order to stop it. The PIT maneuver is a specific, technical maneuver which requires advanced practical training prior to use. When executed by properly trained members under reasonable and prudent circumstances, the PIT maneuver does not constitute deadly force. In other circumstances, the PIT maneuver may constitute deadly force and may only be used when authorized by law. The officer will consider his/her experience and abilities, and the danger of continuing the pursuit. The officer will be able to articulate the reason for his/her actions.
- G. PRIMARY PURSUIT UNIT - The police unit that initiates a pursuit or any unit that assumes control of the pursuit.
- H. PURSUIT - An active attempt by one or more police officers to apprehend a suspect operating a motor vehicle, while the suspect is trying to avoid capture by using high speed driving or other evasive tactics such as driving off a highway, making sudden or unexpected movements, or maintaining legal speed, but willfully failing to yield to the officer's signal to stop.
- I. RAMMING – This is the deliberate contact with a violator's vehicle by a law enforcement vehicle to force the violator's vehicle off the roadway.
- J. ROADBLOCK – A barricade or other physical obstruction across a roadway set up to stop or prevent the escape of a fleeing vehicle.
- K. ROLLING ROADBLOCK – The placement of one or more law enforcement vehicles in the path of the violator's vehicle, in order to cause it to slow and/or stop.
- L. STOP STICK/SPIKE STRIP – A rigid column or a strip of belting containing specially designed hollow spikes which when deployed across a lane of roadway, penetrates tires, slowing the pursued vehicle usually to a complete stop.
- M. SECONDARY PURSUIT UNIT - The police unit that trails the primary pursuit unit at a safe distance. This officer is available to assume the role of primary pursuit

unit or assist when the fleeing vehicle stops.

- N. SERIOUS PHYSICAL INJURY – A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement or results in long-term loss or impairment of the functioning of any bodily member or organ.
- O. TERMINATION OF PURSUIT – The police unit(s) will deactivate all emergency equipment and resume a normal speed within posted speed limits.
- P. TERTIARY (THIRD) PURSUIT UNIT - The police unit that trails the secondary pursuit unit at a safe distance. This officer provides support of the primary and secondary unit.
- Q. VEHICLE INTERCEPTION - A vehicle interception involves the blocking-in of a suspect vehicle utilizing law enforcement vehicles. The Intercept takes place at an intersection, parking lot, driveway, or any location where a suspect vehicle is slowing, stopped, or beginning to move. A vehicle interception is not a moving roadblock.

V. Authorized Pursuits

- A. Officers may initiate a motor vehicle pursuit when there is reasonable suspicion that the driver or occupant(s) of the vehicle have committed, are attempting to commit, or are committing any one or more of the following offenses:
 - 1. Murder / Manslaughter
 - 2. Rape / Sexual Battery
 - 3. Robbery (including armed robbery, strong-arm robbery, home invasion and carjacking)
 - 4. Aggravated Assault/ Aggravated Battery
 - 5. Aggravated Stalking
 - 6. Aggravated Child Molestation
 - 7. Kidnapping (including child abductions)
 - 8. Burglary
 - 9. Stolen Automobile
 - 10. Vehicle Burglary/Entered Automobile
 - 11. Aggravated Assault / Battery on a Law Enforcement Officer
 - 12. Arson to a Structure Reasonably Believed to be Occupied
 - 13. Use or Threatened Use or Known Possession of Explosive Devices
 - 14. Use or Threatened Use of a Weapon of Mass Destruction
 - 15. Trafficking of drugs, weapons and/or people
- B. Officers may engage in a pursuit when they have a reasonable suspicion a fleeing suspect has committed, attempted to commit, or is actively wanted for a criminal violation as defined in the Authorized Pursuits section above.

Pursuits for misdemeanor offenses, traffic or civil infractions are prohibited, except under exigent circumstances necessitated by public safety.

A supervisor may authorize a pursuit for circumstances not listed in/authorized under this policy when articulable exigent, life-threatening and/or public safety circumstances are present. Vehicle pursuits

authorized for exigent, life-threatening circumstances will receive a higher level of scrutiny during the review process.

VI. Officer's Responsibilities/Prevention of Pursuits

A. Responsibility to prevent pursuits.

High Risk Traffic Stops:

It is the policy of the Covington Police Department to make every effort to block in all vehicles during high risk stops. All officers will be trained in vehicle blocking techniques that are designed to prevent pursuits while maximizing officer safety. A blocking vehicle should be in place, when possible, prior to officers initiating a high risk stop. If a block is attempted and a vehicle tries to evade, then low speed contact is authorized. If the vehicle successfully evades then the current vehicle pursuit policies apply.

Unknown Risk Traffic Stops:

Most traffic stops that officers conduct daily possess unknown risks. An officer typically has no warning that a suspect intends to flee. A suspect fleeing police presents a significant risk to the public at large. This risk does not end because officers choose not to pursue. At the instant a suspect vehicle flees from police, there may be an opportunity to prevent a high-speed pursuit from ever occurring, either by using the PIT maneuver, Vehicle Intercept techniques, or a rolling roadblock, when the pursuit is authorized by policy. It may be preferable for an officer to take decisive action to protect the public rather than to allow a suspect to flee at high speeds and endanger the public at large. If tactics to prevent a vehicle pursuit fail, tactics should be utilized to minimize the duration of the pursuit, and if possible, to influence the subject vehicle's direction in ways that minimize the risk of harm to others. Once initiated, pursuits will be monitored and assessed according to state statutes and relevant case law.

VII. Initiating Officer's Responsibilities

A. It is the responsibility of the primary officer to reach a rational conclusion whether or not to pursue a fleeing vehicle. Many factors have bearing on this decision, including, but not limited to the following:

1. Alternative means of apprehension.
2. Nature of the offense.
3. The potential for endangerment of the public caused by the eluding acts of a fleeing violator.
4. The amount of vehicle and/or pedestrian traffic.
5. Possibility of identifying the operator and/or vehicle at a later date.
6. Daylight or darkness.
7. Weather conditions.
8. Road conditions.
9. Type of law enforcement vehicle; and,
10. Vehicle speeds.

Once the decision has been made to engage in a pursuit, these factors will continue to be given careful consideration in determining the maximum safe speed at which officers' vehicles may travel throughout the pursuit and whether to continue with the

pursuit. There should be a plan to discontinue or intervene in the pursuit as soon as practical. A pursuit may be discontinued at any time based on the totality of factors known at the time.

- B. Any officer initiating or engaged in a pursuit of a motor vehicle will immediately notify the Communications Center of the following:
 - 1. That a pursuit has been initiated.
 - 2. Location and direction of travel.
 - 3. Description of vehicle and tag number, if available.
 - 4. Reason for incident (traffic violation, felony, etc.); and
 - 5. Description and number of occupants, if known.
 - 6. Road and weather conditions.
- C. The initiating or primary unit shall be in field command and bears operational responsibility for the pursuit unless relieved by a supervisor. Such command pertains to the immediate field operation and is always subordinate to the command of the Field Supervisor and/or Watch Commander.

VIII. Backup Unit Responsibilities

- A. Assistance will be coordinated by the Communications Center under the direction of the Field Supervisor or the Watch Commander. The Field Supervisor and the primary unit will be advised of the identity and the location of backup units that can assist.
- B. The active pursuit will normally involve no more than three police vehicles: the primary unit and two backup units. If more assistance is specifically requested, the amount will be determined by:
 - 1. Nature of the offense.
 - 2. Number of suspects.
 - 3. Whether the participating units have more than one officer.
 - 4. Other clear and articulated facts that would warrant the increased hazard.
- C. Only the Field Supervisor or the Watch Commander may authorize more than three units to be in active pursuit. All other units will remain aware of the pursuit.
- D. The backup unit, upon joining the pursuit, shall immediately notify the Communications Center of its identity. If the primary unit is a one-man unit, the backup unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.
- E. The backup unit will maintain a safe distance behind the primary unit, but close enough to render assistance when required.

- F. Backup units shall, at all costs, avoid intersecting the path of an oncoming high-speed vehicle.
- G. If the primary unit becomes disabled, the back-up unit will become the primary unit.

IX. Supervisor's Responsibilities

- A. Upon notice of a pursuit in progress, the Patrol Supervisor will immediately:
 - 1. Ascertain direction/location of the pursuit and verify that no more than the required or necessary units are involved.
 - 2. Ascertain the reason for pursuit.
 - 3. Maintain contact with pursuing officer to determine how dangerous the chase is.
- B. The Field Supervisor will continuously monitor the pursuit and approve or order alternative tactics until the pursuit is terminated. In the absence of adequate information from the primary or backup unit, the Field Supervisor may order termination of the pursuit.
- C. It is not necessary that the Field Supervisor be physically present to begin coordination and assert control of the pursuit.
- D. When the pursued vehicle is stopped, the field supervisor shall proceed to the location to provide supervision and guidance.

X. Pursuit/Intervention Tactics and Procedures

- A. Spacing - All units in the pursuit, whether the vehicle in front of the unit is the suspect vehicle or another police vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.
- B. Unmarked Police Vehicles - Officers operating unmarked police vehicles may engage in pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property (provided the vehicle is equipped with emergency lights and siren). Whenever a marked unit becomes available to take over the pursuit, the unmarked vehicle will withdraw from active pursuit and serve in a support role.
- C. Traffic Control Devices - Extreme caution must be used whenever officers disregard traffic signs or signals, even though statutes permit such conduct. Officers shall make use of all available warning devices to alert other motorists and pedestrians.
- D. **Stationary Roadblocks-** Because of the obvious dangers inherent in the use of stationary roadblocks in pursuit situations, it shall be the policy of this department that setting up fixed or stationary roadblocks for the purpose of apprehending wanted suspects shall not be employed in misdemeanor cases and only as a last resort in felony cases. If circumstances exist so that a roadblock is deemed necessary by the patrol supervisor, police department vehicles may be used. Officers will not remain inside any vehicles that are used as roadblocks. (See SOP P200, p.2, Roadblocks)

E Rolling Roadblock - Under certain circumstances, the use of rolling roadblocks is effective, and the chance of injury and vehicle damage is greatly reduced. A moving roadblock should be considered before resorting to a stationary roadblock. (See SOP P200, p.2 Moving Roadblock)

1. Blocking - In pursuit at moderate speeds, blocking may be accomplished by positioning a patrol vehicle in front of the violator and another patrol vehicle beside the violator. (Other vehicles may be authorized as necessary by the watch commander). Speed should be reduced gradually until the violator is stopped. Every effort should be made to maximize officer safety and avoid actual contact with the violator's vehicle. (See SOP P200, p.2 Blocking)
 - a. A rolling roadblock may only be utilized by officers who have received agency approved training in the maneuver.
2. Creating slow moving traffic. Reducing the movement of the wanted vehicle may be accomplished by slowing the normal flow of traffic. This is accomplished by patrol units not involved in the pursuit entering the roadway sufficiently ahead of the violator. By slowing the flow of normal traffic, the violator and the pursuit vehicle are forced to reduce their speed.

F. Use of Tire Deflation Devices – Stop sticks may be used in authorized vehicle pursuits, or in a preventive measure to avoid and prevent a vehicle pursuit. All the following conditions will be met to utilize tire deflation devices:

1. The pursuit meets the Covington Police Department's criteria for engaging in a pursuit.
2. A field supervisor authorizes the use of the tire deflation device; and,
3. If outside of the City of Covington, or if another agency is engaged in a pursuit inside of the City of Covington, the other agency will make the request for assistance.
4. Officers who have received the appropriate training as determined by the Training Unit are the only ones authorized to deploy tire deflation devices.

G. Precision Immobilization Technique (PIT) Maneuver - The PIT maneuver is the intentional act of using a patrol vehicle to physically force a fleeing vehicle from a course of travel in order to stop it. The PIT maneuver is a specific, technical maneuver which requires advanced practical training prior to use. When executed by properly trained members under reasonable and prudent circumstances, the PIT maneuver does not constitute deadly force. In other circumstances, the PIT maneuver may constitute deadly force and may only be used when authorized by law. The officer will consider his/her experience and abilities, and the danger of continuing the pursuit. The officer will be able to articulate the reason for his/her actions.

The PIT maneuver is a use of force technique by which a patrol unit is used to attempt to push the side of the pursued vehicle at an oblique angle, causing the pursued vehicle to rotate into a position where it can be trapped by other law enforcement vehicles.

- a. If the officer(s) in the pursuit determine the fleeing vehicle must be stopped immediately to safeguard life and preserve public safety, the PIT maneuver may be used.
 - b. The PIT maneuver will only be used by officers in accordance with required training received on the PIT maneuver.
 - c. The following safety related factors should be considered before the PIT maneuver is utilized:
 - 1. Speed at the time of the initiation of the PIT maneuver.
 - 2. Visibility.
 - 3. Vehicular traffic conditions.
 - 4. Pedestrian traffic.
 - 5. Type of fleeing vehicle.
 - 6. Whether children are known to be in the vehicle.
 - 7. Road conditions; and,
 - 8. Driving manifestations including, but not limited to, any one of the following:
 - i. Whether the driver is showing a disregard for public safety.
 - ii. Whether the driver is driving on the wrong side of the road.
 - iii. Whether the driver is running other motorists off the road; and,
 - iv. Whether the driver is slowing but not stopping for stop signs or other traffic control devices.
 - d. The PIT maneuver should not be used to stop a pursuit with a vehicle with less than four wheels/tires, or on any vehicle not allowed to travel on a limited access highway.
- H. **Decision to Intervene-** An officer who decides to attempt to intervene will first make notification of the specific intervention technique to be used, unless immediate action is necessary by the pursuing officer as outlined in this policy. Only methods approved in Covington Police Department policy and those in which the officer has been trained / certified may use such intervention methods (i.e., PIT, etc.).

XI. Prohibited Practices

- A. **Passing** - There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the field supervisor.
- B. Officers shall not pursue suspects the wrong way on interstate or other controlled access highways or divided roadways unless specifically authorized by the Patrol Supervisor.
- C. Officers will avoid intersecting the path of an on-coming high-speed vehicle. Exceptions may be made where life threatening, exigent circumstances exist.

XII. Termination of the Pursuit

- A. A pursuit may be terminated under any of the following circumstances:
1. If, in the opinion of the pursuing officer or field supervisor there is a clear and unreasonable danger to the officer and other users of the highway created by the pursuit that outweighs the necessity for immediate apprehension.
 2. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
 3. The visibility, weather conditions and/or road conditions limit the probability of a safe and successful end to the pursuit.
 4. The location of the pursued vehicle is no longer known.
 5. The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile, the offense constitutes a misdemeanor, or a non-forcible felony and the safety factors involved are obviously greater than a juvenile can cope with.
 6. A field supervisor or higher authority orders the pursuit terminated.
 7. The termination of a pursuit does not prohibit following of the vehicle at a safe speed or remaining in the area to reinitiate the pursuit if the opportunity and conditions permit.
 8. The officer may, at a supervisor's discretion, continue to follow the offender at a safe distance within the posted speed limit until the vehicle comes to a stop or leaves the city limits.
- B. **The decision to pursue is not irreversible. The decision to abandon the pursuit may be the most intelligent course of action. Officers must continually evaluate the circumstances and question whether the seriousness of the crime justifies continuing the pursuit.**

XIII. Communications Center Responsibilities

Upon notification of a pursuit in progress, the dispatcher will immediately:

- A. Clear the radio channel of any unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information.
- B. Ascertain location and direction of the pursuit.
- C. Perform relevant records and motor vehicle check.
- D. Notify Patrol Supervisor that a pursuit has been initiated.

- E. Control all radio communications during the pursuit.
- F. Coordinate assistance under the direction of the Field Supervisor or Watch Commander.
- G. Continue to closely monitor the pursuit until it has been terminated.

XIV. Inter / Intrajurisdictional Pursuits

- A. The Communications Center, with the approval of the Field Supervisor or Watch Commander, will notify outside agencies if this department is in a pursuit moving into their jurisdiction. The informing person will specify that the call is either a request for assistance or merely a courtesy notification, with no participation desired.
- B. Notification by another jurisdiction of a pursuit in progress shall not be construed as a request to join the pursuit. Officers shall not become involved in another agency's pursuit unless specifically authorized by the Field Supervisor, or it is clearly demonstrated that the unit from an outside agency is unable to request assistance, or the emergency nature of the situation dictates the need for assistance. In these instances, all departmental pursuit policies are in effect.
- C. When Communications Center personnel receive notification of a pursuit by an outside agency, they will carefully assess the circumstances to determine if the pursuit is likely to enter the city limits of Covington. Prior to making any radio broadcast, dispatch personnel will obtain from the notifying agency the same information our primary unit is expected to provide.
- D. When a pursuit, initiated by an outside agency, does not meet the criteria set forth in this SOP, members may only assist the outside agency at the termination point, if within the city limits, or provide other appropriate assistance during the pursuit which does not violate this SOP.

XV. Reporting / Training / Analysis

- A. The supervisor shall ensure that the officer involved in the pursuit completes an incident report and Vehicle Pursuit After-Action Report. Once the supervisor receives the after-action report, they will review the incident and complete the supervisor's section and submit it up the chain-of-command. A copy of the completed report will be forwarded to Training.
- B. An administrative review/critique of the pursuit will also be completed by the Administrative Review Team designated by the Chief of Police for training and process improvement purposes. At the conclusion of this critique, the supervisor will complete a pursuit critique form (form P190A).
- C. After the pursuit has ended, the supervisor may, depending on the circumstances, request a copy of all radio transmissions during the pursuit. The request form will be forwarded to the Communications Center where a tape of the radio transmissions will be made and delivered back to the training officer of the police department. The recording will be reviewed by management personnel and will be used for training purposes.

- D. On an annual basis, the Patrol Division Commander will prepare a documented analysis of pursuits that occurred during the previous calendar year. Upon completion, the analysis will be forwarded to the Chief of Police for approval. In addition, the Commander will conduct an annual review of the pursuit policy and reporting procedures.
- E. An initial review of the pursuit policy will be conducted for officers who are in Field Training (FTO), as outlined by lesson plan in the FTO manual, and documented in said manual. Additionally, a documented annual review of the pursuit policy will be conducted for all sworn personnel.

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Philip Bradford
Philip Bradford
Chief of Police