



*Athens-Clarke County
Police Department*



Directive 6.08

EMERGENCY VEHICLE PURSUIT

Effective Date: May 4, 2020		Cancels: G.O. 3.09; A3/2/2; D5/5/3
Updated Date:	Section(s):	SME Review Date:
Updated Date:	Section(s):	
Updated Date:	Section(s):	

CONTENTS

6.08.01	PURPOSE AND POLICY
6.08.02	AUTHORITY
6.08.03	DEFINITIONS
6.08.04	RESPONSIBILITIES
6.08.05	PURSUIT PROCEDURES
6.08.06	STOP STICKS
6.08.07	ARREST PROCEDURES
6.08.08	MUTUAL-AID PURSUITS
6.08.09	PURSUIT REPORTING REQUIREMENTS

6.08.01 PURPOSE AND POLICY

The purpose of this directive is to establish policy and procedures regarding vehicle pursuit by Athens-Clarke County Police Officers. When operating an emergency vehicle in a pursuit situation, the primary concern of the operator must be the safety of him/herself, others in the police vehicle, other motorists and pedestrians, other officers, and the violator. Although officers are given certain privileges while operating as a bona fide emergency vehicle through Georgia State Law (O.C.G.A. § 40-6-6) allowing operators of emergency vehicles to disregard certain O.C.G.A Title 40 statues, they are not relieved of the responsibility of driving with due regard for the safety of all persons. Both the operator and the Department are not released from civil liability for failure to use reasonable care in such operation. Officers will exercise reasonable care under the circumstances in effect at the time of the pursuit.

Pursuits are a dangerous and difficult task that receives much public and legal scrutiny when accidents, injuries, or deaths result. Pursuing officers and supervisors must justify

their actions and, once they have decided to pursue, continuously evaluate the safety of their actions. Forcible measures to stop a fleeing driver, other than the use of stop sticks as outlined in this directive (6.01), are prohibited except where deadly force is appropriate.

[CLE 41.2.3]

When considering whether to pursue, the officer must decide if the necessity of immediate apprehension supersedes the danger created by the pursuit.

[CLE 4.1.2]

6.08.02 AUTHORITY

The authority to operate emergency vehicles in pursuit situations is provided under the Georgia State Code, Section 40-6-6.

6.08.03 DEFINITIONS

Adjacent Jurisdictions: Georgia jurisdictions with boundaries adjacent to Athens-Clarke County; i.e., Barrow County, Jackson County, Madison County, Oconee County and Oglethorpe County.

Central Communications: Communications Division within the Athens-Clarke County Police Department.

Emergency Equipment: Flashing, blinking or alternating red lights, blue lights, or combination of the two, and an operable siren, or air horn designed to give automatically intermittent signals.

Failure to Yield: Any driver who fails to bring his/her vehicle to a stop when given a visual and audible signal to bring the vehicle to a stop that is not taking evasive action to flee. This may include drivers who have not yet noticed the signal to stop or who intend to pull to a safe or better-lit location before stopping.

Jurisdiction: The limits or territory within which authority to interpret, enforce and apply the law may be exercised.

Jurisdictional Boundaries: Any jurisdictional boundary, beyond which the pursuing officer would cease to have authority, under normal conditions, i.e. county boundaries.

Due Regard: The duty of a law enforcement officer to drive in a manner that takes into account the safety of all persons.

Caravan: Operating large numbers (in excess of authorized numbers) of law enforcement vehicles in a line or alongside each other during a pursuit.

Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend a suspect, who is fleeing or evading apprehension, provided the officer reasonably believes that the suspect is refusing to stop and is willfully fleeing capture by high-speed driving or other evasive maneuvers. Pursuits will be conducted only with activated emergency equipment as defined in O.C.G.A. 40-6-6 and under circumstances outlined in this directive. An attempt to stop a vehicle that is not fleeing, or attempts to stop a vehicle that is refusing to stop while still obeying traffic control devices and not exceeding the speed limit by more than ten miles per hour is not a pursuit.

Stationary Roadblock: The use of a stationary vehicle(s), barricade, or other physical obstruction to block motor vehicle passage.

Stop Stick: A commercial product designed to safely deflate the tires of a moving vehicle to reduce the risk of injury or damage.

6.08.04 RESPONSIBILITIES

- A. Each individual officer will** determine the need for a pursuit to be initiated. Officers should view the initiation of a pursuit in the same light as a potential use of deadly force. Pursuits are permitted under the following circumstances: **[CLE 41.2.2 a-b]**
1. When an officer has reasonable grounds to believe the suspect has committed, or is attempting to commit, one of the following felonies: murder; rape or other felonious sex offense; abduction; robbery; felonious assault; arson involving death or serious injury;
 2. When an officer has reasonable grounds to believe the suspect has committed, or is attempting to commit, a crime which involves the display or use of a firearm, even if such crime is classified as a misdemeanor.

NOTE: Even when the above conditions have been met, the officer must consider the following factors when determining whether to initiate, continue, or terminate a pursuit:

- Time of day/day of week;
- Location (schools, business districts, residential);
- Nature of charges;
- Weather conditions;
- Road conditions;

- Speed involved;
- Condition of vehicles involved;
- Volume of traffic (vehicular and pedestrian);
- Visibility; and
- Officer's driving capabilities.

[CLE 41.2.2 a-b]

In some circumstances, the decision to abandon a pursuit may be the most prudent course of action, such as:

- a. If, in the opinion of the pursuing officer or a patrol supervisor, there is a clear and unreasonable risk that outweighs the necessity to further pursue;
- b. If the suspect's identity has been established and the need for immediate apprehension is no longer present;
- c. If the prevailing traffic/pedestrian conditions indicate the futility of further pursuit; or
- d. The location of the pursued vehicle is unknown.

[CLE 41.2.2 h]

B. The primary pursuit officer will advise Central Communications of the pursuit and of the specific charges justifying the pursuit. They will also notify Central Communications of, the direction of travel, description and updated information relating to the pursuit.

[CLE 41.2.2 c]

C. The backup pursuit officer is equally responsible for establishing by personal observation or from report of another officer that the pursuit meets criteria. This officer will assist the primary pursuit officer in effecting the arrest. The backup officer will update Central Communications of the pursuit location and other conditions that may be appropriate.

[CLE 41.2.2 d]

D. Canine (K-9) Officer – It is preferable that a Canine Team assume the role as backup pursuit officer due to their unique capabilities to track and apprehend fleeing suspects should a bailout occur at termination of the pursuit. When facts and circumstances allow for it, the Canine Team will assume the backup pursuit officer role and other backup pursuit officers will discontinue in the pursuit unless authorized to continue by the supervisor or commanders. In instances where the Canine Team is not in position to immediately assume the role of backup pursuit officer, they will be authorized to respond with emergency equipment activated to get in position to assume this role or to be available to assist with tracking and/or apprehension at the termination of the pursuit.

E. Central Communications personnel will limit routine radio traffic during pursuits, and will immediately confirm the charges the officer is pursuing. If the initiating officer does not respond after three (3) request from Central Communications to confirm the charges, Central Communications will direct the officer to terminate the pursuit. Central Communications will notify a patrol supervisor or commander of the pursuits, dispatch additional units, notify other jurisdictions as necessary, and relay other requests.

[CLE 41.2.2 f, h], [CC 6.3.1 a, d], and [CC 6.1.4 a]

F. The Patrol supervisor shall actively monitor the pursuit, and shall respond when appropriate. The Patrol supervisor **shall** terminate the pursuit if the pursuing officer does not immediately identify offense for which pursuit is authorized and at any time the conditions warrant. The authority to terminate a pursuit will rest with the primary officer involved and any supervisor monitoring the pursuit. The Patrol supervisor will request helicopter assistance, when appropriate, and may direct that additional units assist if necessary. When Athens-Clarke County pursuits enter other jurisdictions, the supervisor will ensure all applicable judicial procedures are followed. The Patrol supervisor shall conduct a post-pursuit review, and shall document the circumstances in a BlueTeam Report, which will be forwarded through normal channels before the end of the supervisor's shift. Upon finding any policy violation during the pursuit review, the supervisor **shall** notify the Office of Professional Standards via BlueTeam and initiate a formal complaint.

[CLE 41.2.2 g - i]

G. The on-duty Watch Commander or on-duty Patrol Division Commander shall assume this responsibility if a Patrol supervisor is not available to monitor the pursuit, or will designate an acting supervisor to control the pursuit. In the absence of or failure to respond by a Patrol supervisor, the Watch Commander shall assume all supervisory responsibilities as stated in 6.08.05 section E.

[CLE 41.2.2 g]

The on-duty Watch Commander or Patrol Division Commander is authorized to make decisions as to whether or not a vehicle pursuit is appropriate. If the on-duty Watch Commander or Patrol Division Commander authorizes a pursuit when presented with circumstances not specified in this directive, that commander must attach an addendum to the Vehicle Pursuit Report documenting their justification for the authorization. When facts and circumstances are such that the pursuit was in violation of this directive the On-Duty Watch Commander shall notify The Office of Professional Standards via BlueTeam and initiate a formal complaint.

All new officers will receive initial training of the agency's pursuit policy and forcible techniques. All sworn personnel will receive annual training of the pursuit policy and forcible techniques.

[CLE 41.2.2 m-n] and [SC 2.1 b-c]

6.08.05 PURSUIT PROCEDURES

A. When engaged in pursuit, with full emergency equipment in operation, officers are permitted to disregard certain specific traffic regulations.

1. **O.C.G.A. 40-6-6** - The driver of an authorized emergency vehicle or law enforcement vehicle, when responding to an emergency call, when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Code section. The driver of an authorized emergency vehicle or law enforcement vehicle may:
 - a. Park or stand, irrespective of the provisions of this chapter;
 - b. Proceed past a red stop signal or stop sign, but only after slowing down as may be necessary for safe operation while demonstrating or exercising due regard.
 - c. Exceed the maximum speed limits so long as he or she does not endanger life or property; and
 - d. Disregard regulations governing direction of movement or turning in specified directions.

The exceptions granted by O.C.G.A. 40-6-6 to an authorized emergency vehicle will apply only when such vehicle is making use of an audible signal and use of a flashing or revolving red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that a 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 with the same visibility to the front of the vehicle.

[CLE 41.3.1]

NOTE: Officers who disregard traffic regulations other than those specifically cited above are not operating under authority of Georgia Code or Police Department policy, and are responsible for the consequences of their actions.

B. Number of police vehicles

Unless otherwise directed by the Patrol supervisor or commander, no more than two police vehicles and one supervisor's vehicle, (not to exceed 3 total), will become actively involved in the pursuit. The second unit will serve as back up and, when practical, update the pursuit location and other pertinent information so the primary pursuit officer can focus attention on the fleeing vehicle. Full emergency equipment will be used at all times during pursuit. This restriction will not apply to a

Canine Team who is attempting to join the pursuit or to position themselves for tracking and apprehension at the termination of the pursuit.

[CLE 41.2.2 e] and [CC 6.3.2 a]

C. Forcible stopping

The use of forcible stopping is analogous to the use of lethal force. Employees are prohibited from using a vehicle to force another to stop, except under extreme circumstances when stopping the moving vehicle is of critical importance to public safety. (See also written directive 6.01 Use of Force). Officers who have not received training on Forcible Stopping (certification) will not use such techniques.

[CLE 4.1.2]

D. Roadblocks

1. Use of Roadblocks

Officers should bear in mind that barricading a roadway must be considered as a force likely to result in death or serious injury. Every roadblock must offer an alternative path of travel around the blockade. No roadblock will be erected unless the road and weather conditions allow visibility in both directions for a minimum of 500 feet.

[CLE 41.2.3 b]

2. Restrictions

Roadblocks are expressly prohibited unless the violation for which the pursuit is initiated involves a violent felony justifying the use of deadly force or in situations where the roadblock would be necessary for the preservation of human life and is authorized by a shift supervisor.

[CLE 41.2.3 d]

Roadblocks will not be employed to apprehend wanted persons when it is apparent that innocent persons are endangered.

3. Authorization

Roadblocks will be utilized by members of the Athens-Clarke County Police Department only by order of a field supervisor, and then only as a last resort when the person pursued has proven by his/her method of flight to have a total disregard for the lives and safety of the public.

[CLE 41.2.2 g] [CLE 41.2.3 d]

4. Notification of Roadblock Location

Once a decision has been made to establish a roadblock, the

Communications Center will announce on all radio frequencies the location of the roadblock and the situation requiring the roadblock. The dispatcher will also ensure that the principle pursuit patrol vehicle(s) acknowledge the location of the roadblock.

[CC 6.1.4 c]

5. Prohibited Vehicles

Vehicles other than law enforcement (preferably marked) vehicles will not be used as stationary roadblocks or positioned in such a manner as to prohibit the violator from seeing the barricade in time to stop. Once a roadblock has been ordered and an Agency vehicle is stationed as part of a roadblock, no one will remain in the vehicle.

6. Prohibited Blocking

Standing in the path of a moving vehicle or using a vehicle to block the path of a moving vehicle are extremely dangerous tactics with very low success rates and high probability of injury to the officer or others. Officers are prohibited from positioning themselves or their vehicle in the path of a fleeing vehicle and will not intentionally remain in the path of fleeing vehicle with the intent of stopping the vehicle.

- E. **Motorcycles or unmarked cars** - Use of unmarked police cars, motorcycles, or other non-conventional police vehicles should be avoided. In those instances when the operator of such a vehicle finds it necessary to initiate a pursuit, he/she will immediately relinquish the pursuit to the first marked patrol unit assisting.

[CLE 41.2.2 e]

Officers operating vehicles not fully equipped as emergency vehicles, i.e., rental vehicle or seized vehicles are not granted pursuit privileges under either Georgia Code or Department policy and will not be used in any pursuit.

[CLE 41.2.2 e]

- F. Helicopter assistance should be utilized when necessary and available.

- G. At the conclusion of pursuits, high-risk traffic stop tactics will be used (see written directive on Traffic Enforcement).

6.08.06 STOP STICKS

Stop Sticks are prohibited from being used as a forcible stopping technique on vehicles with less than four wheels to include motorcycles.

[CLE 41.2.3]

A. Officers are authorized to deploy Stop Sticks only when in compliance with this policy. The following conditions must be adhered to when deploying Stop Sticks:
[CLE 41.2.3 a, b]

1. The officer deploying Stop Sticks will only do so in accordance with this policy and established training.
[CLE 41.2.3 c]

2. Stop Sticks will only be deployed during the course of a pursuit and/or as a preventive measure to attempt a pursuit from occurring.
[CLE 41.2.3 a]

3. The deploying officer will advise pursuing units and all other units that they should distance themselves from the pursued vehicle and be prepared to slow down before entering the deployment area. All other traffic will be diverted from the site if possible.

4. Officers deploying Stop Sticks will position him or herself in a safe location away from the point of contact between the target vehicle and the deployed Stop Sticks.
[CLE 41.2.3 b]

5. After the Stop Sticks have been hit and damaged by a target vehicle, they are no longer fully functional and should be replaced. The supervisor in charge will coordinate with the Quartermaster to obtain replacements.
[CLE 41.2.3 d]

6. A use of force report will be completed in accordance with Departmental Use of Force Written Directives and an administrative review will be conducted for each stop stick deployment.
[CLE 41.2.3 e]

B. Care and maintenance

1. Stop Sticks are water resistant, not water proof. Keep them dry whenever possible. If they are deployed in wet weather but not used, dry them off and return them to a proper storage position.
2. Remember that these devices contain spikes and should be handled with care. Do not bend the product. Do not push spike tips through the housing.

6.08.07 ARREST PROCEDURES

A. Within Athens-Clarke County - Subject to the criteria cited in 6.08.04.A, officers may pursue a person who has escaped custody or a person who is fleeing from an arrest attempt anywhere in Athens-Clarke County. After a pursuit, the officer may arrest the person wherever found.

B. Outside Athens-Clarke County

If the arrest is made outside of Athens-Clarke County, the accused may be returned immediately to the jurisdiction of the pursuing officer.¹ When charges are pending in the other entered jurisdiction(s), supervisors of Athens-Clarke County and the other jurisdiction(s) will determine which jurisdiction will maintain custody of the suspect. This should be based upon the seriousness of the various charges and the likelihood of release by the respective magistrates. If another jurisdiction maintains custody, an Athens-Clarke County warrant will be obtained and a Teletype will be sent through GCIC as soon as possible to the other jurisdiction.

C. Whenever a suspect is pursued and apprehended in Athens-Clarke County from a non-adjacent jurisdiction, the suspect will be taken before an Athens-Clarke County magistrate. This will not hold true if federal authorities conduct the pursuit.

6.08.08 MUTUAL-AID PURSUITS**[CLE 41.2.2 j]**

- A.** Pursuits initiated in other jurisdictions and traveling or entering into the Athens-Clarke County.
1. Athens-Clarke County officers will assist in pursuits initiated in other jurisdictions only under the following circumstances:
 - a. Such assistance has been specifically requested by the pursuing jurisdiction, as relayed by Central Communications; and
 - b. The crime involved meets the conditions specified in 6.08.04.A; or
 - c. The personal observations of an officer establish the elements cited in 6.08.04.A.
 2. Central Communications personnel, once they become aware of a pursuit entering Athens-Clarke County, will communicate with the pursuing agency to establish the reason for the pursuit. This information will be provided to all

¹ Margerum v. State, 260 Ga. App 398 (2003) and Wooten v. State, 135 Ga. App 97 (1975)

Athens-Clarke County officers and the Patrol supervisor or commander. If the pursuit does not meet the criteria cited above, this Department will not become involved in the vehicle pursuit, however, Athens-Clarke County officers may assist the pursuing agency if the vehicle pursuit terminates in this jurisdiction

[CC 6.1.4 a] and [CC 6.3.1 a, d]

3. Until the cause of the pursuit has been established, Athens-Clarke County units will not become involved in following the pursuit (e.g., Patrol unit sees another agency entering Athens-Clarke County in pursuit and Central Communications has not yet been notified by the pursuing agency).
4. If the pursuit meets the Athens-Clarke County criteria, assistance by Athens-Clarke County personnel will be limited to the following:
 - a. One Athens-Clarke County vehicle may follow the pursuit at a safe distance, with full emergency equipment in operation, to keep Athens-Clarke County personnel informed of the direction and conditions of the pursuit. Other Athens-Clarke County vehicles may take up station at various locations along likely pursuit routes (not in traveled portions of the roadway), to provide a deterrent effect and to assist if a traffic stop is made in this jurisdiction. "Caravanning" of police vehicles is contrary to this Department's policy. If the pursuit involves more than three vehicles from other agencies, Athens-Clarke County personnel will distance themselves from the pursuit, but will attempt to maintain visual contact with the last vehicle. Full emergency equipment will be used during this stage of activity. If an Athens-Clarke County unit is not already involved in following the pursuit (as explained above), and the pursuit terminates in this jurisdiction, the dispatcher will assign two Athens-Clarke County units and a Patrol supervisor to respond to the scene to provide necessary assistance. **Unless directed otherwise, Athens-Clarke County units responding to the scene will not activate emergency equipment.**

[CC 6.3.2 a-b]

5. An Athens-Clarke County Patrol supervisor or commander may terminate Athens-Clarke County's involvement at any time. Central Communications personnel will communicate such termination to the other agencies involved in the pursuit.

[CC 6.1.4 a]

B. Athens-Clarke County officers pursuing a vehicle across jurisdictional boundaries.

1. **Pursuits outside of Athens-Clarke County will only be for those offenses listed in 6.08.04. A. 1.** No more than two emergency vehicles should cross a jurisdictional boundary in a pursuit unless authorized by a Patrol supervisor.

When more than two units pursue across a jurisdictional boundary, those in excess of two will terminate pursuit as units from the entered jurisdictions join the pursuit. As soon as practicable, the lead role in the pursuit will be relinquished to personnel from the entered jurisdiction. This restriction will not apply to a Canine Team who is attempting to join the pursuit or to position themselves for tracking and apprehension at the termination of the pursuit.

[CC 6.1.4 a]

2. Central Communications personnel will notify the affected agency whenever Athens-Clarke County officers are pursuing a vehicle into that jurisdiction, providing as much information as possible about the nature of the offense, current location of the pursuit and direction of travel, and information about the vehicle and its occupants. When appropriate, Central Communications personnel will request assistance from the jurisdiction being entered.

6.08.09	PURSUIT REPORTING REQUIREMENTS
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[CLE 41.2.2 k]

- A. **The Patrol Supervisor monitoring the pursuit** shall complete a Vehicle Pursuit Report, via Blue Team, before the end of their shift. This report will be completed for any pursuit initiated or terminated in Athens-Clarke County, including pursuits initiated by other agencies. If further action is necessary (e.g. disciplinary action needed because an officer violated policy during the pursuit), the supervisor will initiate such action. The supervisor completing the Vehicle Pursuit Report will also ensure that all other required reports or investigations are completed. The Vehicle Pursuit Report, along with all related reports pertaining to the pursuit, will be forwarded immediately to the Watch Commander or Patrol Division Commander who was on duty at the time of the incident.
- B. **The Watch Commander who was on duty at the time of the** incident will review the completed Vehicle Pursuit Report, make appropriate comments, attach an addendum, if appropriate, and forward it through channels to the respective Patrol Division Commander utilizing Blue Team.
- C. **The Patrol Division** Commander will review the completed Vehicle Pursuit Report, make appropriate comments, attach an addendum, if appropriate, and forward it through channels to the Field Operations Bureau Deputy Chief of Police utilizing Blue Team.
- D. **The Field Operations Bureau Deputy** Chief will review the Vehicle Pursuit Report and forward it to the Office of Professional Standards, along with any recommendations for further action, which may include disciplinary action, counseling, peer review, additional training, policy review, etc.

[CLE 41.2.2 k]

E. The Office of Professional Standards will review the Vehicle Pursuit Report and any supporting documentation, make appropriate comments, and forward it to the Chief of Police.

F. The Office of Professional Standards will annually conduct an analysis on all vehicle pursuits and review of all pursuit policies and reporting procedures. This report will be forwarded to the Chief of Police for approval.

[CLE 41.2.2 I]

G. The Office of Professional Standards will annually complete and submit the Georgia Association of Chiefs of Police Pursuit Data Collection Form in accordance with Georgia Law Enforcement Certification Program requirements.

[CLE 41.2.2 k-l] and [SC 6.6 I]

By Authority Of:

**Cleveland Spruill
Chief of Police**