



**WEST LAKE HILLS POLICE DEPARTMENT  
GENERAL ORDERS  
301.00 VEHICLE PURSUITS**

**SCOTT E. GERDES  
CHIEF OF POLICE**

Revised June, 2020

**West Lake Hills Police Department General Orders**

**301.00 VEHICLE PURSUITS**

Vehicle pursuits 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 themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related crashes. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a subject is generally 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 risk to public safety created by vehicle pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits are not always predictable, and decisions made pursuant to this policy shall 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 self-discipline and sound professional judgment. Officers' conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the same circumstances. An unreasonable desire to apprehend a fleeing subject at all costs has no place in professional law enforcement.

**301.01 Definitions**

Definitions -

- A. Terminate - Deactivate lights and siren and cease pursuit.
- B. Tire Deflation Device (TDD) - A device that extends across the roadway designed to puncture the tires of the pursued vehicle. These are also known as Stop Sticks or Tack Strips.
- C. Boxing in - A deliberate tactic by two or more pursuit vehicles to force a pursued vehicle in a specific direction or to force it to reduce speed or stop by maneuvering the pursuit vehicles in front of, behind, or beside the pursued vehicle.
- D. Authorized Emergency Vehicles
  - 1. Vehicles equipped, at a minimum, with a siren and externally mounted red and blue emergency warning lights that have been installed in a manner approved by the Chief of Police will be authorized emergency vehicles.
  - 2. Vehicles equipped with red and blue lights that are not externally mounted are also authorized emergency vehicles, but these vehicles will not be used for vehicle pursuits.
  - 3. Vehicles not equipped with serviceable emergency equipment as provided in section (a) or (b) above will not be operated in an emergency manner.
- E. Level of Response
  - 1. Code 1 - The operation of an emergency vehicle in normal traffic without using emergency lights and siren. All departmental personnel operating emergency vehicles in this mode will comply with the posted speed limit and obey all traffic control devices and signals.
  - 2. Code 3 - The operation of an emergency vehicle using the emergency warning devices, lights and siren, as well as activating the emergency



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- vehicle's headlights. This method of operation is authorized by the State Transportation Code.
- F. Caravanning - Direct participation in a pursuit by department vehicles other than the primary and authorized support vehicles.
  - G. Primary pursuit vehicle - Normally the department vehicle that begins the pursuit or the vehicle closest to the fleeing suspect. The primary pursuit vehicle may be re-designated by order of the on-duty supervisor.
  - H. Pursuit - An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect in a motor vehicle who is attempting to elude the officer. A suspect is considered to be fleeing upon making any overt action intended to avoid arrest. For the purpose of this order, violators who follow all traffic regulations after an officer initiates a traffic stop and are merely failing to yield to the authorized emergency vehicle are not considered to be fleeing. The term "Chase" will be considered synonymous with "Pursuit."
    - 1. Pursuits shall be conducted only by authorized emergency vehicles with activated emergency equipment (Code 3) and under circumstances outlined in this order. When operating a vehicle in this regard, an officer is not relieved of the duty to operate the vehicle with appropriate regard for the safety of all persons and awareness of the consequences of reckless disregard for the safety of others.
  - I. Risk - The degree of danger or hazard to the public or officers.
  - J. Roadblock - Any method, restriction, or obstruction used to prevent free passage of vehicles on a roadway in order to stop a suspect.
  - K. Support vehicles - The second or additional department vehicles, participating in the pursuit, which follows the primary pursuit vehicle at a safe distance and helps the primary one once the suspect vehicle has stopped, or which can assume the primary role if circumstances dictate.

**301.02 Decision to Initiate Pursuit**

The decision to pursue must be based upon facts and circumstances known to the officer. In deciding whether to pursue, an officer must consider the following pursuit risk factors:

- 1. Weather, traffic, environmental, and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the subject's escape.
- 2. Population density, vehicle and pedestrian traffic,
- 3. Relative performance capabilities of both the authorized emergency vehicle and the suspect's vehicle,
- 4. Seriousness of the offense,
- 5. Presence of other persons in the police vehicle or the suspect vehicle,
- 6. Age of offender,
- 7. Whether or not the offender's identity is known, and
- 8. Any circumstance under which the pursuing officer will be unable to maintain control of the emergency vehicle.

An officer may initiate a pursuit under the following circumstances:

- 1. When the officer has probable cause to believe that a felony involving the use or threat of physical force or violence has been, or is about to be, committed, or
- 2. To assist another law enforcement agency that has initiated a pursuit under the same circumstances, or
- 3. An officer on-views a suspect discharge a firearm in a public place or displays a firearm in a public place in a threatening manner, and the officer



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- reasonably believes that the immediate need to apprehend the offender outweighs the risk to any person of collision, injury or death.
4. All other pursuits are prohibited.

**301.03 Primary Unit Responsibilities**

The initial pursuing officer will be the primary pursuit unit and is responsible for the conduct of the pursuit unless unable to remain reasonable close to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the safe apprehension of the subject(s) without unreasonable danger to themselves or any other persons.

- A. The primary unit should notify the dispatcher as soon as practical of the following information:
  1. Reason for the pursuit – the reason for the pursuit must fall within the guidelines outlined in G.O. 301.02, above
  2. The location of the officer and suspect's vehicles
  3. Direction of travel
  4. Speed of the fleeing vehicle
  5. Description of the fleeing vehicle and license number, if known
  6. Number of occupants
  7. The identity or description of the known occupants
  8. Evasive actions being taken by the fleeing vehicle (e.g., disregard of traffic control devices, intentional collisions, driving on the wrong side of the roadway).
  9. Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.
- B. Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit.

**301.04 Dispatch Responsibilities**

- A. Dispatch is responsible for the following activities during a pursuit:
  1. Broadcast an alert tone to notify officers that a pursuit is in progress
  2. Log all activities
  3. Attempt to determine why a vehicle is fleeing, if not immediately known
  4. Query MVD, TCIC and NCIC for license data and any wants/warrants
  5. Coordinate communications of the involved units and personnel
  6. Notify and coordinate with other involved or affected agencies, as needed
  7. Closing the primary channel when requested.
  8. Broadcast updates and other pertinent information, as necessary

**301.05 Supervisor Responsibilities**

- A. The Supervisor is responsible for the following activities during a pursuit:
  1. Upon becoming aware of a pursuit, gather all readily available information to ensure the pursuit is conducted within these guidelines
  2. Engage in the pursuit when appropriate and provide on scene supervision
  3. Exercise management and control of the pursuit even if not engaged in it
  4. Direct that the pursuit be terminated if, in their judgement, it is unjustified to continue the pursuit under these guidelines.
  5. Ensure required reports are completed at the end of the pursuit.

**301.06 Pursuit Guidelines**

1. Pursuit units shall be limited to three vehicles (two units and a controlling supervisor).
2. All officers involved in the pursuit shall operate their vehicles with emergency lights and siren activated (Code 3)



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3. All officers will ensure their in-car camera system is turned on and operating
4. Officers have an obligation to drive with a due regard for the safety of all persons.
5. No police vehicle will be operated with emergency equipment activated unless operated by a sworn member of the Department.
6. The following procedures are **specifically prohibited**:
  - a. Setting up roadblocks to stop violators
  - b. Attempting to force the vehicle from the roadway by driving alongside or in front of the fleeing vehicle
  - c. Bumping or ramming the fleeing vehicle in an attempt to force it from the road
  - d. Discharging weapons at a moving vehicle unless an occupant of the vehicle is using or attempting to use deadly force on an officer or other persons.
    1. Officers should exercise good judgement and not place themselves in the path of a moving vehicle since doing so may increase the likelihood of having to resort to the use of deadly force.
    2. Unless it reasonably appears that it would endanger officers or the public, officers are expected to move out of the path of any approaching vehicle.
  - e. Pursuing violators the wrong way on any freeway, on-way service road, one-way street, or divided roadway.
  - f. The use of Tire Deflation Devices (TDD), commonly known as stop sticks
  - g. Boxing in
  - h. Following so closely that adequate reaction and braking time is insufficient to prevent collision with any leading vehicle.
  - i. Caravanning

#### **301.07 Terminating a pursuit**

- A. Pursuits should be discontinued whenever the totality of objective circumstances known, or which reasonably ought to be known, to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the subject's escape. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to motorists, themselves, and the public when electing to continue a pursuit. Officer should terminate a pursuit:
  1. Whenever the risk to the public or the officer outweighs the immediate need to apprehend the suspect, the officer will terminate the pursuit.
  2. When the officer's vehicle has developed a mechanical malfunction.
  3. Hazards to uninvolved bystanders or motorists outweigh the need to capture the violator
  4. If the identity of the offender is known and they can reasonable be apprehended at a later date
  5. When directed by a supervisor
  6. If visual contact with the suspect vehicle is lost other than momentarily
  7. Pursuit speeds have become unreasonably unsafe for surrounding conditions, or they have exceeded the driving ability of the officer or the safe capabilities of the pursuit vehicle.



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Once the decision has been made to terminate a pursuit, either by an officer or a supervisor, all involved officers will immediately disengage emergency warning lights and siren and reduce to Code 1.

**B. Out of Jurisdiction Pursuits**

1. Pursuits that pass outside the local West Lake Hills jurisdiction require the direct approval of an on-duty supervisor. The dispatcher shall notify the appropriate jurisdiction of the pursuit and request assistance.
2. Once the pursuit has entered another jurisdiction, if officers from that jurisdiction enter the pursuit, department officers shall cease their emergency driving (unless circumstances require their continued pursuit), turn off their emergency equipment, and follow the pursuit Code 1 while observing all posted speed limits and traffic control devices.
3. If officers from another jurisdiction pursue a suspect into our jurisdiction, department officers shall enter the pursuit only if the other agency specifically requests help and the on-duty supervisor approves our participation. Any non-pursuit assistance (including apprehension of a stopped suspect) may be provided as needed.

**C. Reporting Requirements**

1. All involved officers will submit a report prior to the end of their tour of duty outlining the following information from the pursuit:
  - a. Initial reason for the pursuit
  - b. Date/Time of the pursuit
  - c. Length of pursuit
  - d. Involved units and officers (including other agency personnel)
  - e. Starting and termination points
  - f. Disposition: arrest, citation or other release of all persons in the pursued vehicle. Include arrestee information if applicable
  - g. Any injuries and/or property damage
  - h. Medical treatment given to any person and MICU information
  - i. Any on-scene response
  - j. Any use of force used at any time during the pursuit
  - k. Notation regarding in-car video, photographs taken, crash reports, etc.
2. These reports will be forwarded through the chain of command to the Chief of Police for review.