

OBJECTIVE 4.3 Identify factors that would warrant the pursuing officer, or a supervisor, making the decision to terminate a vehicular pursuit.

## INTRODUCTION

The decision whether to continue or terminate the pursuit is influenced by many factors. The primary consideration is always the safety of the public.

The decision to initiate a pursuit situation will most often be made by the operator of the wanted vehicle. Officers must refrain, however, from tactics that tend to invite or encourage violators to flee.

The decision to terminate a pursuit will always be harder to make than the decision to initiate a pursuit. This decision, whether made by the primary pursuit officer or a supervisor, must consider each of the factors discussed here. More often than not, live pursuit scenarios do not lend themselves to an analysis of whether a decision can be judged as correct or not. However, processing of as much data as possible by the pursuing officer, supervisor or others prior to making the decision, can help.

Officers must remain constantly aware of their perceptions of the pursuit situation. At no time should an officer allow his or her desire to capture the violator exceed the officer's ability to safely conduct the pursuit. Police pursuits are not legalized hot-rodding, racing, or showing-off of driving skills. Police pursuits at best involve several speeding vehicles upon a highway with unsuspecting motorists who could be easily injured or killed. **Safety must take precedence over all else.** Officers must recognize their limitations and the limitations of their vehicles, and these limits must never be exceeded.

The ability to continue making rational decisions during a pursuit situation is extremely important. This ability will be strongly affected by emotions, peer pressure, social image, competition, frustration, attitudes, stress, physiological factors and prejudices. An officer must possess maturity, experience, training and a clear mind to evaluate continually-changing perceptions of the pursuit situation. Safety must always remain the first priority of any pursuit involvement.

The ability to perform the driving skills necessary to conduct a successful pursuit is tempered by maturity, experience and training. Aggressive or assertive driving during a pursuit situation is usually exhibited by immature or inexperienced officers. The "police machismo" image tends to influence officers to push themselves too hard during a pursuit, sometimes beyond the point where the pursuit should have been terminated.



Having to make and implement a decision to discontinue an active pursuit is one of the most difficult decisions for a law enforcement officer. This decision can damage an immature officer's self-perception. However, it is a decision that officers must be prepared to make and, if necessary, implement, if the fundamental role of law enforcement in society is to be maintained. Failing to discontinue a pursuit when necessary ignores the responsibility to protect the lives and property of others.

Some people would maintain that the law enforcement officer is not the one who is placing the lives and property of others in jeopardy during the pursuit; that it is the fleeing violator who is doing so by his or her attempts to evade apprehension. Others would maintain that it is the actual pursuit by the law enforcement officer that is causing the unsafe driving behavior of the fleeing violator, thus placing the lives and property of others in jeopardy. Is it the cause of the unsafe behavior that is placing the lives and property of others in danger that is important, or the fact that the lives and property of others are in danger that is significant here?

The law enforcement officer must be concerned with why lives and property are in jeopardy, but the primary concern of the officer must be that his or her continuance of the pursuit may increase the hazard to the public. If the lives and property of others are in unnecessary jeopardy, and discontinuing the pursuit is the most effective means for reducing that threat, then the pursuit has to be discontinued. A failure to do so in these conditions negates the most fundamental law enforcement responsibility.

## **CONTENT**

Some factors to consider in determining whether or not to discontinue a pursuit or not are:

1. Do the hazards of continuing the pursuit outweigh the hazards of the violation?
2. Can an arrest be made at a later time because the operator of the fleeing vehicle has been identified?
3. Has the pursuing officer lost sight of the fleeing vehicle for an appreciable length of time that would cause the pursuing officer to question the location of the vehicle?
4. Have conditions changed appreciably since the pursuit began?
  - a. To the violator's vehicle
  - b. To the patrol vehicle

- c. To the environment
- d. To the officer

Once the decision to terminate a pursuit has been made, either by the pursuing officer or a supervisor, the following task should be performed:

1. The last known location and direction of travel for the violator's vehicle should be given to the telecommunications center and broadcast to the other officers
2. The pursuing patrol vehicle's emergency warning devices should be turned off
3. The pursuing patrol vehicle should be parked, and the officer should exit the vehicle. This will allow the officer's psychological and physiological conditions to normalize. The pursuing officer should remain parked until these conditions have normalized.

### **SUMMARY**

The decision whether to continue or terminate the pursuit is influenced by many factors. The primary consideration is always the safety of the public. Officers must remain constantly aware of their perceptions of the pursuit situation. At no time should an officer allow his or her desire to capture the violator to exceed the ability to safely conduct the pursuit.

### **SUGGESTED INSTRUCTIONAL METHODOLOGY**

#### **LECTURE**

Use the suggested text as a guide for presentation to the class. Supplement this text with the statutory requirements and agency policy that affects the class.

#### **SMALL GROUPS**

Divide the class into groups of 3 - 6 students. Ask the students to list factors that will affect the decision to initiate a pursuit. List the responses on a chalkboard/flip chart.

#### **CLASS DISCUSSIONS**

Using videos of actual pursuits from patrol vehicles equipped with cameras, have the class identify the factors that would apply in making the decision to pursue. These videos should include both

motor vehicle law and criminal violations, if possible. Ask the students to identify their attitudes, emotions and desire to apprehend the violator for each situation. As their answers may be controversial and because seldom will the entire class be in agreement, discussion may exist individually or in the form of a class debate. The answers are not as important as their ability to identify the factors that impact on the decision to initiate a pursuit.

### **RESOURCES AND TRAINING AIDS**

1. State statutes
2. Agency policies
3. Pursuit films and videos
4. Driving simulator
5. Interactive computer program
6. 1996 IACP Sample Pursuit Guideline

### **SUGGESTED EVALUATION METHODOLOGY**

#### **STUDENT**

1. Written responses to questions regarding factors to consider when initiating a pursuit.
2. Using a driving simulator or an interactive computer program, provide the student with situations that will involve decisions being made whether to initiate or not to initiate a vehicular pursuit.
3. Performance evaluation during simulated pursuit training exercises. Once an officer decides to initiate a vehicular pursuit, professional pursuit driving tactics and strategies must be utilized. Lacking this knowledge will increase the officer's probability of being involved in a collision and diminish the chances of conducting a pursuit. Officers should become familiar with the factors involved in conducting a vehicular pursuit. A working knowledge of these factors will greatly enhance the officer's chance of conducting a pursuit successfully and safely.

#### **COURSE**

1. Review of agency emergency/pursuit response data