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Table Summarizing Vehicle Pursuit Policies in Big Cities

Summary

The United States Department of Justice (US DOJ) has stated, “Agencies may choose to reduce the risk of pursuits by reducing the number of pursuits. One way to do this is through a restrictive pursuits policy under which officers may engage in pursuits in specific situations such as when a suspect commits a violent felony.” (Vehicle Pursuits – A Guide for Law Enforcement Executives on Managing the Associated Risks, 2023, p. 18). The US DOJ also stated that Bureau of Justice Statistics show that agencies that leave pursuits to officer discretion have double the rate of vehicle pursuits than those with restrictive policies. (*Ibid*).

DPA’s review of 25 vehicle pursuit policies from larger regions throughout the country show that 18 of the 25 have restrictive policies, like San Francisco, limiting pursuits to situations when the fleeing person has committed a serious, violent, or forcible felony and there is an imminent threat to life. (Albuquerque, Atlanta, Baltimore, Boston, Cincinnati, Detroit, Jacksonville, Las Vegas, Washington DC, Minneapolis, New Jersey, New Orleans, Oakland, Orlando, Philadelphia, Portland, Prince William County, Seattle). One department banned pursuits for all theft offenses and traffic offenses except for drunk driving. (Chicago). One department did not post their pursuit policy online, but news reports said that the city relaxed their policy unofficially which resulted in an uptick in pursuits as well as controversial fatalities. (NYPD). Four departments from less congested regions had broader policies. (LAPD, San Diego, Indiana, Houston, Austin).

Police Department	Standard for Vehicle Pursuits in Addition to Balancing Test: Need to apprehend (seriousness of the offense) v. safety risks inherent in pursuits.
<u>Albuquerque, NM</u> Last updated: 6/14/23	Pursuits authorized: <ol style="list-style-type: none"> 1. When officer has reasonable grounds to believe an individual presents a clear and immediate threat of death or serious injury to others or when the officer has probable cause to believe the individual poses a clear and immediate threat to the safety of other motorists or the public, that is ongoing, and existed before the pursuit began; or 2. The individual has committed or is committing a violent felony, and allowing escape would put the public in immediate danger of great bodily harm and/or death.

<p><u>Atlanta, GA</u> Last updated: 5/5/21</p>	<p>Pursuits allowed when:</p> <ol style="list-style-type: none"> 1. Officers have direct knowledge that a fleeing suspect has committed a forcible felony; 2. The fleeing suspect has attempted to commit a violent forcible felony which the officer has direct knowledge of; and 3. The escape of the subject would pose an imminent danger of death or serious bodily injury to the officer or to another person. <p>Pursuits <u>not allowed</u> for:</p> <ol style="list-style-type: none"> 1. <u>Property</u> offenses, 2. <u>Misdemeanor</u> offenses, 3. <u>Traffic</u> offenses, or 4. Civil infractions.
<p><u>Austin, TX</u> Last updated: 7/12/22</p>	<p>Officers may only engage in vehicle pursuit when the suspect is believed to have committed one of the following offenses:</p> <ol style="list-style-type: none"> (a) Any felony offense. (b) Driving While Intoxicated, regardless if the identity is known. (c) Any Class A or B Misdemeanor, unless the identity of the suspect is known. (Includes theft of property valued at \$750 or more)
<p><u>Baltimore, MD</u> Last updated: 11/24/19</p>	<p>Members may pursue an eluding vehicle when:</p> <ol style="list-style-type: none"> 1. The vehicle contains a felony suspect and failure to immediately apprehend poses an immediate threat of death or serious bodily injury to the member or others; and 2. Before the pursuit is initiated, there exists probable cause to believe the fleeing suspect committed a felony which resulted, or could have resulted, in death or serious bodily injury. <p>Vehicle pursuits <u>prohibited</u> when the initial violation is a <u>crime against property</u> (including auto theft), <u>misdemeanor</u>, a <u>traffic offense without imminent danger</u> or is a <u>non-violent warrant</u>.</p> <p>Duty to de-escalate.</p>
<p><u>Boston, MA</u> Last updated: 4/29/13</p>	<p>“Generally, pursuit driving is not justified and is prohibited unless the occupants of the vehicle are known to be wanted for</p>

	<p>the commission or the attempted commission of a violent or life-threatening felony or the vehicle is being operated in an erratic or dangerous manner which poses a threat of harm to the public if it is not stopped. The commission of any <u>motor vehicle violation</u> and/or <u>operating a stolen motor vehicle</u>, in themselves, are <u>not sufficient to meet the above criteria.</u>”</p> <p>“The City of Boston is a highly congested urban area which generally precludes pursuit driving in a safe manner. Therefore, every effort shall be made to prevent a suspect vehicle from escalating a situation into one which requires a pursuit. Pursuit driving is only permitted in situations that represent a threat of harm to the public or the officers, if the suspect vehicle and/or occupants are not apprehended. The Department recognizes that it is better to allow a suspect to escape than to engage in a pursuit under conditions that unnecessarily jeopardize the safety of the public and the officer(s).”</p> <p>An officer shall refrain from engaging in a vehicle pursuit unless the officer reasonably believes that:</p> <ol style="list-style-type: none"> 1. A felony involving serious bodily injury or death, or a credible threat of serious bodily injury or death has been committed, or attempted, by an occupant of the vehicle, [According to Rule 303 Section 8, the suspects’ vehicle is not considered a deadly weapon] OR 2. An occupant of the vehicle is suspected of being illegally in possession of a dangerous weapon, or in possession of a dangerous weapon used to threaten, injure or kill another person, OR 3. An occupant of the vehicle poses an ongoing, immediate threat of serious bodily injury.
<p><u>Chicago, Ill.</u> Last updated: 8/15/20</p>	<p><u>Bans pursuits for theft-related offenses</u> (including auto theft) or <u>traffic offenses except drunk driving.</u></p> <p>Pursuits for other misdemeanors and felonies allowed subject to balancing test.</p>
<p><u>Cincinnati, OH</u> Last updated: 2/24/23</p>	<p>Procedure 12.535, Emergency Operation of Police Vehicles and Pursuit Driving was revised. Pursuits will only be permitted for violent felony offenses.</p>

	Pursuits for misdemeanor offenses are not authorized.
<p><u>Detroit, MI</u> Last updated: 6/8/17</p>	Vehicle pursuits only allowed if probable cause to believe the suspect has committed a violent felony .
<p><u>Houston, TX</u> Last updated: 9/14/23</p>	<p>An officer <u>shall not engage</u> in a motor vehicle pursuit when the suspect's only possible offense (other than the Evading Arrest itself) includes:</p> <ul style="list-style-type: none"> a. Class C offenses. b. <u>Traffic</u> or municipal warrants. c. Non-violent misdemeanor warrants. <p>When the vehicle or a suspect in the vehicle is the subject of an ongoing criminal investigation or when the vehicle has no license plates displayed or license plates issued to a different motor vehicle, the officer may obtain authorization from a supervisor to engage in a motor vehicle pursuit, even when the above provision applies. The officer should obtain authorization prior to the traffic stop.</p>
<p><u>Indiana (statewide)</u> Effective: 11/7/22</p>	<ol style="list-style-type: none"> 1. A pursuit <u>should not begin</u>, nor should it be continued, when the <u>need for immediate apprehension is very low</u> and the totality of risk to public safety is very high. 2. Each officer shall consider the following prior to initiating, becoming involved, or continuing in a pursuit: <ol style="list-style-type: none"> a. The violation the person is known to have committed, is wanted for or suspected of; b. Imminent danger to the public based on the totality of the circumstances; c. Time of day; d. Officer's familiarity with the surroundings and population density; e. Potential danger if the offender is not apprehended immediately; f. Positive identification of the driver; and g. Other considerations, including but not limited to: vehicle and pedestrian traffic conditions; road conditions, visibility, terrain; speed and capability of the pursued vehicle; and limitations of emergency equipment and vehicles. h. All the above guidelines shall be continually evaluated throughout the duration of the pursuit.

	<p>(The above are standard balancing test factors present in almost all pursuit policies DPA reviewed)</p>
<p><u>Jacksonville, FL</u> (Last updated: 5/19/23)</p>	<p>To pursue, an officer must have a reasonable belief that:</p> <p>The driver or an occupant of the subject vehicle has committed a forcible felony, or;</p> <p>Prior to law enforcement following or attempting to stop the subject vehicle, the extremely dangerous actions of the driver or an occupant of the subject vehicle pose an imminent threat of death and/or serious bodily injury to the community if the subject vehicle is not stopped. Reckless driving and/or the commission of multiple traffic infractions do not constitute an imminent threat of death and/or serious bodily injury to the community.</p>
<p><u>Las Vegas</u> Last update: unknown</p>	<p>LVMPD engages in vehicular pursuits to arrest offenders when necessary to protect people, rights, and property in our community. Vehicle pursuits are hazardous and may result in death or injury to innocent bystanders, officers, or suspects.</p> <p>A pursuit will be conducted only for a violent felony or if the suspect presents a clear and immediate danger to the public. A pursuit will not be engaged for a property crime, minor traffic infraction, or an occupied stolen vehicle unless the suspect presents the aforementioned clear and immediate danger to the public.</p> <p>NOTE: Clear and immediate danger to the public will not be based solely on a subject's reaction to the officer's initial attempt to stop the subject's vehicle.</p>
<p><u>Los Angeles</u> Last update: unknown</p>	<p>Officers <u>shall not initiate</u> a pursuit based only on an <u>infraction</u>, misdemeanor evading (including failure to yield), or reckless driving in response to enforcement action.</p> <p>Officers may pursue felons and misdemeanants, including law violators who exhibit behaviors of illegally driving under the influence of drugs or alcohol. If reasonable suspicion or probable cause exists that a misdemeanor (with the exception of misdemeanor evading or reckless driving in response to enforcement action by Department personnel) or felony has occurred, is occurring or is about to occur, employees may pursue a suspect vehicle.</p>

	<p><u>Air Units</u></p> <p>When circumstances indicate a high potential for a pursuit, e.g., felony want on vehicle, possible stolen vehicle, felony suspect, officers shall determine the availability and estimated time of arrival of an air unit and, if tactically possible, wait for its arrival prior to initiating the vehicle stop.</p> <p>Whenever possible, air units shall assume responsibility for tracking a suspect vehicle. During this tracking mode, authorized ground units shall continue their Code Three response, but should reduce their speed and, if reasonable, maintain a position out of the line-of-sight of the suspect's vehicle to maximize public safety.</p>
<p><u>Metro DC</u> Last update: 7/20/23</p>	<p>1. Members shall not engage in a vehicle pursuit of a suspect motor vehicle unless the member actually and reasonably believes:</p> <p>a. The fleeing suspect has committed or attempted to commit a crime of violence or poses an imminent threat of death or serious bodily injury to another person;</p> <p>b. The vehicle pursuit is immediately necessary to protect another person, other than the fleeing suspect or suspects, from the threat of serious bodily injury or death and under the totality of circumstances not likely to cause death or serious bodily injury to any person, other than to the fleeing suspect or suspects; and</p> <p>c. All other options have been exhausted or do not reasonably lend themselves to the circumstances (e.g., options such as the ability to safely identify and apprehend suspects without pursuit or the potential for Air Support Unit tracking in lieu of pursuit).</p>
<p><u>Minneapolis, MN</u> Last updated: 5/2/23</p>	<p>Officers are authorized to begin a pursuit if they know or have reasonable grounds to believe the suspect has committed violent offenses, have current, reliable information that the suspect is about to commit violent offenses, or if the suspect's driving prior to the attempted stop is so reckless that they pose a risk to the public if not stopped.</p>

	<p>Violent offenses are defined in the manual as murder, attempted murder, violent sex crimes, robbery, kidnapping, carjacking, first- and second-degree assault, firearm pointing, and more.</p> <p>(Minn PD Policy and Procedural Manual)</p>
<p><u>New Jersey</u> Addendum to Use of Force Policy updated on 12/20</p>	<p>“The pursuit policy was last updated in 2009. The policy succeeded initially in reducing the number of pursuits, injuries, and fatalities associated with them. However, after an initial decline, the number of pursuits has been increasing steadily since 2014. Since the policy was updated there have been almost 4,200 accidents during pursuits that resulted in over 2,800 injuries, including injuries to 625 law enforcement officers, 682 victims in third party vehicles, and 52 pedestrians. In that same period, there have been 59 fatalities associated with pursuits, including an officer, four third-party drivers, and eight pedestrians.”</p> <p>“In recognition of this data and the substantial human costs associated with high-speed vehicular pursuits, this Policy further restricts the circumstances under which pursuits can be undertaken. The offenses for which officers may pursue suspects has been limited to only the most serious crimes. Significantly, both <u>auto theft and most drug offenses have been removed from the list</u> of crimes authorizing the initiation of a pursuit. This Policy creates a <u>strong presumption against the initiation of pursuits for traffic violations</u> and prohibits continuation of a pursuit based on the risk created by the speed or evasive driving of the fleeing suspect during the pursuit itself.”</p> <p>Pursuits authorized:</p> <p>(a) when the officer reasonably believes that the violator has committed, or is engaged in a conspiracy or attempt to commit, any crime of the first degree or one of the following violent or serious crimes of the second degree:</p> <ol style="list-style-type: none"> (1) Manslaughter (2) Vehicular Homicide, (3) Aggravated Assault, (4) Disarming a Law Enforcement Officer (5) Kidnapping (6) Luring/Enticing a Child (7) Human Trafficking (8) Sexual Assault

	<p>(9) Robbery (10) Arson (11) Burglary (12) Escape</p> <p>(b) when an officer reasonably believes that the violator poses an imminent threat to the safety of the public or other officers. This determination shall be made based upon the violator’s actions or operation of the vehicle prior to the initiation of the attempted motor vehicle stop. The violator’s subsequent actions, including speeding or evasive driving during the pursuit itself, although often supporting the criminal</p>
<p><u>New Orleans, LA</u> Last known update: 12/6/15</p>	<p>“This Department's response to those who unlawfully flee from law enforcement action shall stress a balance between the importance of apprehending offenders and the high-risk nature of vehicle pursuits. Therefore, officers may engage in a pursuit only when they have a reasonable suspicion that a fleeing suspect has committed or has attempted to commit a crime of violence as defined by this Chapter and the escape of the subject would pose an imminent danger of death or serious bodily injury to the officer or to another person. <u>Pursuits for property offenses, misdemeanor offenses, traffic, or civil infractions are prohibited.</u> Officers must receive supervisory approval prior to initiating the pursuit. Officers are not authorized to engage in a vehicle pursuit in order to subdue an escaping suspect who presents no imminent threat of death or serious injury. Vehicle pursuits may never be used for the protection of property.”</p> <p>9. Upon express supervisory approval, officers are authorized to initiate a pursuit ONLY when:</p> <p>(a) an officer can articulate that a suspect is attempting to evade arrest or detention for a crime of violence as defined by this Chapter;</p> <p>(b) the escape of the subject would pose an imminent danger of death or serious bodily injury to the officer or to another person; and</p> <p>(c) the suspect is fleeing in a vehicle after having been given a signal to stop by a commissioned member who has identified themselves as a police officer (e.g., in uniform, in a marked police unit, showing badge and ID)</p>

	<p>Officers must receive supervisory approval prior to initiating the pursuit. Pursuits for misdemeanor offenses, traffic, or civil infractions are prohibited. Dangerous driving during a pursuit does not justify a continued pursuit.</p>
<p><u>New York, NY</u> Last update unknown</p>	<p>Pursuits policy not publicly available.</p>
<p><u>Oakland, CA</u> Last update: Unknown</p>	<p>Pursuits may only be initiated when there is reasonable suspicion to believe the fleeing individual committed a violent forcible crime and/or a crime involving the use of a firearm, or probable cause that the individual is in possession of a firearm.</p>
<p><u>Orlanda, FL</u> Last updated: 12/21/23</p>	<p>Officers may engage in pursuit when they have a reasonable suspicion that a fleeing suspect committed or attempted to commit a forcible felony.</p> <p>Officers shall consider the following to support reasonable suspicion:</p> <ol style="list-style-type: none"> 1. There is a short window of time between the attempted or actual commission of the crime and the decision to pursue. 2. There is descriptive information (e.g. race, sex, clothing, specific vehicle information, etc.) related to the suspect(s) of the forcible felony that the officer has observed. 3. Preservation of life (e.g. kidnapping), or serial events (ongoing forcible felony crimes) outweigh the time and proximity of the offense. <p>Pursuit can also be initiated by any commander on rare occasions for exigent circumstances.</p>
<p><u>Philadelphia, PA</u> Last updated: 6/16/16</p>	<p>An officer is justified in initiating a vehicular pursuit only when they are:</p> <ol style="list-style-type: none"> a. In close proximity to a suspect vehicle and believes a pursuit is necessary to prevent the death or serious bodily injury of another person, or

	<p>b. In close proximity to a suspect vehicle and believes BOTH:</p> <ol style="list-style-type: none"> 1. The pursuit is necessary to effect the arrest or prevent escape, AND 2. The officer has probable cause to believe that the person being pursued has committed or attempted a forcible felony OR, has probable cause to believe that the person being pursued possesses a deadly weapon, other than the vehicle itself.
<p><u>Portland, OR</u> Last update unknown</p>	<p>Members shall only initiate a pursuit of a suspect fleeing in a vehicle when there is reasonable suspicion to believe the suspect committed a felony person crime or where the suspect's driving conduct, prior to the initiation of a stop, displays a willful disregard for the safety of others that reasonably places the public in immediate danger of serious bodily harm or death.</p> <p><u>No pursuits if the suspect is known and can be apprehended at a later time.</u></p>
<p><u>Prince William County, VA</u> Last Updated: 4/20/20</p>	<p>Absent extenuating, articulable circumstances AND supervisor approval, officers may initiate and engage in pursuits ONLY under the following circumstances, and when doing so does not violate any other section of this policy:</p> <ol style="list-style-type: none"> 1. The suspect is wanted for, or suspected of committing, a felony offense involving violence, or the threat of violence to another person. This includes, but is not limited to, murder, rape, robbery, felonious assault, felonious sex offense, and abduction. <p>Officers are <u>prohibited</u> from initiating, engaging in or continuing pursuits under any of the following circumstances, absent extenuating, articulable circumstances AND supervisor approval:</p> <ol style="list-style-type: none"> 1. The suspect is wanted for <u>traffic offenses</u> only, to include Driving Under the Influence. 2. The suspect is wanted for, or suspected of committing, a <u>misdemeanor or non-violent felony</u>.

	<ol style="list-style-type: none"> 3. The pursued vehicle is a motorcycle, ATV, motorbike, go-cart, or moped 4. The pursuit goes off-road. 5. Weather, pedestrian or traffic conditions, which adversely impact roadway or visibility conditions.
<p><u>Seattle, WA</u> Last updated: 2/19/21</p>	<p>Officers Will Not Engage in a Vehicle Pursuit Without Probable Cause to Believe a Person in the Vehicle Has Committed a Violent Offense or a Sex Offense and Both of the Following:</p> <ol style="list-style-type: none"> 1. Probable cause to believe that the person poses a significant imminent threat of death or serious physical injury to others such that, under the circumstances, the public safety risks of failing to apprehend or identify the person are considered to be greater than inherent risk of pursuit driving; and 2. The officer has received authorization to continue the pursuit from a supervisor.
<p><u>San Diego, CA</u> Last updated: 3/12/20</p>	<p>An officer may initiate a pursuit when a vehicle fails to yield to a police vehicle operating with emergency lights and siren activated. The officer must have probable cause to believe the driver, or occupants of the vehicle have committed an infraction or misdemeanor in his/her presence, or have probable cause to believe a felony has been, or is being, committed.</p> <p>The decision to initiate a pursuit should take into account the need to protect the public, and balance the known or suspected offense and the apparent need to immediately capture the suspect against the risks to peace officers, innocent motorists, and others. Factors to consider include: pedestrian and vehicular traffic patterns and volume; location/familiarity of pursuing officers with the area of the pursuit; time of day; speed of fleeing suspect; capabilities and condition of the vehicles involved; quality of radio communication; safety of occupant(s) of pursued vehicle; capabilities/conditions of involved personnel; weather and visibility; road conditions; and whether</p>

	<p>the identity of the suspect is known and can be apprehended at a later time.</p> <p>Policy focuses on tactics and balancing test.</p>
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