

## **11.2           Emergency Vehicle Operations/Pursuit**

### **11.2.1           USE OF EMERGENCY EQUIPMENT**

Deputies will obey all traffic laws when operating Office vehicles in non-emergency situations. Deputies operating Sheriff's Office vehicles under emergency circumstances and utilizing emergency equipment may be afforded the temporary privilege of being exempt from strictly complying with certain motor vehicle laws when responding to an emergency call or while pursuing a violator or suspected violator of the law. When this privilege is utilized, deputies must balance the necessity of a quick response against the potential hazards of breaching accepted traffic standards. Responding to a crisis situation with emergency equipment activated does not justify negligently endangering or driving without due regard for the safety of property and all persons. Sheriff's Office vehicles may operate as *emergency vehicles* as defined in Sections 11-118 and 21-106 of the Maryland Transportation Article. Emergency equipment should also be utilized when taking action to correct a hazardous highway condition (e.g., retrieving an object from the roadway).

### **11.2.2           PASSENGER RESTRICTIONS**

Deputies may be called upon at any time to participate in an emergency situation. Consequently, deputies operating an Office vehicle on duty will not permit persons other than law enforcement officers or those participating in the Citizen Ride-Along Program to ride in the vehicle, except as duties necessitate.

### **11.2.3           VEHICLE ESCORTS**

Deputies may provide escort to ambulances and other emergency vehicles, and privately-owned vehicles in funerals and similar details.

### **11.2.4           VEHICULAR PURSUIT**

The purpose of this directive is to limit deputy discretion in vehicular pursuit of fleeing suspects. Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, deputies, and suspects involved in the pursuit. It is the policy of this Office to protect all persons' lives to the extent possible when enforcing the law.

In addition, it is the Office's responsibility to assist deputies in the safe performance of their duties. To meet these obligations, it is the policy of the Office to narrowly regulate the manner in which vehicular pursuits is undertaken and performed.

Deputies are in no way relieved of their duty to enforce the law by other lawful means, when vehicular pursuit is prohibited by this policy. Deputies and supervisors must be mindful that alternatives to pursuit exist, and that deputies are expected to exercise their alternatives when available and practical. For example, deputies may

1. attempt to follow the violator at a reasonable speed;
2. coordinate with county or other law enforcement agencies to limit the area accessible to the violator;
3. initiate air surveillance through county or state resources;
4. conduct a follow-up investigation to locate and interview witnesses or others who may identify the violator.

#### 11.2.5 DEFINITION

"Vehicular pursuit" means an active attempt by a deputy in an authorized emergency vehicle to apprehend a fleeing suspect(s) who is/are attempting to avoid apprehension through evasive tactics.

The act of accelerating in order to catch up to a speeding vehicle does not constitute a vehicular pursuit, unless the violator clearly has recognized (or should have recognized) the deputy's law enforcement vehicle and still refuses to stop.

#### 11.2.6 PURSUIT AUTHORIZATION

##### A. When pursuit is authorized

Vehicular pursuit is authorized when a suspect uses a vehicle to flee from apprehension for:

1. any crime or attempt to commit a crime where the deputy would be authorized to use deadly force;
2. burglary or breaking and entering;
3. arson;
4. attempts to commit items 2 or 3;
5. driving while intoxicated or under the influence of alcohol or drugs, if the operation of the fleeing vehicle represents a serious threat to the safety of others;
6. a hit-and-run traffic accident resulting in death or serious injury.

B. Sheriff's Office Law Enforcement Vehicle Requirements

The following law enforcement vehicles may engage in vehicular pursuits:

1. fully-marked authorized emergency vehicles;
2. unmarked vehicles equipped with sirens, dash lights, grille lights, and/or alternating flashing headlights.

Due to inherent performance or safety limitations, pursuit driving is prohibited by motorcycles and other special-purpose law enforcement vehicles. Deputies operating semi-marked Sheriff's vehicles or vans may only follow the violator at a reasonable speed until an authorized vehicle is available to initiate a pursuit.

C. Safety Considerations

1. Vehicles will not engage in vehicular pursuits while carrying occupants other than Anne Arundel County Sheriff's deputies or other sworn law enforcement officers.
2. The decision to initiate pursuit must be based on the pursuing deputy's conclusion that the immediate danger to the public due to the continued freedom of the suspect is greater than the immediate or potential danger to the public created by the pursuit.
3. As with the use of deadly force, the decision to initiate or continue a vehicular pursuit can be justified only by the facts or information known at the time. Facts unknown to those involved, no matter how compelling, cannot be considered in later determining whether or not the pursuit was justified under this policy.
4. In addition, the pursuing deputy will consider the following factors in deciding whether to initiate or continue a pursuit:
  - a. the performance capabilities of the pursuit vehicle;
  - b. prevailing weather conditions, and the condition of the road surface;
  - c. the amount of vehicular and pedestrian traffic in the area.

11.2.7 PURSUIT PROCEDURES

- A. Emergency equipment, to include emergency lights and siren, must be activated and seat belts fastened until a pursuit is terminated.
- B. A deputy engaged in a vehicular pursuit will immediately notify Communications that a pursuit is underway, and will provide the following information:

1. unit identification number
2. location and direction of travel
3. complete description of the fleeing vehicle and its occupants
4. reason for the pursuit

Failure to provide this information will result in an immediate order by a supervisor to terminate the pursuit.

- C. The primary pursuit vehicle will reduce the level of pursuit to that of a support or backup unit when:
  1. the fleeing vehicle comes under the surveillance of a police aircraft; or
  2. another vehicle has been assigned primary pursuit responsibility.
- D. Any Sheriff's vehicle sustaining damage or failure of essential vehicular equipment (e.g., emergency equipment, headlights, brakes, tires, steering system, windshield, etc.) will discontinue pursuit and notify Communications to assign another unit.
- E. Once actively engaged in a pursuit, the backup unit is responsible for radio transmission and updating Communications or the pursuit status. This permits the primary unit to concentrate on driving techniques.

#### 11.2.8 PURSUIT TACTICS

- A. Sheriff's Office policy pertaining to the use of deadly force will be adhered to during a vehicular pursuit.
- B. Deputies engaged in vehicular pursuit are required at all times to drive in a manner exercising reasonable care for the safety of all persons and property in the pursuit area. Prior to proceeding through an intersection, or against the direction of a traffic signal or traffic control device, deputies will slow and ensure that they are in a clear position to see that no vehicles or pedestrians will be encountered. Deputies are cautioned not to accelerate to speeds beyond their driving capabilities or those of their vehicles.
- C. Each unit authorized to engage in the pursuit is required to activate headlights and all emergency vehicle equipment prior to beginning the pursuit.
- D. Unless expressly authorized by the supervisor in charge of the pursuit, the pursuit will be limited to the primary pursuit vehicle and one backup unit, in addition to the supervisor. Caravanning of Sheriff's Office vehicles is prohibited.

- E. Deputies may take up strategic locations along the anticipated path of the pursuit and prepare to assist, but may not enter the pursuit without the permission of the supervisor.
- F. Deputies may not use their vehicles to bump or ram the fleeing vehicle. Deputies may attempt to box in the fleeing suspect and slow him/her to a halt, but will not intentionally strike the fleeing vehicle with a Sheriff's vehicle. Special purpose law enforcement vehicles (motorcycles, vans, etc.) will not be used to box in the violator.
- G. Deputies may set up roadblocks in the path of an oncoming pursuit only in the most dire of circumstances, and as a last resort. The prior approval of the supervisor in charge of the pursuit, or his/her superior, is required. Only Sheriff's Office vehicles may be used. Deputies will ensure that any vehicle used as a stationary roadblock is unoccupied.
- H. Deputies may employ roadblocks to prevent civilian traffic from entering roadways in the area of the pursuits.

#### 11.2.9 INTERJURISDICTIONAL PURSUIT

- A. Deputies may continue vehicular pursuit into a foreign jurisdiction within the state of Maryland as long as the conditions or circumstances that authorized the pursuit in Anne Arundel County continue to exist. Communications will notify the Maryland State Police and the local law enforcement agencies in the foreign jurisdictions where the pursuit is continuing.
- B. Deputies will terminate the pursuit at the Maryland state line. Deputies are not authorized to continue pursuits across state lines.
- C. All policies and procedures contained herein also apply to the conduct of Anne Arundel County Deputy Sheriffs during vehicular pursuits into Anne Arundel County by another law enforcement agency. In such cases it is imperative that supervisors obtain all information as soon as possible in order to determine what actions, if any, are to be taken by this Office.
- D. In the event that a fleeing motorist wanted by this Office is apprehended by another law enforcement agency, members of the Office may continue to the scene to take custody of the suspect.

#### 11.2.10 TERMINATION OF PURSUIT

- A. The pursuit will be terminated by the pursuing deputy under any of the following circumstances:

1. when ordered to terminate by a supervisor; or
2. when, in the opinion of the deputy or the field supervisor, the danger of continued pursuit outweighs the benefit of immediate apprehension of the suspect; or
3. when the pursued vehicle leaves the state of Maryland.

#### 11.2.11 COMMUNICATIONS SECTION

- A. Upon notification of a pursuit in progress, Communications will immediately notify an Operations Bureau supervisor of the essential information, and obtain an acknowledgement and acceptance of responsibility on the air from the supervisor.

Communications will ensure that the following actions are taken:

1. notify the Anne Arundel County Police Department's Communications section;
2. receive and record all incoming information on the pursuit;
3. control all radio communications and clear the active channel of all non-pursuit traffic;
4. coordinate and dispatch backup assistance and air support under the direction of the warrant team supervisor;
5. notify neighboring jurisdictions and the Maryland State Police, where practical, when the pursuit approaches the county border.

#### 11.2.12 SUPERVISOR'S ROLE

- A. Upon learning of a vehicular pursuit in progress, an Operations Bureau supervisor will assume responsibility for monitoring and controlling the pursuit as it progresses. The supervisor will identify on the air, and acknowledge his or her acceptance of responsibility.
- B. The supervisor will continuously review incoming data to determine whether the pursuit should be continued or terminated.
- C. The supervisor is responsible for the following:
  1. directing pursuit vehicles and air support into and out of the pursuit;
  2. redesignation of primary, backup, and support vehicles and their responsibilities;
  3. approval, disapproval and coordination of pursuit tactics;
  4. approval or disapproval to continue the pursuit beyond the Anne Arundel County boundary line.

- D. In addition to any other operational report of the incident, the Operations Bureau supervisor will prepare and submit a "Deputy Sheriff Pursuit Report" before ending his or her tour of duty.

#### 11.2.13 REVIEW OF VEHICULAR PURSUIT

- A. Each incident involving vehicular pursuit by a member of the Office will be reviewed by the pursuit deputy's Bureau Commander. The purpose of the review is to evaluate and comment on the following areas:
  - 1. tactical considerations
  - 2. training considerations
  - 3. quality of supervision
  - 4. adequacy of the Office's policy on vehicular pursuit
  - 5. whether the actions of all involved deputies were within Office policy
- B. The Bureau Commander's review of the pursuit will be forwarded for staff review and comment as appropriate via each level of the chain of command, to the Sheriff. The Sheriff will forward the reviews to the Training Administrator for analysis.

#### 11.2.14 RECORDS RETENTION AND FILING

The Sheriff's Office will process and file the original pursuit report/incident report according to existing standard operating procedures for incident reports.

#### 11.2.15 REVIEW AND ANALYSIS

The Training Administrator will conduct a review and analysis of vehicular pursuits and will report the findings and conclusions to the Sheriff along with any recommendations for changes in this policy

#### 11.2.16 TRAINING CONSIDERATIONS

The Training Administrator will ensure that all vehicular pursuits are evaluated and that any training considerations or changes indicated are noted and incorporated in future training on pursuit driving.