**SAMPLE POLICY – FOOT PURSUITS**

The materials provided in this correspondence are for general informational and educational purposes only and are not intended to be and should not be considered legal advice or opinions. Prior to making any policy or rule changes seek the advice of your city/municipal attorney.

1. **Purpose**

The purpose of this policy is to establish a balance between protecting the safety of the public and police officers during police pursuits on foot and law enforcement’s duty to enforce the law and apprehend suspects.

1. **Policy**

Foot pursuits are inherently dangerous police actions. It is the policy of this department that officer and public safety shall be the overriding consideration in determining whether a foot pursuit will be initiated or continued. Foot pursuits occur in a wide variety of circumstances. Therefore, this policy is intended to provide overall direction and guidance to officers when deciding if such pursuits are warranted and how they should be conducted.

1. **Definitions**

Criminal Activity: A person suspected of committing a petty disorderly persons offense, disorderly persons offense, crime, or is a wanted person for such offenses, believed to have an active warrant for their arrest, or believed to be a fugitive from justice

Foot Pursuit:An incident where an officer chases (on foot) a person who is evading detention or arrest.

1. **Procedures**
   1. Deciding Whether to Pursue
      1. Although it is an officer’s decision to initiate a stop, it is the suspect or violator who decides to precipitate a foot pursuit by fleeing. An officer’s decision to pursue on foot shall be made with an awareness of and appreciation for the risk to which the officer and others will be exposed. No officer or supervisor shall be criticized or disciplined for a decision not to engage in a foot pursuit if, in the officer’s assessment, the risk exceeds that reasonably acceptable under the provisions of this and related department policy and training.
      2. Where necessary, an officer may pursue persons who he or she reasonably believes have committed an act that would warrant a stop, investigative detention, or arrest. Mere flight by a subject who is not suspected of criminal activity shall not serve as the sole justification for engaging in a foot pursuit
      3. In deciding whether or not to initiate a pursuit, an officer shall consider the following alternatives to a foot pursuit and/or the potential availability of:
         1. Containment of the area
         2. Canine search
         3. Saturation of the area with patrol personnel
         4. Apprehension at another time and place when the officer knows the identity of the subject or has other information that would likely allow for later apprehension
         5. Aerial support assistance
      4. In deciding whether to initiate or continue a foot pursuit, officers shall also consider risk factors whenever officers are:
         1. acting alone,
         2. in an unfamiliar area,
         3. in an area that is hostile,
         4. pursuing suspects who are known to be or suspected of being armed,
         5. pursuing more than one person,
         6. unable to obtain backup in a timely manner,
         7. unable to establish and maintain contact with the communications center
         8. pursuing in inclement weather, darkness, or reduced visibility conditions. or
         9. not in adequate physical condition to conduct a foot pursuit.
   2. Initiating Officer’s Responsibilities
      1. Officers initiating foot pursuits shall be in field command and shall bear operational responsibility for the foot pursuit unless circumstances dictate otherwise or until relieved by a supervisor. Pursuing officers are reminded that voice transmissions while running and in other field tactical situations may be difficult to understand and may have to be repeated.
      2. The officer initiating a foot pursuit shall, as soon as practical, provide the following information to communications:
         1. Unit identifier
         2. Reason for the foot pursuit
         3. Officer location and direction of pursuit
         4. Number of suspects and description
         5. Whether or not the suspect(s) is armed
   3. Foot Pursuit Coordination
      1. The primary (initiating) officer shall coordinate, directly or indirectly through police communications, with secondary officers to establish a perimeter in the area to contain the suspect(s), until relieved by a Supervisor or other officer who is in a better position to assume such duties.
      2. When the officer cannot immediately apprehend the fleeing subject, generally the primary officer shall not try to overtake the fleeing suspect but shall keep the subject in sight until sufficient personnel is available to take him into custody. It is understood that sometimes the most prudent and safest action is an immediate apprehension by the officer; however, as the situation becomes protracted and the officer becomes further distant from the initial scene he/she mayconsider awaiting the arrival of additional officers while taking the additional actions as noted in this policy.
      3. Assisting officers shall attempt to contain the pursued suspect unless directed otherwise. Such officers shall not respond to the primary officer’s location unless the suspect has been stopped and the primary officer requests assistance to take the suspect into custody.
      4. When two or more officers are in pursuit, they shall:
         1. not separate unless they remain in sight of each other and maintain communication, but they shall
         2. allow the lead officer to concentrate on the suspect’s actions while the second officer provides backup and maintains communications with dispatch and other assisting officers.
   4. Guidelines and Restrictions
      1. The pursuing officer shall terminate a pursuit if so instructed by a supervisor.
      2. Unless there are exigent circumstances such as an immediate threat to the safety of other officers or civilians, officers shall **not** engage in or continue a foot pursuit under the following conditions:
         1. If the officer believes the danger to pursuing officers or the general public outweighs the necessity for immediate apprehension.
         2. If the officer becomes aware of any unanticipated circumstances that substantially increases the risk to the officer or public safety inherent in the pursuit.
         3. While acting alone and there is no sufficient back-up available or the arrival of back-up is delayed. If exigent circumstances warrant, the lone officer shall keep the suspect in sight from a safe distance if possible and coordinate containment.
         4. Into buildings, structures, confined spaces, or into wooded or otherwise isolated areas without sufficient backup and containment of the area. The primary officer shall stand by, radio his or her location, and await the arrival of officers to establish a containment perimeter. At this point, the incident may be considered a barricaded or otherwise noncompliant suspect, and officers shall consider using specialized units such as SRT, crisis response team, police canines or aerial support.
         5. If the officer loses possession of his firearm.
         6. If the suspect’s identity is established or other information exists that allows for the suspect’s probable apprehension at a later time and there is no immediate threat to the public or police officers, and the subject does not pose a threat to public safety.
         7. If the suspect’s location is no longer known.
         8. If primary officers lose contact with police communications or with backup officers is interrupted.
         9. If an officer or third party is injured during the pursuit who requires immediate assistance and there are no other police or medical personnel able to render assistance.
         10. If the officer loses visual contact with the suspect.
         11. If the officer is unsure of his or her own location or direction of travel.
      3. When the pursuing officer terminates the pursuit he or she shall notify communications with his or her location and request any assistance deemed necessary.
      4. Supervisor’s Responsibilities

Upon becoming aware of a foot pursuit, the supervisor shall decide as soon as possible whether the pursuit should continue.

* + - 1. The supervisor should allow the foot pursuit to continue if:
         1. there are at least two officers working in tandem or the supervisor is aware that a back-up officer is in route to assist the primary officer and there is a reasonable belief that the suspect has committed an act that would permit the officer to detain the suspect, or
         2. there is a reasonable belief that the suspect poses an immediate threat to the safety of the public or other police officers, or
         3. the pursuit does not violate provisions of this or related department policy, procedures, or training.
      2. The supervisor shall terminate a foot pursuit at any time he or she concludes that the danger to pursuing officers or the public outweighs the necessity for immediate apprehension of the suspect.
      3. The supervisor shall take command, control, and coordinate the foot pursuit as soon as possible:
         1. The supervisor does not have to be physically present to assert control over the situation.
  1. Emergency Communications Center Responsibilities
     1. Upon being notified that a foot pursuit is in progress, communications personnel shall immediately notify a supervisor and provide all available information.
     2. Communications personnel shall carry out the following responsibilities during a foot pursuit:
        1. Receive, record, and immediately report incoming information on the pursuit, the officers involved and the suspect.
        2. Control all radio communications and clear the radio channels of all nonemergency traffic.
        3. Ensuring that a Supervisor is notified of the pursuit.
        4. Coordinate and dispatch backup assistance which may include further direction from a supervisor.
        5. Contacting additional resources as indicated or requested