



## **2-45 PURSUIT BY MOTOR VEHICLE**

### **2-45-1 Purpose**

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and property.

### **2-45-2 Policy**

Department policy is to initiate a pursuit only when an officer has reasonable grounds to believe the offender presents a clear and immediate serious threat to the safety of other motorists or the public, which is ongoing before the pursuit beginning, or the offender has committed or is committing a violent felony.

### **2.45.3 Definitions**

#### **A. Motor Vehicle Pursuit**

A motor vehicle pursuit is an active attempt by a law enforcement officer operating a departmental vehicle with engaged emergency equipment to apprehend one or more occupants of another moving vehicle, and the driver of that vehicle is driving their vehicle in a manner that endangers the life of another person. It shall be reasonably apparent that the driver of that vehicle is aware of the attempted apprehension and is resisting by refusing to stop, disobeying traffic laws, or attempting to elude the officer through evasive maneuvers or tactics.

#### **B. Initiating/Primary Pursuit Unit**

The police unit that initiates a pursuit or any other unit that assumes the lead position in a pursuit is the primary unit.

#### **C. Marked Unit**

A police vehicle must be equipped with a roof mounted light bar, siren, and authorized police vehicle insignia. These elements must be present for the vehicle to be considered a marked vehicle.

#### **D. Supervisor**

For the purpose of this section, "supervisor" includes on-duty supervisors who are directly involved and actively monitoring the particular incident.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-45

Effective: 09/06/17 Review Due: 09/06/18 Replaces: 01/27/16

E. Violent Felony

Violent felonies for the purpose of this section are as follows: homicide, criminal sexual penetration, robbery with a deadly weapon, kidnapping/false imprisonment, felony aggravated battery inflicting great bodily harm and aggravated assault with a deadly weapon.

F. Clear and Immediate Serious Threat

A threat that is present before the pursuit and which represents a willful disregard by the occupants of the vehicle of the rights and safety of others which reasonably places the public in imminent danger of great bodily harm or death.

G. Pursuit Immobilization Technique (PIT)

A technique used by officer(s) to stop a suspect vehicle, by utilizing their police vehicle.

H. High Risk Stop

A high-risk stop is a method of stopping, removing, disarming, and detaining occupants of a vehicle who are believed to be dangerous, violent, and/or armed with a deadly weapon. The high-risk stop utilizes officers, cover, and assigned areas of responsibility and structured orders to stop a vehicle and remove occupants while reducing the risk of danger to citizens and the responding officers.

**2-45-4 Rules and Procedures**

[5] A. Initiating/Primary Pursuit Unit

1. An officer may initiate a pursuit when at least one of the following factors exists:
  - a. Reasonable grounds have been established to believe the offender presents a clear and immediate serious threat. The threat must be ongoing and occurring before the pursuit beginning, and reasonably places the public in imminent danger of great bodily harm and/or death.
  - b. The offender has committed or is committing a violent felony and allowing escape would put the public in imminent danger of great bodily harm or death.
2. If one of the factors in subsection one above are present, the officer shall also consider the following factors before initiating the pursuit:
  - a. The nature of the offense for which the pursuit was initiated.
  - b. The current driving behavior exhibited by the offender(s).
  - c. The time of day.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-45

Effective: 09/06/17 Review Due: 09/06/18 Replaces: 01/27/16

- d. Road, weather and vehicle conditions.
  - e. Any other risk presented by the pursuit itself.
  - f. Knowledge of the offender's identity, possible destination, and previous activities.
  - g. The risk of harm to others from the offender's escape.
3. Officers initiating a pursuit will request aerial assistance as soon as possible. (See subsection 3-C-3 for procedures on the use of aerial assistance.)
  4. Officers involved in pursuits must continually question whether the seriousness of the crimes(s) reasonably warrants continuation of the pursuit.
    - a. At any time during a pursuit when an officer or supervisor determines that the danger to the public or officer(s) outweighs the need for immediate apprehension, the officer will immediately discontinue the pursuit.
    - b. The decision of an officer or supervisor to terminate a pursuit for safety considerations is not subject to review, and the officer will not be criticized, nor disciplined for that decision.
    - c. Officers initiating/sustaining pursuits are ultimately responsible for the outcome of their actions and compliance with this SOP.
  5. Before engaging any emergency equipment to affect the stopping of a vehicle, the officer should attempt to note the license plate number and vehicle description.
  6. Any officer initiating a pursuit shall immediately notify Communications that a pursuit is in progress, and give the following information:
    - a. Reason for the pursuit;
    - b. Present location and direction of travel;
    - c. Vehicle speeds involved in the pursuit;
    - d. Description of vehicle and occupants;
    - e. Number of occupants in the offender(s) vehicle;
    - f. Any safety factors that need to be noted; and
    - g. If a hostage is involved, this fact, along with a description and the exact location of the hostage in the vehicle, if known.
  7. All pursuits shall be conducted using "code 3" full emergency equipment.
  8. Officers radio transmission on the progress of the pursuit:
    - a. The primary officer is responsible for broadcasting the progress of the pursuit until the arrival of a secondary unit, who will then assume that responsibility.
    - b. Communication for any pursuit will remain on the pursuing officers original dispatch channel, even if the pursuit changes area commands and/or jurisdictions.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-45

Effective: 09/06/17 Review Due: 09/06/18 Replaces: 01/27/16

c. If a pursuit is initiated on a frequency other than a dispatch channel, officers will move to the appropriate dispatch channel as quickly and safely as possible.

9. Vehicles involved in pursuits:

- a. Motorcycles, slick-top, and unmarked units may initiate a pursuit only if the unit is equipped with a siren and red flashing lights.
- b. When a marked unit with a roof mounted light bar joins the pursuit, all motorcycle, slick-top and unmarked units will assume a secondary pursuit position. Once a second marked unit with a roof mounted light bar joins the pursuit, all motorcycle, slick-top and unmarked units shall not actively participate in the pursuit, but may monitor the pursuit and be available to assist in the apprehension if necessary.

10. Officers with a prisoner in their vehicle will not initiate or join a pursuit.

11. After a supervisor is notified of the pursuit, it may only continue with specific authorization from the supervisor.

[7] B. Assisting/Secondary Pursuit Units

1. Assisting/secondary pursuit units shall:

- a. Engage all emergency equipment.
- b. Notify communications of their identity.
- c. Assume radio communications responsibility, allowing the primary unit to devote complete attention to the pursuit.
- [6] d. Officers will not parallel or caravan a pursuit; however, officers may proceed into the area of a pursuit if directed by the controlling supervisor to assist at the termination point of the pursuit. Assisting units may also be utilized in the stopping of the pursued vehicle.
- [6] e. No more than two police vehicles will become actively involved in a pursuit unless specifically authorized to do so by a supervisor. Assisting officers will be alert to the pursuit progress and location.
- f. Officers involved in a pursuit will not attempt to pass the primary unit unless instructed to do so by that unit or the primary unit is unable to continue.

C. Supervisor

1. The initiating pursuit officer's on-duty supervisor or, if the on-duty supervisor is unavailable, the next available on-duty supervisor will be in command of the pursuit.
  - a. Pursuits initiated by an officer outside their area command or while off-duty will be under the command of the supervisor responsible for the sector where the pursuit initiated.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-45

Effective: 09/06/17 Review Due: 09/06/18 Replaces: 01/27/16

- b. It is essential that on-duty sector supervisors constantly monitor radio communications within their area to ensure that any motor vehicle pursuit has met the proper criteria and that the pursuit is managed by this SOP section.
- c.
2. Upon being notified of a pursuit, the supervisor shall:
  - a. Assume command from origination through conclusion.
  - b. Ensure the pursuit is in compliance with this section.
  - c. Ensure aerial assistance has been requested.
  - d. Ensure that affected public safety agencies are notified.
  - e. Assist the primary unit with the necessary support requested.
  - f. When necessary, abandon or direct the dispatcher to have officers abandon the pursuit.
  - g. When necessary for the protection of the public, call for the establishment of a location to disable the fleeing vehicle.
  - h. Ensure ECC does all OPS transmissions.
3. Utilization of Aerial Assistance during Pursuits
  - a. Once aerial assistance has responded and has a visual on the pursued vehicle, the Aerial Unit shall be the primary unit and will relay the progress of the vehicle to ground units. This will apply only to pursuits that meet department policy and have been authorized by an on-duty supervisor.
    - i. All ground units involved in the pursuit will shut down emergency equipment and cease emergency driving activities and cease following the vehicle.
    - ii. The supervisor will determine how many units are needed to track the vehicle based upon the information from the Aerial Unit.
    - iii. With direction from the Aerial Unit, the supervisor will direct and control ground units in a manner that increasingly constricts the perimeter surrounding the vehicle to apprehend the offenders.
    - iv. The Aerial Unit will broadcast the direction of travel of the offender.
    - v. The Aerial Unit will notify the supervisor in charge if units are still following the suspect vehicle. The police units following the vehicle will be identified by unit number on the vehicle by Air I when possible.
  - b. If an officer is attempting to stop a vehicle that he/she knows is involved in a criminal act, and the circumstances of the situation do not comply with this policy (not a pursuit), and aerial assistance is in proximity, the officer, with approval of a supervisor, may request assistance of the Aerial Unit to follow the vehicle in order for the officer to have an opportunity to apprehend the offenders. The officer should pull back a sufficient degree so that the officer is not a factor in the driving behavior of the offender.
    - i. Aerial assistance will broadcast specific direction of travel. Aerial assistance will notify original supervisor of where the vehicle stops. The notified supervisor will determine the appropriate response.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-45

Effective: 09/06/17 Review Due: 09/06/18 Replaces: 01/27/16

- ii. Officers will not follow the suspect.
  - c. The Aerial Unit will notify the supervisor in charge if units are still following the suspect. The police units following the vehicle will be identified by unit number on the vehicle by Air I when possible.
4. The supervisor monitoring and/or notified of the pursuit must continually evaluate the pursuit to allow its continuation, or to order termination of the pursuit.
5. If a supervisor orders a pursuit be terminated, he/she will direct the officers involved to meet immediately with him/her at a designated location.
6. At the conclusion of the pursuit, the authorizing supervisor will:
  - a. Fill out the "Police Pursuit Post Incident Review," in Blue Team.
  - b. Provide copies of the "Police Pursuit Post checklist, "police reports, recording of radio transmissions, video from Air I (if available), and written review from the officer's lieutenant of the pursuit to the Division/Area Commander within 48 hours of the incident. The Division/Area Commander will:
    - i. Review the pursuit to determine compliance with this SOP Section. The Division/Area Commander may conduct a meeting with the supervisor and officers involved to thoroughly review the pursuit.
    - ii. Prepare a written report of the review and deliver it to the Chief of Police and Operations Review Section within ten working days of the incident.
  - c. The Operations Review Section will annually prepare an analysis of pursuits and distribute the analysis to the Chief of Police, and Internal Affairs.
- [7] 7. Watch commanders of units involved in a pursuit shall hold an open critique session, preferably during briefing, of the pursuit wherein both the positive and negative aspects of the pursuit can be used as a training aide.

D. Stopping a Pursued Vehicle

1. Officers will use high-risk stop procedures if possible.
2. Mechanical Tire Deflation System.
  - a. The mechanical tire deflation system is an acceptable method of terminating a pursuit when authorized by a supervisor. Only those officers who have received training in the device are authorized to deploy the system.
  - b. The mechanical tire deflation system will not be deployed on two-wheeled vehicles unless the use of deadly force is justified.

- [N/A] 3. Pursuit Immobilization Technique (PIT)



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-45

Effective: 09/06/17 Review Due: 09/06/18 Replaces: 01/27/16

- a. The pursuit immobilization technique is an acceptable method of terminating a pursuit when authorized by a supervisor. The pursuit immobilization technique will not be used at speeds greater than 35 MPH unless deadly force is warranted. Every effort will be made to utilize a high-risk stop (felony stop) with additional units after PIT has been employed.
  - i. Only those officers who are trained and certified in the Pursuit Immobilization Technique are authorized to employ it.
  - ii. The PIT will not be deployed on two (2), or three (3) wheeled vehicles unless the use of deadly force is justified.

4. Use of Deadly Force (Firearms)

- a. As per S.O. 14-25 and [2-52 Use of Force](#), officers will not use firearms to disable tires of a vehicle that is being pursued.

[6] E. Jurisdictional Issues

1. When a pursuit leaves the City limits of Albuquerque, the officer will terminate the pursuit if:
  - a. Directed to do so by a supervisor
  - b. A supervisor is no longer in command of the pursuit
  - c. Requested to do so by the jurisdictional agency
  - d. Proper communications become a safety issue
2. When a pursuit by another agency enters the city limits of Albuquerque, the responsible supervisor will:
  - a. Ensure the Department pursuit policy is adhered to.
  - b. Ensure every attempt is made to assist the pursuing agency as resources and safety factors allow. This assistance must remain within the guidelines of this agency.
  - c. Request the pursuing agency to terminate the chase if the pursuit is not in compliance with department policy.
3. When another public safety agency's pursuit does not meet the standards of this policy, limited departmental participation may be provided if resources allow. However such participation is restricted. Department personnel will not actively participate in the pursuit but may provide the following safety measures:
  - a. Blocking of intersection(s) to allow unrestricted and safe passage of vehicles involved in the pursuit.
  - b. Communications support will be utilized to coordinate the movements of the pursuit and facilitate the timely response of assisting units to the areas involved.
  - c. Containment and preservation of the location where a pursuit is terminated, if it is within the city service area.