

SHERIFF OF GARFIELD COUNTY

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GARFIELD COUNTY SHERIFF'S OFFICE

POLICY / PROCEDURE

PATROL

SUBJECT: VEHICLE PURSUITS

EFFECTIVE DATE: January 01, 2024

POLICY:

Garfield County Sheriff's Office Deputies shall pursue suspects when circumstances exist that warrant the apprehension of the offender(s) *and* the pursuit does not cause undue danger to the general public. Deputies will continually consider all factors of the pursuit and, if the safety of the public outweighs the need for apprehension, the Deputy will terminate the pursuit.

PURPOSE:

To provide Deputies guidance on the Sheriff's Office policy concerning vehicle pursuits.

DEFINITIONS:

- **Pursuit:** The use of an authorized emergency vehicle for the purpose of pursuing someone who willfully or knowingly uses illegal or evasive driving tactics in order to avoid detention, apprehension or arrest.

METHOD:

It is the policy of the Garfield County Sheriff's Office to continually evaluate its procedures in order to balance the safety of the community and its Deputies against the demands and risks of official law enforcement actions. Vehicle pursuits present hazards and risks, which could be life threatening and will be conducted only in accordance with the provisions of Colorado law and this policy. Although it is the duty and responsibility of Deputies to apprehend violators, they must balance this need against the safety of the community and the involved Deputies. Every pursuit will ultimately be judged upon the totality of the circumstances.

When Pursuits are Authorized: Deputies who initiate a pursuit are expected to continually evaluate the pursuit itself and the circumstances surrounding it; weighing the seriousness of the offense against the safety factors. A decision to pursue a violator is not irreversible and Deputies are expected to use sound professional judgment in any decision to pursue. It is the responsibility of the pursuing Deputy, the involved Shift Supervisor, the Patrol Commander and the Undersheriff to determine if the seriousness of the offense or the freedom of the suspect(s) warrants accepting the dangers and risks of the pursuit.

Deputies have the duty and responsibility to apprehend traffic violators. However, The Garfield County Sheriff's Office does not intend for pursuits of misdemeanor or traffic infraction violators to be extended to the point that the lives of the community, Deputies or suspect(s) are placed in jeopardy.

Deputies may initiate pursuit of persons whom they have reason to believe have committed, or are about to commit a felony. There will be no more than three vehicles actively engaged in a pursuit at one time unless authorized by a supervisor. The three vehicles actively engaged in the pursuit shall be designated as the primary pursuit vehicle (the vehicle directly behind the suspect vehicle), the secondary pursuit vehicle (the vehicle behind the primary pursuit vehicle and responsible for radio traffic), and the third to adhere to STOPS training by blocking traffic (protecting the public from risk associated with high risk stops). Other vehicles may parallel pursue, obeying all traffic laws, unless otherwise directed. Other responding units may respond emergently to deploy stop sticks.

If a pursuit is initiated by a motorcycle, semi-marked, or an unmarked unit, *and* it meets the minimum emergency equipment criteria, that unit shall immediately become the secondary pursuit vehicle once a fully marked patrol vehicle is in a position to take over the pursuit. Once a second fully marked patrol vehicle arrives it will assume the secondary pursuit position. The initiating vehicle shall then disengage from the pursuit, but may parallel pursue, obeying all traffic laws, until the pursuit is terminated.

Only P.O.S.T. certified Deputies may engage in a pursuit. No pursuits will be allowed by a Deputy who has a passenger who is not a sworn member of the Garfield County Sheriff's Office. Deputies transporting prisoners will not be allowed to engage in pursuits. No privately owned vehicle will be used in a pursuit unless authorized by a supervisor.

When to Initiate a Pursuit: The first consideration during any pursuit must be to weigh the seriousness of the crime or suspected crime against the possible hazards of the pursuit.

Deputies shall consider the following, prior to, and during any vehicle pursuit:

- The suspect(s) intend to avoid arrest by using a vehicle to flee apprehension
- The suspect operating the vehicle refuses to stop at the direction of the Deputy
- The suspect, if allowed to flee, would present a danger to human life or cause serious injury
- The identity of the suspect(s) and whether they can be apprehended at a later time
- The performance capabilities of the pursuit vehicle
- The driving skills of the Deputy
- The amount of vehicular and pedestrian traffic in the area
- Weather conditions
- Road conditions
- The ability to maintain radio communications with a communications center and/or other units involved in the pursuit
- Any other factors or conditions relative to the safety of the pursuit

Deputies attempting to stop a suspect's vehicle should be in proper position before activating the overhead lights and siren. This may reduce a suspect's temptation to evade contact. If a suspect chooses to flee in a vehicle, the Deputy shall immediately relay to the Communications Center the following information if a pursuit appears imminent:

- Location
- License number and description of vehicle, if available
- Description of offense or suspected offense
- Direction of travel and speed
- Traffic conditions
- Number of occupants in the suspect vehicle

Supervisory Responsibilities: Upon the communications center advising of a pursuit in progress, the Shift Supervisor shall immediately begin to monitor the pursuit and evaluate all criteria until the pursuit is concluded. The supervisor will determine within a reasonable amount of time whether to allow the pursuit to proceed. A reasonable amount of time may vary based upon information gathering ability and the factors surrounding the pursuit. The supervisor will continually monitor the pursuit to determine if and when it shall be terminated. Upon conclusion of the pursuit, the supervisor will proceed to the location where the pursuit terminated and immediately assume command. In cases where the pursuit is terminated in another jurisdiction and/or other jurisdictions may have criminal violations against the suspect(s), the supervisory personnel on scene shall determine the best course of action with respect to the custody of the suspect(s).

Responsibilities of the Primary and Secondary pursuit Vehicles: The conduct of the pursuit shall be the responsibility of the primary pursuit driver, who is authorized to terminate the pursuit at any time. The secondary pursuit vehicle shall be responsible for maintaining radio communications and transmitting locations, direction of travel, and traffic conditions. If the secondary pursuit driver loses communications ability, the primary driver shall assume communications responsibility until a secondary unit can reestablish communications.

Termination of a Pursuit: Terminating a pursuit requires an objective decision, which must be based on continual observation and evaluation, including weighing the seriousness of the offense against the dangers presented by the continuation of the pursuit. The Deputy in the primary pursuit position, the involved supervisor, the Patrol Commander and the Undersheriff are all authorized to terminate any pursuit. Pursuits shall immediately be terminated for the following reasons:

- If the risk of property damage, injury or death to any person outweighs the seriousness of the committed or suspected offense
- If identification of the offender makes apprehension at a later time possible
- If the primary pursuit vehicle no longer has visual contact with the suspect vehicle
- If radio communication by the primary pursuit vehicle is lost and no other Deputy is in position to immediately assume the position of the primary pursuit vehicle
- If the primary pursuit Deputy, supervisor, Patrol Commander or Undersheriff determines that an apprehension does not warrant the risk of pursuit

Use of Roadblocks and Tire Deflation Devices: Deputies will not use roadblocks, "ramming", or "boxing in" methods unless deadly force is deemed necessary as outlined in CRS 18-1-707. Traffic control at an intersection is authorized to direct a pursuit out of a congested area for the safety of the public, by limiting the suspect's ability to turn in their direction of choice. The suspect must be allowed an avenue of escape; i.e., one or more roadways must remain open and available as an alternate route. In order to terminate a pursuit, the Shift Supervisor may request that any unit in position whether from the Garfield County Sheriff's Office or from another agency, use a Controlled Tire Deflation Device if it can be deployed in a safe manner.

Inter-jurisdictional Considerations: Deputies shall not become involved in pursuits originated by another agency unless that agency specifically requests assistance *and* advises of the reason for the pursuit. If such a request is made the Patrol Commander (or in his absence, the Shift Supervisor) must approve participation. If a pursuit originates in Garfield County and continues into another county, the Deputy must receive approval from a supervisor to continue the pursuit into the other county.

Reporting and Post Pursuit Review: Immediately following the pursuit all Deputies involved, lead by the shift supervisor will have a debrief. The primary Deputy involved in the pursuit shall be responsible for initiating all reports necessary to detail the pursuit unless otherwise directed by a supervisor. The shift supervisor, will notify the driving cadre of the need of a post pursuit review. The driving cadre will report its findings to the Patrol Commander and the Undersheriff ensuring the following:

- That the pursuit was properly monitored
- That the circumstances before and during the pursuit justified its conclusion
- That Office policy and training was adhered to
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An annual review of all pursuits will be produced by the driving cadre for the Undersheriff or his designee to review to reveal patterns or trends that may indicate any training needs or policy modifications, or addition of resources