
EMERGENCY RESPONSE AND PURSUIT DRIVING

The purpose of this order is to establish policies and procedures for the operation of police vehicles in both response and pursuit driving situations. Only sworn members may engage in response and pursuit driving. For purposes of this order, the term "officers" means all ranks of sworn personnel.

I. POLICIES

A. GENERAL POLICY

Officers shall at all times drive with due regard for the safety of all persons.

B. EMERGENCY (CODE 3) RESPONSE POLICY

1. It is the policy of the San Francisco Police Department that officers respond to emergency calls expeditiously. In addition to responding Code 3 when involved in a pursuit, officers may respond Code 3 when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved.
2. State law requires supervisory control of emergency vehicle operations. It is the policy of the Department that field supervisors (patrol Sergeants) continually monitor, evaluate, and control subordinates' emergency responses. Supervisors shall continually evaluate the need for the emergency response against the risk to safety of persons and property. When the risks appear to be unreasonable, the supervisor shall order the emergency response terminated.

C. PURSUIT POLICY

1. The policy of the San Francisco Police Department is to safely apprehend a fleeing violator without unnecessarily endangering the public and/or officers.
2. Pursuant to California Vehicle Code Section 17004.7, in determining whether to initiate or continue a vehicle pursuit, officers shall balance the known or reasonably suspected offense and the apparent need for immediate capture against the risks to motorists and pedestrians, peace officers, and others to protect the public. When it becomes apparent that the benefits of immediate apprehension are clearly outweighed by an unreasonable danger to the officer or others, the officer shall not initiate a pursuit or, if the pursuit is already in progress, the officer shall terminate the pursuit.
3. As with the policy on emergency responses, state law requires supervisory control of emergency vehicle operations. It is the policy of the Department that field supervisors (patrol Sergeants) continually monitor, evaluate, and control subordinates' vehicle pursuits. Supervisors shall continually evaluate the need for the pursuit against the risk to safety of persons and property. When the risks appear to be unreasonable, the supervisor shall immediately order the pursuit terminated.

II. DEFINITIONS

- A. **EMERGENCY VEHICLE.** A vehicle that is used to enforce Vehicle Code violations, to perform patrol duties, or to respond to emergency calls from the public, equipped with an authorized red light and siren.
- B. **EMERGENCY (CODE 3) RESPONSE.** When an emergency vehicle is displaying a lighted red light visible from the front and is sounding the siren as necessary under the circumstances to provide suitable warning to afford other users of the highways an opportunity to yield the right-of-way.
- C. **VEHICLE PURSUIT.** A vehicle pursuit is an attempt by an officer, in an emergency vehicle, to stop a moving motor vehicle when the operator of the vehicle is attempting to avoid capture by using high speed driving or other willfully evasive tactics, or is driving in a legal manner but willfully failing to yield.
- D. **PURSUIT SUPERVISOR.** A pursuit supervisor is a field supervisor of an officer involved in a pursuit who assumes control of the pursuit. Only one field supervisor at a time may act as the pursuit supervisor. In addition, higher ranking officers retain authority to terminate the pursuit or take control of directing it at any time.
- E. **PRIMARY PURSUIT VEHICLE.** The unit initiating the pursuit, unless otherwise designated by the pursuit supervisor or by this order.

III. EMERGENCY (CODE 3) AND NON-EMERGENCY RESPONSES

- A. **EMERGENCY RESPONSE.** It is the policy of the Department that officers respond Code 3 only when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved.
- B. **NON-EMERGENCY RESPONSE.** The officer shall respond directly to the assignment and observe all traffic laws and regulations.
- C. **DETERMINING THE RESPONSE.** The officer responding to the call and/or the officer's field supervisor shall determine the appropriate response. A non-emergency call may require an emergency response.
- D. **NOTIFICATION TO DEPARTMENT OF EMERGENCY MANAGEMENT (DEM).** An officer initiating an emergency response shall notify DEM as soon as possible regarding the Code 3 response and the officer's location. During a Code 3 response, DEM will accept all emergency traffic whether isolated to one or more separate events.
- E. **SUPERVISOR NOTIFICATION BY DEM.** DEM will immediately notify a field supervisor (preferably the responding officer's field supervisor) that an emergency (Code 3) response is being undertaken, and relay other relevant information about the response as provided by the responding unit.

- F. **MONITORING FOR SUPERVISORY DIRECTION.** Officers shall at all times monitor radio traffic for supervisory direction. Officers shall not respond Code 3 when instructed not to do so by a superior.
- G. **RED LIGHT AND SIREN.** Officers performing an emergency response shall activate their forward visible red light and shall sound the siren as reasonably necessary under the circumstances to provide suitable warning to afford other users of the highways an opportunity to yield the right-of-way (21055 CVC). Officers shall not use the "hi-lo" setting or the air horn in lieu of the siren.
- H. **NON-EMERGENCY VEHICLE.** Officers shall not engage in an emergency response in a non-Department vehicle or in a vehicle that is not equipped with authorized red light and sirens.

IV. VEHICLE PURSUITS

A. PURSUIT GUIDELINES

- 1. **WHEN A PURSUIT IS AUTHORIZED.** Except as otherwise provided in this order, an officer in an emergency vehicle may initiate a pursuit of an individual:
 - a. Suspected of a violent felony; or
 - b. When there is an articulable reasonable belief that the individual needs to be immediately apprehended because of the risk that individual poses to public safety.

An officer shall not initiate a pursuit of an individual suspected of a non-violent felony, misdemeanor, property crime, or vehicle code violation, except as specified in (b) above.

- 2. **DETERMINING WHETHER TO INITIATE, CONTINUE OR TERMINATE A PURSUIT.** An officer should base a decision on whether to initiate, continue or terminate a pursuit on the facts and reasonable inferences at the time of the decision.

An officer shall consider the following factors and conditions in deciding, under the totality of the circumstances, whether to initiate, continue or terminate a pursuit. As the pursuit evolves, officers shall continue to evaluate whether to continue or terminate the pursuit. The officer should make this determination based on the following factors:

- a. Protection of the public, given the known or reasonably suspected offense and the apparent need for immediate capture against the risks to the public or police officers;
- b. Risk to safety of the public in the area of the pursuit;
- c. Risk to safety of the pursuing officers;

- d. Presence of passengers in the pursued vehicle;
 - e. Speeds involved in the pursuit;
 - f. Vehicular or pedestrian traffic safety and volume;
 - g. Traffic conditions;
 - h. Weather conditions;
 - i. Proximity of the fleeing vehicle to the pursuing unit;
 - j. Familiarity of the officers in the primary pursuit vehicle and the pursuit supervisor with the location and area of the pursuit;
 - k. Quality of radio communications between pursuing unit(s), DEM and the pursuit supervisor;
 - l. Time of day;
 - m. Road conditions;
 - n. Capability of the police vehicles involved;
 - o. Availability of air support;
 - p. Whether the violator can be identified and safely apprehended at a later time; and
 - q. Knowledge of the location of the pursued vehicle.
3. DETERMINING APPROPRIATE SPEED. In determining the appropriate speed of the pursuit vehicle(s), officers shall consider the factors listed in Section IV.A.2 above, as well as public safety, peace officer safety, and safety of the occupants in the fleeing vehicle.
4. LIGHTS AND SIREN. Officers involved in a vehicle pursuit shall activate the vehicle's red light and siren during the entire pursuit.
5. WRONG DIRECTION ON FREEWAY. Officers shall discontinue a pursuit if a pursued vehicle enters a freeway going the wrong way.
6. ORDERS TO TERMINATE. When directed to terminate a pursuit by the pursuit supervisor or a higher ranking officer, the pursuing officer(s) shall do so immediately and shall:

- a. Acknowledge the directive on the radio;
- b. Provide the location of the pursuit termination; and
- c. Shall not continue to pursue the vehicle in an emergency or non-emergency manner.

B. COMMUNICATION DURING A PURSUIT

1. NOTIFICATION OF DEM. When an unit initiates a pursuit, the unit shall communicate to DEM that it is in a pursuit and request a Code 33. Any other units in the pursuit and the pursuit supervisor shall also notify DEM of their involvement in the pursuit. DEM will record in CAD the number of pursuing units and the identity of the pursuit supervisor, when a supervisor acknowledges control.
2. INFORMATION TO TRANSMIT TO DEM DURING A PURSUIT
 - a. Communications from the pursuing unit(s) to DEM are essential. It is imperative that the pursuing unit(s) provide DEM with all information necessary for initial and ongoing supervisory evaluation of the pursuit.
 - b. An officer's initial broadcast of a pursuit shall contain the following information:
 - 1) Unit designation and description of the pursuing unit, if it is not a marked patrol sedan;
 - 2) The suspected law violation(s) or reason for the pursuit; and
 - 3) Location, direction of travel, and speed of pursuit.
 - c. When radio traffic allows, the pursuing officer(s) shall transmit the following information if known or reasonably suspected and time permits:
 - 1) Traffic conditions;
 - 2) Color, make and license number of the suspect vehicle;
 - 3) Number, description, and identity of occupants in the suspect vehicle; and
 - 4) Information concerning any weapons.
 - d. If the pursuing unit(s) do not provide the information required under (2)(b) above in a reasonable amount of time, the pursuit supervisor shall order the pursuing unit(s) to terminate the pursuit.
3. DEM PURSUIT SUPPORT. The flow of information is critical during a pursuit. The role of DEM is to obtain and broadcast essential information to ensure safety and effective supervisory control. To ensure that this vital information is relayed, DEM will at a minimum:
 - a. Rebroadcast the commands of the pursuit supervisor directly to pursuing units; and

- b. Assist the pursuit supervisor in obtaining information needed to assess and supervise the pursuit.

C. PURSUING UNITS

1. PURSUIT VEHICLES

- a. If the unit initiating the pursuit is anything other than a marked patrol sedan (example: wagon without prisoners, pickup truck, motorcycle, van, unmarked sedan), DEM shall dispatch a marked patrol sedan as soon as possible to take over the pursuit. When the marked patrol sedan enters the pursuit, the initial vehicle shall cease its pursuit and respond to the termination point of the pursuit in a non-emergency mode.
- b. Officers in a patrol wagon transporting prisoners shall not initiate or become involved in a pursuit.
- c. Officers in Department vehicles that are not equipped with authorized red light and sirens shall not initiate or become involved in a pursuit.
- d. Officers in any Department vehicle containing a ride along, victim, witness, or prisoner shall not initiate or become involved in a pursuit.

2. DUTIES OF PRIMARY PURSUIT VEHICLE. The primary pursuit vehicle is responsible for attempting to safely apprehend a fleeing violator without unnecessarily endangering the public and officers, while adhering to the requirements in this order, considering the operator's ability to perform necessary functions, including but not limited to:

- a. Communication with dispatch, supervisors, and other units;
- b. Driving tactics and involved vehicles' capabilities; and
- c. The reasonable and proper initiation, continuation, and termination of the pursuit.

3. DUTIES OF SECONDARY PURSUIT VEHICLE. The secondary pursuit vehicle serves as a backup in case the primary unit is unable to continue with the pursuit and to assist in the apprehension at the termination of the pursuit. The secondary unit should perform the communications with the other officers, supervisors, and dispatchers when requested to do so by the primary unit. If a third party is struck by a pursuing unit or the suspect vehicle, the secondary unit shall immediately notify the pursuit supervisor, cease pursuit and assist at the collision scene.

4. ADDITIONAL PURSUIT VEHICLES. No more than two units shall be involved in a vehicle pursuit unless:

- a. The pursuit supervisor authorizes additional units. Factors for the pursuit supervisor to consider in determining whether to authorize additional units include, but are not limited to, the nature of the crime, the number of suspects, weapons, whether the officers in the pursuing units have requested additional units, or other facts that would warrant the need for additional officers.
 - b. The only instance in which additional pursuit units may join a pursuit without the pursuit supervisor's approval is in the extraordinary circumstance in which (1) the unit cannot request the pursuit supervisor's approval over the radio without jeopardizing the safety of the public or other officers and (2) the officer reasonably believes that the unit's assistance is necessary to prevent the threat of death or serious bodily injury to the pursuit officers or the public. In such extraordinary circumstances, the officer(s) who join the pursuit without prior authorization shall explain in the incident report or in a written statement the extraordinary circumstances that required their assistance and prevented them from obtaining the pursuit supervisor's approval.
5. **RESPONDING TO VICINITY OF PURSUIT.** Units not designated as primary or secondary pursuit units shall not respond in a Code 3 mode to the vicinity of a pursuit nor parallel a pursuit in a Code 3 mode.
6. **RADIO USE.** Because there will be a "Code 33" in effect, the primary pursuit unit and DEM will designate the channel for the pursuit. The primary unit has priority in utilizing this channel. Other units should revert to another channel for non-pursuit communications.
7. **DRIVING TACTICS DURING A PURSUIT**
- a. **Passing.** Officers in the secondary pursuit vehicle or in any other authorized pursuing units shall not pass the primary pursuit vehicle unless the primary pursuit vehicle is no longer able to continue in the pursuit.
 - b. **Intersection Approach.** The following tactics may help avoid intersection collisions:
 1. Ensuring that red light and siren are activated;
 2. Slowing down when approaching the intersection and coming to a stop at a red light or stop sign;
 3. Being alert for other responding emergency vehicles;
 4. Using simple hand signals to alert and notify/advise other drivers of requested actions;
 5. Analyzing the position of vehicles that have stopped in the intersection;

6. Looking up the street for approaching vehicles;
7. Examining each lane before entering; and
8. Not assuming others will acknowledge or yield to your right of way.

D. SUPERVISORY CONTROL OF THE PURSUIT

1. A field supervisor of an officer involved in the pursuit shall assume control of the pursuit by notifying DEM (e.g., "3X100, I'm monitoring the pursuit."). That supervisor shall then be designated the pursuit supervisor. Only one field supervisor may act as the pursuit supervisor. If a field supervisor is unavailable to act as pursuit supervisor, the platoon commander shall assume this role.
2. Should an officer from a specialized unit (e.g., TAC, Traffic, Vice, Narcotics) become involved in a pursuit and the officer's supervisor cannot assume control of the pursuit, a supervisor in the district in which the pursuit initiated shall assume control and be designated pursuit supervisor.
3. The pursuit supervisor shall supervise the pursuit until the abandonment or termination of the pursuit, even if the pursuit leaves the pursuit supervisor's district. The pursuit supervisor shall manage and control the pursuit, including the speed of the pursuit, assess risk factors associated with the pursuit, and evaluate whether and when to terminate a pursuit.
4. All officers involved in a pursuit shall comply with the directions of the pursuit supervisor.
5. The pursuit supervisor shall actively control a pursuit and determine the appropriate number of units involved.
6. Higher ranking officers retain authority to terminate the pursuit or take control of directing it at any time.

E. COORDINATION, MANAGEMENT AND CONTROL OF INTER-JURISDICTIONAL PURSUITS

1. PURSUITS BY OTHER LAW ENFORCEMENT AGENCIES IN THE CITY
 - a. If a vehicle from another law enforcement agency pursues within the City, a field supervisor may authorize one marked SFPD unit to join in the pursuit. That supervisor shall be the pursuit supervisor. No other SFPD units shall be involved in the pursuit.

- b. The pursuit supervisor should request that DEM contact the pursuing agency for pursuit information. If requested by the pursuing agency, a SFPD unit may take over as the primary pursuit vehicle.

2. PURSUITS TRAVELING OUTSIDE OF SFPD'S JURISDICTION

- a. If a pursuit progresses towards another jurisdiction (e.g., freeways, federal property), the pursuit supervisor shall request DEM to notify the appropriate law enforcement agency in the other jurisdiction of the approaching pursuit. See Section IV.E.4.a below.
- b. If a pursuit continues into another jurisdiction, the pursuit supervisor shall request DEM to contact the appropriate law enforcement agency in that jurisdiction.
- c. The pursuit supervisor shall maintain management and control of SFPD units in a pursuit that enters another jurisdiction. The pursuit supervisor shall coordinate with the outside law enforcement agency through DEM, and determine the role of SFPD units in the pursuit. If the pursuit supervisor directs the SFPD units to discontinue the pursuit, those units shall proceed Code 1 to the pursuit termination.
- d. If the pursuit continues into CHP jurisdiction and a marked CHP unit joins the pursuit, SFPD shall relinquish primary responsibility for the pursuit to the CHP. If the CHP requests to assume responsibility for the pursuit, SFPD units shall promptly discontinue the pursuit and proceed Code 1 to the pursuit termination.
- e. Officers remain subject to the SFPD's pursuit policy and supervisory control and management while outside SFPD's jurisdiction.

- 3. PURSUIT SUPERVISOR.** The pursuit supervisor shall respond to the termination point of the pursuit in a "Code 1" mode and meet with a representative from the other agency involved in the pursuit to determine which agency will be responsible for booking the suspect(s) and towing the vehicle.

4. DEM OUTSIDE JURISDICTION NOTIFICATION AND COORDINATION

- a. If a pursuit progresses toward or enters another jurisdiction, the pursuit supervisor shall request DEM to contact that jurisdiction's law enforcement agency. DEM will inform the other agency of the pursuit, all relevant facts available, and maintain contact and coordination with that outside agency until the pursuit leaves its jurisdiction, is terminated, or canceled. DEM will inform the pursuit supervisor when the requested contact with the outside agency is made, keep the pursuit supervisor informed of the law enforcement agency's intended response to the pursuit, and relay any instructions or information provided by the agency.

- b. If an outside law enforcement agency notifies DEM of a pursuit entering the City, DEM will broadcast that information.
 - c. Officers observing an outside law enforcement agency in pursuit within the City shall notify DEM and instruct DEM to contact the outside law enforcement agency for information.
5. RADIO CONTACT. If an SFPD unit loses radio contact with DEM, a passenger officer in the primary or secondary pursuit vehicle may attempt to regain communications by cellular telephone. If communication cannot be established via cellular telephone, the unit(s) shall terminate the pursuit unless there is reasonable suspicion that the fleeing suspect was involved in a violent felony.

F. INTERVENTION TACTICS

Pursuits are primarily following actions. Officers should avoid using their vehicles or other objects to stop the suspect's vehicle.

1. OFFENSIVE INTERVENTION TACTICS. Listed below are offensive intervention tactics that officers shall not use:
 - a. Boxing in: A technique designed to stop a violator's vehicle by surrounding it with law enforcement vehicles, then slowing all vehicles to a stop.
 - b. Driving alongside: A technique where the officer pulls next to the pursued vehicle.
 - c. Heading off/Channeling: A technique where officers place objects in the anticipated path of a pursued vehicle, which tend to alter that vehicle's direction.
 - d. Deflecting: The use of an officer's vehicle to deflect or stop the violator's vehicle, through contact with the violator's vehicle.

Exception regarding Deflecting Only: Deflecting is authorized when an officer has a reasonable basis to believe that a substantial risk exists that the suspect will cause imminent death or serious bodily injury to the public or officers unless this tactic is used. Before using this tactic, an officer should obtain authorization from a pursuit supervisor if possible. **The Department will review use of this tactic as a use of deadly force.**

2. DEFENSIVE INTERVENTION TACTICS. The following defensive intervention tactics are authorized as specified below:
 - a. SPIKE STRIPS AND MINI SPIKE STRIPS: Spike strips are tire deflation devices laid in the path of a moving motor vehicle to disable its tires. This tactic is authorized under the circumstances outlined in the Department's Field

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Operation Bureau Order regarding Use of Spike Strips (currently Order #03-02). This tactic is authorized only if approved by a pursuit supervisor.

- b. **ROADBLOCKS:** A roadblock is a technique that establishes a physical impediment to traffic as a means for stopping a pursued vehicle using signs, devices, actual physical obstructions, or barricades. An officer shall not establish a roadblock, using his or her vehicle or any other item, unless all of the following circumstances exist:
 - 1) The officer has reasonable cause to believe that the suspect has committed or attempted to commit a felony involving the use or threatened use of deadly force;
 - 2) The officer has reasonable cause to believe that a substantial risk exists that the suspect will cause death or serious bodily injury if his/her apprehension is delayed,
 - 3) Other reasonable means of apprehension and control have been exhausted;
 - 4) The roadblock can be established in a manner that the violator has sufficient opportunity to observe the roadblock and stop; and
 - 5) The pursuit supervisor approves and coordinates the roadblock.
- 3. **STATIONARY VEHICLES.** Nothing in this order shall preclude a officer from using a Department vehicle as a tactical tool to block a stationary suspect vehicle to prevent its escape if any of the following conditions exist:
 - a. There is reasonable suspicion that the suspect was involved in a felony incident;
 - b. The vehicle has come to a stop at the end of a pursuit or flight from law enforcement; or
 - c. Substantial risk exists to the public if the operator of the vehicle is allowed the opportunity to flee.
- G. **USE OF AIR SUPPORT UNIT.** The role of air support during vehicle pursuits is to assist and coordinate field activities. When available, air support will respond to a vehicle pursuit. Air support will advise the concerned ground units of road hazards or any unsafe conditions, and where possible assist in the coordination of resources on the ground. Responding air support should report on the progress of the pursuit and provide information to assist officers and supervisors in determining whether to continue the pursuit. Overall control of the pursuit shall remain with the primary ground unit and the identified pursuit supervisor.

H. RESPONSIBILITIES AT TERMINATION POINT OF PURSUIT**1. OFFICER'S RESPONSIBILITY**

- a. **Control and Direction.** Safety of the public and officers is of critical concern at the termination of a pursuit, particularly during the apprehension of the driver and any occupants of the pursued vehicle. The need for decisive action, self control, and strict personal discipline is essential. In the absence of a supervisor, the senior officer in the primary pursuit vehicle has the responsibility for directing activities at the termination point of a pursuit.
- b. **Additional Assistance.** Once a pursuit has ended, the primary pursuit vehicle is responsible for advising DEM of the location and situation. An officer from the primary pursuit vehicle shall also indicate whether additional units are needed to assist at the scene. Once a Code 4 is broadcast, officers shall not respond to the termination point unless specifically requested by a supervisor.
- c. **Procedures For Apprehending Driver and Occupants Following the Pursuit.** When approaching the driver and any occupants of the pursued vehicle to effect an arrest, officers should be mindful of the tactical considerations for high-risk vehicle stops. The degree of force used in apprehending the suspect(s) shall be consistent with SFPD policies and procedures on Use of Force (DGO 5.01), Use of Firearms (DGO 5.02) and the Arrest and Control Manual.

2. **SUPERVISORY RESPONSIBILITY.** When a pursuit is terminated by apprehension of the operator and any occupants of the pursued vehicle, the pursuit supervisor shall respond to the location where the pursuit terminated, take charge of the scene, and be responsible for compliance with Department policy by all officers present, including but not limited to, directing non-essential personnel to return to service in their districts.

- I. **POST-PURSUIT REPORTING AND ANALYSIS.** An officer in the primary pursuit unit shall complete an Incident Report as needed and the CHP 187A form unless otherwise directed by a supervisor. The officer's supervisor and the Officer in Charge of the officer's unit shall review the incident report during the report approval process. After their review and signature, the officer shall forward any report and a copy of the CHP 187A form through the chain of command to the Commanding Officer of the unit. If the Commanding Officer identifies an issue or concern with the pursuit, the Commanding Officer shall submit a memorandum through the chain of command identifying these issues and concerns.

V. COMMAND LEVEL NOTIFICATION AND RESPONSE

- A. If any person is injured during the pursuit, the pursuit supervisor shall ask DEM to notify the on duty patrol commander or designated duty captain.

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B. Upon notification, the patrol commander or designated duty captain shall respond to the scene of the injury and shall make further notifications as appropriate.

VI. **RESPONSE AND PURSUIT TRAINING REQUIREMENTS.** Pursuant to and consistent with Penal Code Section 13519.8, Vehicle Code Section 17004.7, and the guidelines established in POST Regulation 1081(a)(22), the Department will train its officers annually in emergency response and pursuit driving.

References

DGO 2.06, Vehicle Accidents Involving Members

DGO 3.07, Department Accident Board of Review

DGO 5.01, Use of Force

DGO 5.02, Use of Firearms

DM-14, Administrative Investigation of Member-Involved Collisions