




WINCHESTER POLICE DEPARTMENT OPERATION ORDER

NOTE: This Policy is for internal use only, and does not enlarge an employee’s civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this Policy, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Number 2-70		Effective Date June 30, 2018	Review Date May 30, 2018	Reviewing Division Administration
Subject Foot Pursuits	References VLEPSC: CALEA	<input checked="" type="checkbox"/> New Directive <input type="checkbox"/> Amends <input type="checkbox"/> Replaces <input type="checkbox"/> Revised		This policy shall apply to personnel assigned to the following divisions: <input type="checkbox"/> All Personnel <input checked="" type="checkbox"/> Patrol Division <input checked="" type="checkbox"/> Administration Division <input checked="" type="checkbox"/> Investigation Division <input checked="" type="checkbox"/> ECC Personnel
 _____ Chief of Police or Designee		_____ March 23, 2023 Date		

I. PURPOSE

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

II. 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.

III. DEFINITION

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

IV. PROCEDURES

A. Deciding Whether to Pursue

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 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 the benefit of immediate apprehension.

1. 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.
2. In deciding whether or not to initiate a pursuit, an officer shall consider the following alternatives to foot pursuit:
 - a. Containment of the area;
 - b. Canine search;
 - c. 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.
 - d. Number of officers and resources available
3. In deciding whether to initiate or continue a foot pursuit, officers will also consider increased risk factors whenever officers are:
 - a. Acting alone;
 - b. Not in uniform;
 - c. In an unfamiliar area;
 - d. In a high-activity crime area;
 - e. Pursuing suspects who are known to be or suspected of being armed;
 - f. Pursuing more than one person;
 - g. Unable to obtain backup in a timely manner;
 - h. Unable to establish and maintain contact with the communications center (ECC);
 - i. Pursuing in inclement weather, darkness, or reduced visibility conditions
 - j. Feeling or seeing a decrease in physical condition or capability of him/herself or suspect.

B. Initiating Officer's Responsibilities

1. Officers initiating foot pursuits must wear the department badge and firearm, shall identify themselves as police officers and will 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 may be difficult to understand and may have to be repeated.
2. The officer initiating a foot pursuit will as soon as practical, provide the following information to ECC:
 - a. Their unit number
 - b. Reason for the foot pursuit
 - c. Officer location and direction of pursuit
 - d. Number of suspects and description
 - e. Whether or not the suspect(s) is armed

C. Foot Pursuit Coordination

1. The primary (initiating) officer should immediately coordinate, directly or indirectly through the ECC, with secondary officers to establish a perimeter in the area to contain the suspect(s).
2. Generally, the primary officer should not try to overtake the fleeing suspect but should keep him in sight until sufficient manpower is available to take him into custody.
3. Assisting officers should immediately attempt to contain the pursued suspect. Such officers should 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:
 - a. They should not separate unless they remain in sight of each other and maintain communication;
 - b. 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.

D. 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 should not engage in or continue a foot pursuit under the following conditions:
 - a. If the officer believes the danger to pursuing officers or the public outweighs the necessity for immediate apprehension.
 - b. If the officer becomes aware of any unanticipated circumstances that substantially increases the imminent risk to public safety inherent in the pursuit.
 - c. 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 shall be considered a barricaded or otherwise noncompliant suspect, and officers shall consider using specialized units such as SWAT, Crisis Negotiations Team, or police canines.
 - d. 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.
 - e. If primary or backup officers lose communications with ECC.
 - f. 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.

- g. If the officer loses visual contact with the suspect.
- h. 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 ECC with his or her location and request any assistance deemed necessary.

E. Supervisor's Responsibilities

- 1. Upon becoming aware of a foot pursuit, the supervisor shall decide as soon as possible whether pursuit should continue.
 - a. The supervisor should allow the foot pursuit to continue if:
 - b. there is a reasonable belief that the suspect has committed an act that would permit the officer to detain the suspect, or
 - c. there is a reasonable belief that the suspect poses an immediate threat to the safety of the public or other police officers, or
 - d. 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.
 - a. As in any tactical or major incident, the supervisor does not have to be physically present to assert control over the situation.

F. ECC Responsibilities

- 1. Upon being notified that a foot pursuit is in progress, communications personnel shall immediately notify the supervisor and provide all available information.
- 2. Communications personnel shall carry out the following responsibilities during a foot pursuit:
 - a. Receive, record, and immediately report incoming information on the pursuit, the officers involved and the suspect.
 - b. Control all radio communications and clear the radio channels of all nonemergency traffic.
 - c. Coordinate and dispatch backup assistance