

LAW ENFORCEMENT MANAGEMENT INSTITUTE

POLICE PURSUITS: WHY A POLICY IS NEEDED

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MODULE III

BY
Truman Richey

Department of Public Safety
San Angelo, Texas
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Introduction

With the invention of the motor vehicle came greater mobility for law enforcement agencies as well as for the criminal element. It also added a new element to the chase and that element was speed. With increased speeds in police chases came a greater chance of injury or death to parties involved and/or to innocent bystanders. As the public has become more educated and more aware, they have become less tolerant of what appears to them to be needless injury or death resulting from what they think are needless police pursuits.

Police officers receive extensive training in the use of firearms and most police agencies qualify at least annually with these weapons. These same officers do not, for the most part, receive extensive training in pursuit driving, nor do they qualify annually in that area. Many officers do not even receive cursory driver training. In the public's eye the police cruiser is as deadly a weapon (if not more so) as the firearm the officer carries on duty.

There are two sides to this controversy even in the police ranks: when to pursue or when not to pursue. There are also several questions which need to be answered such as:

1. Does the seriousness of the crime committed or being committed warrant a high speed chase?

2. What is the possibility of apprehending the offender later?
3. What are the traffic and road conditions?
4. What are the dangers to the public?
5. What is the condition of the police vehicle(s) involved?
6. What is the physical and mental condition of the officer(s) involved?

Death, injury and property damage resulting from pursuit-related accidents have caused an increase in lawsuits citing negligence on the part of police officers, their supervisors and their agencies. Pursuit driving situations may result in more deaths and injuries than any other law enforcement activity, including the use of firearms.

Review of Literature

Kenny Walker, 19, and his friend Jerry Naylor, 18, were killed in 1989, when Walker's car was hit by a man fleeing Dallas police at more than 100 mph. The driver, Lemuel Harrington, had been stopped only a few minutes before by the police and given three tickets. When the police released Harrington he sped away at such a high rate that the officers gave chase - a chase which ended when Harrington ran a red light and hit Walker's car. "They knew this man; they had issued him three tickets," Lynda Walker, Kenny's mother, says of the police. "They knew where he lived. They could have gotten him at a later date. The police were angry at him. He more or less thumbed his nose at them and they decided "We're going to get you, you little creep." Kenny Walker became one of a growing number of teens who are part of the carnage created by high-speed chases.¹

There are instances where a traffic law violator "peels rubber" after receiving a traffic ticket. They are quite often stopped and ticketed again. Why? Many officers consider these incidents a personal affront. They feel that they have an image to uphold. This will be a hard attitude to change even though it is the wrong attitude.

Doug Gray, 19, began doing donuts in his car to impress a girl. A passing Los Angeles Police Department officer

attempted to stop him. Gray panicked and took off and the pursuing Los Angeles police officer neglected to turn on lights and siren as he followed Gray. Gray drove through an intersection at 90 mph and rammed a vehicle driven by 36 year old Susan Tartakoff. Today, Tartakoff spends most of her time in rehabilitation "practicing standing, crawling, and other things", she says. She's paralyzed from the waist down. Susan Tartakoff is a casualty of a time-honored police tradition: The high speed chase.² This is another example of emotions taking over. The average officer can't stand to be challenged and has too much pride to call off a pursuit. The consequences are not always good.

But pursuits are initiated under varying circumstances. That appeared to be the case in San Angelo during August, 1992. A forty year old Christoval woman ran a stop sign in front of a San Angelo police officer and he attempted to stop her. When the officer temporarily lost her she stopped on the side of the road, flashed her lights and waved at the officer then she took off again. The pursuit lasted sixty miles at speeds of 120 mph at times. The pursued vehicle intentionally forced oncoming vehicles off the roadway and the driver steered her vehicle at pursuing police units trying to pull alongside her vehicle.

Finally, she wrecked her vehicle fourteen miles north of Sterling City. The driver was manic depressive and was being treated as such. She had been drinking and taking medication. She also had been involved in a domestic dispute that day.³ Given her frame of mind would she have continued driving in a reckless manner without the police in pursuit? We don't know but it is certainly a possibility.

There are instances when the chase involves a major crime in progress such as the one in the Big Spring, Texas area last winter. Two escaped inmates from the Big Spring Correctional Center took a hostage and led police on a long high speed chase. When the vehicle driven by the escapee wrecked, officers shot and killed 37 year old Juan Ramirez after he threatened the hostage with a knife.⁴

Similarly, after a brutal murder in California, Darren Stroh led officers on a 300 mile chase. Speeds exceeded 100 mph at times. When the chase ended officers surrounded Stroh's vehicle and shot him following repeated warnings to give himself up, and after he pointed a gun at the officers.⁵

It seems as if the police officer is between a rock and a hard spot. There apparently are instances when officers should pursue a fleeing vehicle, but there are also times when he should swallow his pride and not pursue. Consequently, officers must have the proper training and supervision to make sound decisions in matters such as those described previously.

Selected Court Rulings

Over the years, a number of court cases have addressed various issues associated with pursuits and the circumstance that so often follow. Several of these are the following:

Travis individually, et. al. v. City of Mesquite, Texas et. al
no. C - 8576 (1990)

As a result of the Mesquite, Texas pursuit involving two off duty officers following two suspects the wrong way on a highway access road at high speeds, the Texas Supreme Court ruled police officers may be held liable for a chase that results in injury or death to motorists. Two Mesquite off duty police officers were working as security guards at a truck stop when they became suspicious that the occupants of a vehicle on a back lot of the truck stop were involved in prostitution. After identifying the driver they instructed him to drive to the front of the truck stop. Instead of stopping where instructed, the driver accelerated onto the street. Fleeing at a high rate of speed, he drove the wrong way onto a highway access road with the Mesquite officers in pursuit. The pursued vehicle crashed head-on into Brenda Travis' car, killing Leonel Lazano and injuring Travis and other passengers.

Brewer v. County of Inyo 109 S. Ct. 1378 (1989)

The court held that creating a road block in the path of a fleeing driver and pursuing him into it constitutes a seizure within the meaning of the Fourth Amendment. Officers chased the driver of a stolen car into a roadblock other officers had created by parking a tractor-trailer across a two lane highway in the middle of the night. The court held that Brewer had been "seized" within the meaning of the fourth amendment, and distinguished the situation from an accidental or negligent seizure. High speed pursuits present highly dangerous situations to persons using the highways, and "have frequently been analogized to the use of deadly force", for which training and policies are apparently mandatory to avoid "deliberate indifference" to the constitutional rights of those placed in danger by the police activity.

City of Canton v. Harris 489 U.S. 378 109 S. Ct. 1197, 103 1.ed 2nd 412 (1989)

The example chosen by the court was training in the use of deadly force, which it had held to be a fourth amendment seizure in Tennessee v. Garner. Harris bears directly on the liability issue. The court wrote that failure to train officers in a particular duty, where the need for the training is obvious and lack of training is likely to result in violation of constitutional rights, can make a government entity liable.

As a result of these and other rulings and growing public opinion against high speed pursuits, some officers may choose not to pursue once a violator attempts to elude him. If that violator has committed a major crime, or if he continues to operate his vehicle in a reckless manner and causes injury or death after the officer has broken off pursuit, will that officer and/or agency be held liable? If we do not properly train our officers this could become reality.

Tennessee v. Garner 471 U.S. 1, 105 S. Ct. 1694, 85 1.ed.2d 1 (1985)

Except in certain circumstances, the use of deadly force to apprehend a fleeing, unarmed suspect is unreasonable seizure under the fourth amendment. In this case, a police officer had shot and killed a teenager suspected of burglary as he attempted to escape. The court rejected the use of deadly force to prevent the escape of all felony suspects, regardless of the circumstances. "It is not better that all felony suspects die than that they escape?", the court said. A high speed pursuit can turn out to involve the use of deadly force, thus the need to train officers in the constitutional limitations on the use of deadly force.

Law enforcement must come to grips with the problem of when to pursue. The officer must receive adequate training in

this area as well as extensive training in handling 4,000 pounds of metal at high speeds in various traffic and weather conditions. Most large police departments are enacting pursuit policies, but there is still a lot of disagreement on when to pursue. If we do not solve the problem ourselves the courts will solve it for us, and we could be out of the pursuit business altogether.

Review of Current Pursuit Policies

Most pursuit policies define pursuit, give guidelines for when to pursue, what steps to take in trying to stop a pursued vehicle and when to terminate a pursuit. Some policies are very detailed; others aren't detailed enough. A discussion of several policy approaches follows.

The Illinois State Police pursuit policy is incorporated in their emergency driving policy. It gives their objective, procedures, rules and regulations. It contains a paragraph detailing the nature of supervisor involvement. The policy does not limit the number of police units in a pursuit, but states "only the number of squad cars necessary to be effective in the apprehension should become involved in the actual pursuit". Immediate supervisors will attempt to monitor and coordinate the pursuit and limit the number of vehicles involved in a pursuit, as well as the length of a pursuit. It does not require a supervisory review of the pursuit.⁶

The Indiana State Police pursuit policy is incorporated in their emergency driving policy. It is a one and one half page directive giving a policy statement and an eight paragraph procedure statement. The policy requires that the emergency vehicle be operated with due regard for the safety of all persons, exercise caution as dictated by the conditions of the

highway, vehicular and pedestrian traffic, visibility and other circumstances relating to the possibility of an accident. It does not cover the number of police vehicles utilized in a pursuit, or how to terminate a pursuit. District duty officers shall monitor and coordinate all pursuits.⁷

The Kentucky State Police pursuit policy begins with a policy statement and then gives a ten paragraph procedure. This procedure includes utilization of lights and siren, informing communications of the pursuit giving pertinent information and under what circumstances the pursuit should be terminated. The policy also covers when to shoot at or ram the pursued vehicle. It does state that no officer shall join in a pursuit initiated by another agency or another officer except by following at a safe distance and speed unless it is apparent that the pursuing officer requires immediate assistance. The Kentucky policy does not limit the number of police vehicles in a pursuit, nor does it cover supervisor involvement.⁸

The City of Newport News, Va. has a pursuit policy which begins with a policy statement that reads in part "It shall be the policy of this department that the apprehension of a fleeing suspect will be secondary in importance to the safety of the public." It goes on to define vehicular pursuit. The

procedure statement follows and covers when to initiate a pursuit, evaluating factors which might prohibit the pursuit and notifying communications of pertinent information. The policy also covers when to discontinue the pursuit. Field supervisors are responsible for monitoring pursuits. This policy limits the number of vehicles actually involved in the pursuit to a chase unit and a unit assigned to maintain visual contact.⁹

The Texas Department of Public Safety has a pursuit policy pending. It is quite lengthy and opens with a statement about vehicle pursuits, generally. The policy gives a definition of pursuit, basis for pursuit, use of emergency warning devices and notification procedure. It also limits the number of police vehicles in a pursuit. It covers pursuits with other agencies, terminating pursuits and forcible stops. The pending DPS policy ends with a section covering the reporting procedure in which a "pursuit information report" must be completed and forwarded through channels to the appropriate division chief. This report along with any video or audio tapes must be forwarded within fifteen working days of the incident.¹⁰

Two controversial pursuit policies are those that affect officers in Baltimore Maryland and officers serving with the California Highway Patrol. Baltimore Maryland's Police Department has a long history of avoiding chases. "The bottom line is that it's not worth it," says Dennis Hill, a police spokesman there. "We still give out plenty of moving violation

tickets and catch our suspects just like everybody else, we just don't chase them at high speeds through the city. If we throw the blue lights on and somebody doesn't stop we have a helicopter up 18 hours a day that we can radio to direct cars to intercept them rather than chase".¹¹

The Commissioner of the California Highway Patrol, Maury Hannigan, is an ardent defender of chases and is proud of his department's aggressive chase policy. Calling the approximately 1,200 chases his department conducted in 1990 a "necessary evil," Hannigan argues, for example, that the number of people killed on America's highways each year would soar if drunks knew police would not chase them.¹²

These two policies are on opposite ends of the spectrum. Law enforcement needs to change the attitudes of their officers starting at the top in some agencies. It is not a disgrace to break off a pursuit when circumstances dictate such action, but not every agency has a helicopter at their disposal, and there are times when circumstances dictate a pursuit should continue.

Each law enforcement agency should develop a pursuit policy that will best serve that agency. A state police agency with jurisdiction over rural highways might have more leeway in determining whether to pursue and how to terminate a pursuit than a municipal police agency. Several factors to take into consideration are type of roadway, traffic flow, urban or

rural area, pedestrian traffic, weather conditions etc. The list can go on and on. Conditions are constantly changing during a pursuit, and it might take place in both urban and rural areas as it progresses. Therefore, the policy should be comprehensive, and it should cover steps to take when other law enforcement jurisdictions become involved.

The American Journal of Police has conducted a survey and found that almost all pursuit policies have four major deficiencies.

- (1) failure to embody the agency's mission statement as the guiding policy principle;
- (2) underutilization of supervisory personnel;
- (3) failure to contain guidelines on how to terminate a pursuit;
- (4) do not provide for mandatory administrative review of all pursuits.

It seems apparent that progressive law enforcement agencies must draft viable pursuit policies and properly train their officers if they are to protect citizens and their agencies from liability. Accordingly, such policies must cover all aspects from proper training before the fact to a review of a pursuit after the fact.

Training for Pursuits

Some departments teach their officers how to handle their vehicle utilizing skid pads and high speed tracks. The Texas Department of Public Safety has done this type of training and is currently training instructors for remedial driving schools, but we need to go further than that. Law enforcement officers need training in pursuit tactics. The pursuing officer must know how and when to utilize deadly force because there are times the use of deadly force is necessary to terminate a pursuit; such as when it becomes necessary to defend the life of the officer or another from the threat of death or serious bodily injury.

It is the opinion of many authorities that police officers can intervene to halt a fleeing motorist, yet the decision to contact a violator's vehicle should be based on the totality of the facts, as related to the use of deadly force. Officers' past experiences indicate that pursuit attempts may require physical contact to prevent actions that could harm the public.¹⁴

Pursuing officers have made intentional physical contact with violator's vehicles and have also been purposely rammed by the violator. When deadly force is the issue, specific instruction on how to do the job can prevent a tragedy. The Fairfax County, Virginia Police Department developed the

precision immobilization technique (PIT) utilizing research from a German auto manufacturer and instruction from a private driving school. This technique was then incorporated into a training program that includes discussions of deadly force, liability issues, vehicle dynamics, and driving instruction and practice.¹⁵

PIT involves a gentle push to the rear quarter panel of a fleeing suspects vehicle. Officers must consider the direction in which the violator's vehicle will go, once pushed. Also, the speeds at which the PIT occurs affects the distance the vehicle will travel after officers make contact. Three key concerns must be addressed when training for and employing the PIT - the safety of the arresting officer, of the vehicle, and of the suspect.¹⁶

If this type of training can be developed, other methods of vehicle contact might also be researched and developed. Legal and safety issues should be thoroughly researched before enacting any vehicle contact policy. Training utilizing vehicles can be very expensive but the cost may be minimal compared to a wrongful death lawsuit.

Classroom training covering pursuit policies, deadly force, safety and legal issues cannot be over emphasized. Actual driver training will give the officer confidence and help him realize his limitations. A good pursuit training program will benefit both law enforcement and the public.

Proposed Pursuit Policy

The following proposed policy is one that might be appropriate for the Texas Department of Public Safety. Other law enforcement agencies could possibly use this policy as a guideline to draft a policy suitable for them. This proposed pursuit policy is a mixture of a current proposed Texas Department of Public Safety policy, excerpts from the Department of Public Safety general manual, a pursuit policy study by the National Institute of Justice and a sample policy from the International Association of Directors of Law Enforcement Standards and Training.

I. Mission Statement

The broad objective of the Department of Public Safety is "to maintain public safety in the state of Texas."

The Department works toward the attainment of this objective within existing regulations and in cooperation with other agencies and persons with mutual or related responsibilities. It seeks to preserve the peace and to protect the persons, property, rights, and privileges of all people in the State of Texas.¹⁷

II. Definition of Pursuit

For the purpose of this policy pursuit may be defined as an active attempt by a law enforcement officer on duty in a

patrol car to apprehend one or more occupants of a moving motor vehicle, providing the driver of such vehicle is aware of increasing his speed or ignoring the law enforcement officer's attempt to stop him. Under this definition the violator initiates the pursuit.¹⁸

III. Vehicle Pursuits (Generally)

Commissioned members of this department are expected to make reasonable efforts to apprehend violators who flee or otherwise attempt to elude arrest. The need to pursue should be weighed against the probability of injury or death to those involved in the pursuit or to the innocent public. Applicable laws or department policy should be followed in a pursuit situation. Each individual case is unique within itself. The pursuing officer, in a short period of time, will have to analyze the situation utilizing his training and judgement to the best of his ability under the existing circumstances. Officers have to accept the fact that some violators will manage to elude them. This is not a reflection on the officer who has the best interest of the public in mind.¹⁹

IV. Pursuit Considerations

In making the decision whether to pursue or not the officer should consider the following:

1. The seriousness of the offense committed by the

violator and the probability of apprehension at a later date.

2. Existing conditions such as vehicular and pedestrian traffic, roads, visibility, time of day, type of area (urban, school zone, etc.), road familiarity and/or other conditions that might create additional dangers.
3. The officer's mental and physical condition.
4. The mechanical condition of the police vehicle.
5. Communications capabilities.

DPS officers will not follow a violator that goes the wrong way on a one way street, freeway, frontage road, or divided highway. In these cases other means to stop the violator and protect the public may be considered. The officer's decision to continue a pursuit may be overridden by a supervisor at any time.²⁰

V. Procedure

1. Only vehicles equipped with emergency lights and/or siren are authorized to engage in pursuits.

The emergency lights and/or siren will be activated in a pursuit as per article 6701d section 24 uniform act.

2. The appropriate communications facility will be immediately notified of:

- A. Location, direction and speed of travel

- B. Description of pursued vehicle
 - C. Number and description of occupants if available
 - D. Identity of occupants if known
 - E. Reason for the pursuit (traffic offense, felony violation, etc.)
 - F. Any information regarding use of force or the threat of the use of force
 - G. Any need for assistance
 - H. Termination of pursuit
3. Communications will clear the radio channel of any unnecessary radio traffic and advise that a pursuit is in progress.
4. In-line supervisors will be notified of the pursuit.
- A. The first in-line supervisor contacted will monitor the pursuit.
5. Pursuits shall normally be limited to two(2) DPS units unless circumstances warrant the use of additional units, and then only when authorized by a supervisor.
6. DPS personnel will only engage in pursuits originated by other agencies when that agency requests assistance and communication exists between the agencies involved. When so engaged DPS personnel will be guided by all provisions

of this policy.

7. If an unmarked unit is the initial unit in a pursuit it will disengage the pursuit upon arrival of a marked unit.

8. All pursuit units shall maintain sufficient distance to ensure adequate reaction and braking time.

9. If aerial assistance is available the air unit shall direct the movement of the primary unit and coordinate assistance under the direction of the field supervisor.

VI. Termination of Pursuit

A. Because the decision to terminate a pursuit is based on the analysis of the risk created by the pursuit compared to the benefits gained by an immediate apprehension, the officer's or supervisor's decision to terminate shall be respected. The due regard for the safety of others includes the consideration of the risks created by the violator's driving as well as that of the officer. As such, there will be no negative discipline imposed for the decision to terminate a pursuit.²¹

B. Pursuits shall be terminated in the following situations:

1. When the pursuing officer or his supervisor has evaluated the legal procedural and environmental

factors and that evaluation precludes a pursuit.(e.g., a traffic violation occurs in a school zone during the time school is letting out, and excessive speeds or evasive tactics are used.

2. The suspect is identified to the point where later apprehension can be accomplished and continuing the pursuit would increase the risk to all involved.

3. Officer loses visual contact with the violator for any extended duration of time that would adversely affect rules of evidence or testimony.

4. There is a clear and unreasonable hazard to the officer, violator or public. There is unreasonable hazard when vehicular or pedestrian traffic necessitates tactical maneuvering exceeding performance capabilities of vehicle or driver.

5. In the officer's opinion the actions of other agencies are beyond the control of the DPS and these actions seriously increase the potential hazard of the pursuit. In such cases the agencies shall be notified of the discontinuance of departmental participation in the pursuit.

6. Situations in which the offender is not suspected of a life-threatening violation and the offender attempts to evade in a reckless manner. Examples of such recklessness include: going the wrong way on a one way street; disregarding red lights and stop signs; continuous lane changes with other traffic present; excessive speeds with respect to environment and traffic conditions, etc. In such a situation the risk has become too great when compared to the potential benefit of immediate apprehension.

A pursuit will be considered terminated when the vehicle being pursued comes to an halt or the primary pursuit officer or supervisor in charge of the pursuit notifies communications that the pursuit has terminated. After termination all vehicles involved in the pursuit will return to normal driving speeds and procedures.

VII. Medical Assistance

In the event any person is injured during the course of the pursuit, the involved officer(s) shall immediately provide, or make arrangements for providing, medical care. The care for human life will exceed the capture of a fleeing suspect in the vast majority of situations. If the pursuit must be continued to

prevent additional deaths or injuries, the pursuing officer(s) must make arrangements via radio to provide the victim(s) alternate care.²²

VIII. Forcible Stops

The decision to attempt a forcible stop of a fleeing vehicle should be based on careful consideration of all facts apparent to the officer. A forcible stop of a pursued vehicle may be undertaken only under the following circumstances:

1. After other nonforcible means or apprehension have been considered, rejected as impracticable, and/or tried and failed.
2. When the officer or his supervisor has reason to believe that continued pursuit has or will place others in imminent danger of bodily injury or death.
3. When the subject has committed or is attempting to commit a serious felony.
4. When the necessity of immediate action outweighs the level of danger created by the forcible stop.²³

The following tactics may be considered in stopping a pursued vehicle. The selection of the best method used should offer the greatest probability of success with the least

likelihood of injury to the general public, the officer, and the subject.

These methods are not in any specific order of priority.

1. Roadblocks. (ref.T.L.E. Manual I 02.15.10)
should be guided by established procedures in how to employ a roadblock. The use of roadblocks must be weighed against the potential risks presented by continuing with the pursuit.
2. Boxing-in. This is a technique designed to stop a vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop. The use of boxing-in as a technique for terminating pursuits is discouraged. Under ordinary circumstances, the potential hazard outweighs the chance for a successful stop of a violator and, therefore, should only be used at speeds where obvious risks can be eliminated or appreciably reduced. (Unmarked units may be used in conjunction with marked units for this method.)
3. Use of Firearm. This act may constitute the use of deadly force and is subject to the same limitations.
4. Ramming. This is a technique of deliberately impacting the pursued vehicle with another vehicle to functionally damage or otherwise force the vehicle to stop. This not only constitutes an extreme hazard to third parties and property but to the pursuing officer

as well. This act may constitute the use of deadly force and is subject to the same limitations.

The ramming method and/or the use of firearms will not be used while pursuing motorcycles unless the operator of the motorcycle is involved in an ongoing violent felony offense.

5. Other Means that may be developed and approved through technology/training.²⁴

IX. Reporting Procedure

1. The immediate supervisor of the officer(s) involved in the pursuit will make an on-the-scene investigation when practicable and will initiate a review of the pursuit as soon as practicable immediately following the incident. This shall include statements from all department personnel involved and copies of any audio and/or video tapes taken of the pursuit. In-line supervisors will review each pursuit incident and forward all statements, tapes etc through channels to the chief of traffic law enforcement.

Conclusion

For many years there was a mindset in law enforcement that a traffic violator or a criminal fleeing in a vehicle should always be pursued. These pursuits sometimes resulted in death, serious injury or heavy property damage. Many times it was the officer or an innocent bystander that was killed or injured. Other times the driver or a passenger in the pursued vehicle has been killed over a minor traffic violation etc. More often than not it is the young person who runs from the police. They may not have a valid driver's license, they may be consuming alcohol or just showing off and they panic when a police officer comes on the scene. Many times the officer is young and inexperienced and/or bored. These elements make a good combination for disaster.²⁵

Law enforcement has to "come of age", and we are slowly but surely doing so though not entirely on our own. We are being prodded by the courts and the public to improve the training and education of our officers and justifiably so.

For many years law enforcement left vehicle pursuits to the discretion of the officer(s) involved. There were few written pursuit policies and many of the existing policies were vague. In light of recent court rulings which hold the officer(s) and their agencies liable for death and injury resulting from pursuits all sorts of pursuit policies have been

forth coming. Some of these are still vague while others are very detailed. Today's police administration must incorporate better training and comprehensive pursuit policies if we are to significantly reduce loss of life, serious injury or property damage.

There can be little question that a police agency should have a comprehensive pursuit policy. The question is, what kind of pursuit policy will best serve the agencies' interests? On one side, apprehension of known offenders; on the other side, the safety of police officers, of fleeing drivers and their passengers, and of innocent bystanders.²⁶

If the law enforcement agency does not engage in high-speed pursuits, its credibility with both law abiding citizens and violators of the law will suffer greatly. Public knowledge that a police department has a policy prohibiting pursuit may well encourage people to flee decreasing the probability of apprehension.²⁷

The law places a duty on all law enforcement officers to operate their vehicles with due regard for the safety of others. That mandate can best be accomplished through sound policy development, realistic training, and effective supervision.²⁸

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