

Pursuit and PIT

REACTIONS TO FCPD RESPONSES TO RECOMMENDATIONS OF AD HOC
POLICE PRACTICES REVIEW COMMISSION

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Chairman, Use of Force Subcommittee
Ad Hoc Police Practices Review Commission
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RECOMMENDATIONS

- ▶ For PERF Report recommendation No. 54, which calls for the termination of the precision immobilization technique (PIT) for stopping a vehicle pursuit, FCPD should complete an analysis for approval by the Board of Supervisors on whether or not to maintain or restrict PIT use [UOF #5]
- ▶ Restrict vehicle pursuit to only those situations where there is a reasonable suspicion that a violent felony has been committed and that there is a potential for imminent risk to public safety and/or injury to individuals if pursuit is not initiated [UOF #10]

RATIONALE & REFERENCES

- ▶ 2015 USA Today reported that at least 11,506 people, including 6,300 fleeing suspects, were killed in police chases from 1979 through 2013.*
- ▶ Most surrounding jurisdictions' pursuit policies require the commission of a felony (usually a violent felony), the use of a fire arm, and/or a violent misdemeanor.**
- ▶ PERF recommends that the “most appropriate policy” would be to limit pursuits to violent felonies. (p. 166)***
- ▶ PERF recommends that civil liability and risk management considerations need to be taken into account. (pp. 150-56)***

* <http://www.usatoday.com/story/news/2015/07/30/police-pursuits-fatal-injuries/30187827/>

** Alexandria, District of Columbia, Montgomery County, Prince George's County, and Vienna; does not include Loudon.

*** “Police Pursuits: What We Know,” Police Executive Research Forum (PERF), 2000.

PURSUIT

- ▶ FCPD acknowledges the risks involved and has developed draft policies and performance standards to reduce and mitigate against these risks.
- ▶ While not limiting pursuit as recommended, draft revised Orders represent a major improvement over the existing policies and practices.
- ▶ The bar is raised significantly -- the need for apprehension must outweigh the risks ; specifically
 - ▶ Disregarding a signal to stop or trying to elude an officer cannot be the sole justification to pursue a fleeing vehicle
 - ▶ Must also be a “clear and immediate threat to the sanctity of human life.”
- ▶ All sworn officers to undergo emergency vehicle operation training every three years.
- ▶ Supervisors and shift commanders will take control of all pursuits.
- ▶ An annual report will be compiled and be publicly available.
- ▶ A Pursuit Review Committee will report to Chief semi-annually.

VEHICLE STOPPING TECHNIQUES

- ▶ While not terminating the precision immobilization technique (PIT) as PERF recommends, FCPD's draft revised Order 504 represents an improvement over existing policy and practices.
- ▶ FCPD believes PIT should be in the array of options available for stopping a fleeing vehicle.
- ▶ With BOS approval, PIT will be permissible
 - ▶ to the extent it is objectively reasonable to defend oneself or another, or lawfully effect an arrest;
 - ▶ if it conforms to the officer's responsibility to hold in the highest regard the sanctity of human life and the dignity and liberty of all individuals; and
 - ▶ if its use is limited to trained and certified officers.

OUTSTANDING ISSUES

- ▶ Officers prohibited from engaging in a pursuit if their training required by new G.O. 503.17 is not current.
- ▶ Explicitly committing to public release at least annually data on pursuit and any associated use of vehicle stopping techniques.
- ▶ Decisions to use a Vehicle Stopping Technique to end a pursuit should, when practical and safe, be made by the controlling supervisor.

QUESTIONS?