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)***


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

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?