

Pursuit General Order

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Pursuit Code Section

- Virginia Code Ann. § 19.2-77 (Escape, flight and pursuit; arrest anywhere in Commonwealth)
 - “Whenever a person shall flee from an officer attempting to arrest him, such officer, with or without a warrant, may pursue such person anywhere in the Commonwealth and, when actually in close pursuit, may arrest him wherever he is found.”

Pursuit Totals

Year	2013	2014	2015	2016
Number of Pursuits	120	115	119	134

Historical

- Late 1990's progressive overhauls to pursuit and PIT policies
- Last decade additional policy enhancement and training to operate in a rapidly urbanization county
- In-car video has provided reviews/audits of all driving behaviors

Developmental Phases of New Pursuit/PIT Policy

- Inventory our best practices above and beyond standards of existing policy and laws
- Review national landscape
- Seek input from subject matter experts
- Co-production input from employees, commanders, and community members

Policy Goal Statement

- Sanctity of human life shall guide all critical decisions to not engage in a pursuit, not authorize a pursuit, pursue, or terminate a pursuit.
- The offender, including passengers, **based on facts known at the time, present a clear and immediate threat to the sanctity of human life** and therefore, the necessity of immediate apprehension outweighs the level of danger created by the pursuit to the public, officers, and offender, including passengers.
- If there is any **doubt**, then defer to the safety of all and not pursue.
- All officers have a **duty to intervene** to recommend termination when they observe risk to the officers, public, and/or offender, including passengers has substantially increased.

Pursuit Outside the County

- Violent felonies as defined by Va. Code Ann. § 19.2 -297
 - Murder
 - Manslaughter (includes hit and run fatality)
 - Mob-related felonies
 - Malicious wounding
 - Felony kidnapping or abduction
 - Robbery
 - Carjacking
 - Felony criminal sexual assault
 - Escape with force
 - Felony possession of a firearm and/or explosive device

Pursuits Within Fairfax County

- Violent Felonies

Pursuits will only be justified when:

1. Reasonable articulable suspicion the driver/passengers has committed or is attempting to commit a crime or traffic infraction; and
 2. The individual refuses to stop when given a signal to do so; and
 3. The offender, including passengers, **based on facts known at the time, present a clear and immediate threat to the sanctity of human life**, and therefore, the necessity of immediate apprehension outweighs the level of danger created by the pursuit to the public, officers, and offender, including passengers.
- Eluding shall not be sole justification to pursue or continue the pursuit.

Pursuit Review

- Supervisor/Commander authorization which weighs the sanctity of human life
- Supervisor review of video and documentation of review
- Commander review of video and documentation of review
- Pursuit Review Committee
 - Review all pursuits for trends, adherence and compliance to training, policies and procedures, and safety and tactical improvements