I. PURPOSE

This chapter comprises major policy statements that apply to those members of the Pima County Sheriff's Department designated within each subsection.

II. USE OF FORCE

Each use of force situation is unique and shall be evaluated on the circumstances faced by the member at the time force is applied. Members shall use only that amount of force reasonably necessary to make an arrest or gain control of a situation.

A. Force Options

Force options are intended to assist members with escalation and de-escalation from the application of one force option to another so that force used is objectively reasonable. Members must make decisions about use of force options based on the totality of the circumstances. The following options provide various types of force or responses available to the member. This is not a comprehensive list.

- Officer Presence
- Verbal Communications
- Soft Empty Hand Control
- Pain Compliance
- Chemical or Inflammatory Agents
- Taser
- Hard Empty Hand Control
- Impact Weapons, including less lethal munitions
- Canine
- Deadly Force

B. Deadly Force

1. Definition: Deadly force is force that creates a substantial risk of causing death or serious physical injury.

2. Commissioned member or on-duty correction officers in the performance of their official duties are authorized to use deadly force when it reasonably appears necessary to do the following:

   a. Protect themselves or others from immediate threat of death.

   b. Prevent a crime in which the suspect's actions place persons in jeopardy of death.

   c. Apprehend a fleeing felon who has used deadly force in the commission of a crime and where there is substantial risk the fleeing felon will cause death, or injury likely to cause death to others if apprehension is delayed.

3. Under circumstances that permit the use of deadly force and prior to the use of deadly force, the officer employing that force must establish personal recognition of the person against whom the deadly force will be used.

4. Deadly force should not be used against persons who pose a danger only to themselves.

5. Warning shots are prohibited unless deadly force is justified.

6. Members shall not shoot at moving vehicles unless there are no other reasonable means to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the member or others.

7. Choke Hold: The use of any holds or tactics that would restrict blood flow or respiration shall be considered deadly force and are authorized only under those circumstances designated under "Deadly Force," Section B above.

C. Duty to Intervene

Members have a duty to intervene and report when they reasonably believe another member is using, or about to use, force that is in violation of these policies. Members shall intercede to prevent the use of excessive force, if such intercession can be done safely and reasonably.

D. All use of force incidents listed above shall be subject to review. Chapter 6 provides guidance for all review processes and boards.

III. HIGH-RISK STOP

A. The intent of this section is to offer a recommended guideline to assist an officer in making the appropriate decision for a high-risk stop. This section is not intended to limit the discretion or safety of the officer but to assist in making the appropriate decision.

B. The stopping of a vehicle when the officer has advanced knowledge or reasonable cause to believe that the vehicle contains a potentially dangerous suspect is considered a high-risk stop. Reasonable cause may be based on personal observation, knowledge of an outstanding felony warrant or want, information received via the police radio, or other means upon which the officer may reasonably rely.

Because judgment calls and decisions are made daily based on information obtained by the officer, this information must clearly justify the actions taken.

IV. PURSUITS

A. The purpose of this section is to establish a policy that will enable commissioned members to safely and effectively pursue suspects.

1. Members involved in pursuits shall strictly adhere to all state statutes and Department Rules and Regulations.

2. Only members who have completed the required department training on vehicle pursuits are allowed to participate in vehicle pursuits.

B. Definitions

1. AUTHORIZED EMERGENCY VEHICLE: A department vehicle equipped with operable emergency lights and siren as authorized by law.

2. ACTIVE PURSUIT: An active attempt by law enforcement, in authorized emergency vehicles, to capture suspects who by means of speed or other evasive actions, are attempting to avoid apprehension.

3. ACTIVE SURVEILLANCE: An attempt by law enforcement to use covert strategies to remain in the vicinity of a suspect without their knowledge. The supervisor controlling the pursuit will direct all units appropriately. This strategy is only applicable during an authorized pursuit and involves the use of air support and/or vehicle tracking system technology to track the movement of the suspect, and coordination with ground units to parallel the suspect's movements. When the suspect stops, the supervisor controlling the pursuit shall coordinate the apprehension of the suspect, if practical.

4. FAILURE TO YIELD: Failure to yield refers to the actions of a vehicle operator who fails to stop or respond to the emergency light(s) and siren of a law enforcement vehicle. Generally, the vehicle operator continues to travel forward and observes traffic control devices, and other applicable rules of the road, without the component of evasive action in an attempt to avoid apprehension.

5. FULLY MARKED UNIT: A departmental patrol vehicle that is marked with department insignias and equipped with a functioning overhead light bar, preemption equipment, and siren.

6. ROAD SPIKES SYSTEM: A department authorized device designed to be placed physically across a roadway directly in the path of a vehicle in order to deflate its tires and stop the vehicle in a controlled manner.

7. VEHICLE TRACKING SYSTEM: A department authorized device comprised of a global positioning system (GPS) tracker and transmitter that can be deployed on a suspect vehicle, before or during a pursuit, to track and monitor suspect vehicle location.

C. Initiation of Pursuit and Immediate Strategies

1. Any commissioned member in an authorized emergency vehicle may initiate a pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop and the following condition exists: The pursuing member has reasonable suspicion to believe the suspect driver has committed or is attempting to commit a violent felony and poses an immediate risk to public safety.

2. In extraordinary circumstances, a pursuit may be justified if the member reasonably believes that the suspect, if allowed to avoid apprehension, would present an immediate danger to human life. It is incumbent on the pursuing member to state articulable reasons why the pursuit should be initiated. A supervisor must approve the continuation of the pursuit in these circumstances. If no supervisor is immediately available, the pursuit shall be terminated.

3. Only two (2) ground units shall actively pursue a fleeing suspect vehicle unless the supervisor controlling the pursuit directs otherwise. Department vehicles involved in the pursuit shall assume the following roles:

   a. Primary Unit: The authorized emergency vehicle closest to the fleeing suspect.

   b. Back-Up Unit: This unit follows the primary unit at a safe distance and will assist when the suspect is stopped. If the primary unit is unable to continue the pursuit, the back-up unit shall assume the role of the primary unit. If circumstances allow, the back-up unit shall take over communication responsibilities for the primary unit.

   c. Support Units: When appropriate, units in the vicinity of the pursuit shall remain alert to the direction and progress of the pursuit. Support units shall position themselves at strategic sites along the probable pursuit route or on parallel roadways. Support units operate Code 3 unless directed otherwise by the controlling supervisor.

   d. All involved units shall operate traffic signal preemption in a manner that should cause the fleeing suspect vehicle to face green signal lights.

4. Vehicles not equipped with a preemption emitter and/or not fully marked shall not actively participate in pursuits unless approved by a supervisor, and the situation is extremely serious and mandates an immediate response. When a fully marked unit becomes available, other department vehicles shall discontinue active pursuit.

5. Police motorcycles may be used in a pursuit when weather and related conditions allow. Motorcycles will disengage when support from fully marked vehicles become available.

6. In deciding whether to initiate a pursuit, the member will also take into consideration:

    a. Road, weather, and environmental conditions;

    b. Population density and vehicular and pedestrian traffic;

    c. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;

    d. The observed driving behavior of the suspect;

    e. The presence of other persons in the patrol vehicle;

    f. Active pursuit of motorcycles/off-road vehicles is prohibited, unless the rider(s) were involved in the commission of a violent felony.

7. Communications Responsibilities

    a. The primary unit and supervisor shall be the only units transmitting during the pursuit unless another emergency situation exists or support units have vital information necessary for apprehension efforts.

    b. The primary unit should communicate as much of the following information as possible:

        (1) The location, speed, direction of travel, and traffic conditions;

        (2) The specific reason for the pursuit, including the violation, offense, or circumstance that precipitated the pursuit;

(3) The vehicle description and license number, if known;

(4) The number of occupants in the suspect vehicle;

(5) Hazardous traffic violations, other unsafe conditions, or driving behaviors committed by the violator;

D. Safety Considerations

During pursuits, the following procedural guidelines shall be followed:

1. Pursuing units shall not make contact between their car and the suspect's vehicle. They shall not force the pursued vehicle into parked cars, ditches, or other obstacles, nor shall they attempt to head off, ram, or drive alongside the suspect vehicle while it is still in motion.

2. Support units and back-up units shall not pass the primary unit unless directed to do so by the primary unit or supervisor.

3. Spacing: Units participating in a pursuit shall not follow each other or the suspect vehicle so closely that a collision cannot be avoided if any involved vehicle loses control or stops abruptly.

4. Police vehicles towing a trailer shall not actively participate in a pursuit.

5. Roadblocks or barricades shall only be used when authorized by a supervisor and as a last resort when the suspect driver has committed a violent felony and is an immediate threat to public safety. Reckless driving alone shall not justify the use of a roadblock or barricade.

E. Use of Air Support for Pursuits

1. When available, air support will be requested to support the pursuit. Requests for other agency air support may be made with a supervisor’s approval when the Pima County Sheriff’s Department Air Unit is unavailable or has an extended estimated time of arrival.

2. Once air support is involved in the pursuit, if practical and authorized by the supervisor, it will act as the primary unit and take on primary unit responsibilities. In this instance, ground units become supporting units and cease Code 3 operation. The supervisor controlling the pursuit will direct all units appropriately.

3. If air support is available to assist in a vehicle pursuit, the following guidelines shall be utilized:

   a. Air support personnel shall provide estimated and updated times of arrival when appropriate. This information shall be incorporated into safety considerations by the initiating unit(s) or supervisor(s).

   b. If air support is able to acquire the pursuit it shall assume primary communication and visual monitoring of the fleeing/violator vehicle. Air support should utilize Active Surveillance strategy.

4. If air support is unable to maintain the pursuit, normal pursuit strategies shall be utilized.

F. Termination of Pursuits

1. Members are expected to terminate a vehicle pursuit when a reasonable law enforcement officer would conclude that the risk of continuing the pursuit outweighs the value of apprehending the suspect. Examples are, but not limited to, risk where lives and property is increased by congested roads, pedestrian traffic, proximity to schools, or other hazards.

2. If any of the following conditions exist, the pursuit **shall** be terminated immediately:

   a. A supervisor orders the pursuit terminated.

   b. The distance between the suspect vehicle and primary unit is so great that further pursuit is futile.

   c. The primary unit loses visual contact with the suspect for an extended period of time.

   d. A unit experiences equipment failure that would increase the risk of continuing the pursuit.

3. When ordered to terminate a pursuit, all involved members shall immediately:

   a. Deactivate all emergency lights and sirens and obey all traffic control devices.

   b. Discontinue actively following the suspect vehicle.

   c. Department members are prohibited from continuing to follow or parallel, or actively intercept a suspect vehicle once the order to terminate has been given. This does not prohibit follow-up investigation to apprehend the suspect at a later time not commensurate to the pursuit.

   d. Once a vehicle pursuit is terminated only a sergeant or above may authorize reinitiating pursuit.

4. Members **should** consider terminating a vehicle pursuit if any of the following conditions exist:

   a. Weather conditions, such as rain or fog, increase the danger of the pursuit.

   b. The member is in an unfamiliar area and cannot keep Communications apprised of the location and direction of travel.

   c. The suspect vehicle proceeds the wrong way on an interstate highway, divided highway, or one-way street. Only a supervisor or above may approve the continuation of the pursuit in these circumstances.

   d. If the suspect's identity is known and they can reasonably be apprehended at a later time.

G. Supervisory Responsibility

1. Supervisors shall monitor and direct all pursuits to ensure all actions comply with this policy.

2. The on-duty patrol supervisor for the affected district will have primary responsibility for monitoring a pursuit, unless there is active supervision already taking place by another supervisor.

3. The monitoring supervisor shall communicate via radio that they are aware of and monitoring the pursuit.

4. The monitoring supervisor shall take into consideration the ability, experience level, and immediate performance of the pursuing department member.

5. All vehicle pursuits shall be reviewed by the primary unit's chain of command:

   a. Prior to the end of their shift, the member who was the primary unit shall complete a Supervisor's Vehicle Pursuit Summary form (PCSD 264) and submit it to their immediate supervisor.

   b. The supervisor's review shall be completed within three (3) working days of the necessary materials being available. The form shall be forwarded to the district / section commander.

   c. The district/section commander's review shall be completed within five (5) working days of receiving the form from the supervisor. The review shall be forwarded to their division commander.

   d. The division commander will make the final determination regarding any action(s) to be taken and if the vehicle pursuit was within policy, and finalize the report.

H. Inter-jurisdictional Pursuits

1. If a pursuit enters into another agency's jurisdiction, the supervisor shall advise Communications to notify that agency and specify one of the following:

   a. Our units need assistance.

   b. The call is merely a notification and no assistance is needed.

2. Upon receiving a request for assistance from another agency, Communications shall immediately notify an on-duty commander or supervisor, who shall evaluate the request and direct an appropriate response.

3. When Communications receives notification of an inter-jurisdictional pursuit, it shall immediately broadcast pertinent information to patrol units in the affected districts. However, members shall not become actively involved in the pursuit unless authorized by a supervisor.

I. Use of Road Spikes Systems

1. Only commissioned members who have completed the department approved road spikes training course may deploy road spikes systems.

a. Communications

(1) Close coordination between ALL vehicles involved in the pursuit and deploying members is mandatory. The deploying member must be kept informed of the description, direction of travel, and location of the suspect vehicle.

(2) In multi-agency pursuits, supervisors should ensure that law enforcement personnel from other agencies are informed that road spikes will be used and informed of the location and any specific instructions necessary to ensure safety.

b. Safety

(1) The safety of the public, law enforcement personnel, and suspect will have the highest priority when determining where and when to deploy road spikes.

(2) Deploying members must wear safety glasses and gloves when deploying the road spike device.

(3) Road spikes will be deployed only on automobiles and trucks.

(4) Road spikes shall not be used on vehicles equipped with less than four (4) wheels unless deadly physical force is justified.

c. After Deployment

(1) The deploying member is responsible for removing the road spike system from the roadway immediately after its use to prevent pursuing units or other traffic from striking the device.

(2) After termination of the pursuit, the deploying member shall ensure that the system is properly recovered and stored and that any debris or loose spikes on the roadway have been cleared.

J. Use of Vehicle Tracking System

1. Only commissioned members who have completed department approved training may deploy vehicle tracking systems.

2. Users shall comply with operational guidelines for each system, department pursuit policy, and pursuit strategies.

3. Vehicle tracking deployments shall be announced via radio.

V. NATIONAL INCIDENT MANAGEMENT SYSTEM

In accordance with Homeland Security Presidential Directive 5 and the Pima County Board of Supervisors' resolution 2005-179, the Pima County Sheriff's Department will employ the National Incident Management System (NIMS) for all major incidents.

VI. NO-KNOCK SEARCH WARRANT RESTRICTION

The service of search warrants without utilizing the knock, announcement of purpose, and identification of department members as law enforcement officers prior to entering (no-knock entry), is generally prohibited. Circumstances that might justify no-knock procedures shall be considered on a case-by-case basis and approved only by the Sheriff.