



**SHERIFF**  
**Harris County Texas**  
**Department Policy**

SUBJECT:  PURSUITS	POLICY #:  803
CALEA STANDARDS REFERENCE(S):  41.2.3	NO. OF PAGES:  13

**I. Preamble:**

Successful pursuit and apprehension of moving vehicles is a difficult task. Some violators obey the red lights and sirens and stop while others attempt to evade arrest at any cost, seemingly with no regard for the consequences.

There is no evidence to support a theory that a person who flees from law enforcement and refuses to yield is necessarily a felon. It is factual, however, that lives have been lost, including those of Deputies, during pursuit of violators.

The Sheriff's Office desires that violators be apprehended whenever it is feasible. It is not, however, expected that a person be pursued to the point where the life of the Deputy, violator, or others are placed in jeopardy.

The decision to engage in fresh pursuit should be made only after weighing all consequences which could be expected or anticipated to result from such actions. Conditions of weather, traffic flow, time of day or night, and geographical area should be analyzed. The importance and significance of the violator's apprehension, compared with the hazards presented by the pursuit, shall be thoroughly considered.

Authorization for pursuit granted by the *Texas Transportation Code*, which states, in part:

- A. *The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions here stated.*
- B. *The driver of an authorized emergency vehicle may:*
  - 1. *Park or stand, irrespective of the provisions of this chapter.*
  - 2. *Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operations.*



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3. *Exceed the maximum speed limits so long as he does not endanger life or property.*
4. *Disregard regulations governing direction of movement or turning in specified directions.*
- C. *The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of Section 124 of this Act, except that an authorized emergency vehicle operated as a law enforcement vehicle need not be equipped with or display a red light visible from in front of the vehicle.*
- D. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor shall such provision protect the driver from the consequences of his/her reckless disregard for the safety of others, even though the Deputy is legally engaged in fresh pursuit.

The Deputy's ability to supervise or control other motorists by the nature of existing circumstances is limited, and it is his/her duty to avoid contributing to the danger already created by the violator.

**II. Policy:**

- A. All Deputies must be cognizant of the fact that personal and public safety is the prime responsibility of the Sheriff's Office.
- B. Specific questions Deputies must ask themselves when deciding whether or not to pursue should include:
  1. Nature of offense?
  2. What are the road conditions?
  3. What are the traffic conditions?
  4. What are the weather conditions? and
  5. Is the pursuing Deputy alone or is the assistance of another Deputy available?



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- C. Fresh pursuits should only be initiated when an actual or suspected law violator clearly exhibits the intention of avoiding a vehicular stop and/or arrest. Actual or suspected violator does not mean that the Deputy must have grounds for arrest.

The right of law enforcement to stop a suspicious pedestrian or motorist and to investigate suspicious behavior is defined by State law.

- D. Sheriff's Office Vehicles Qualified to Enter into a Vehicular Pursuit:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]



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E. Number of Sheriff's Office Units Participating:

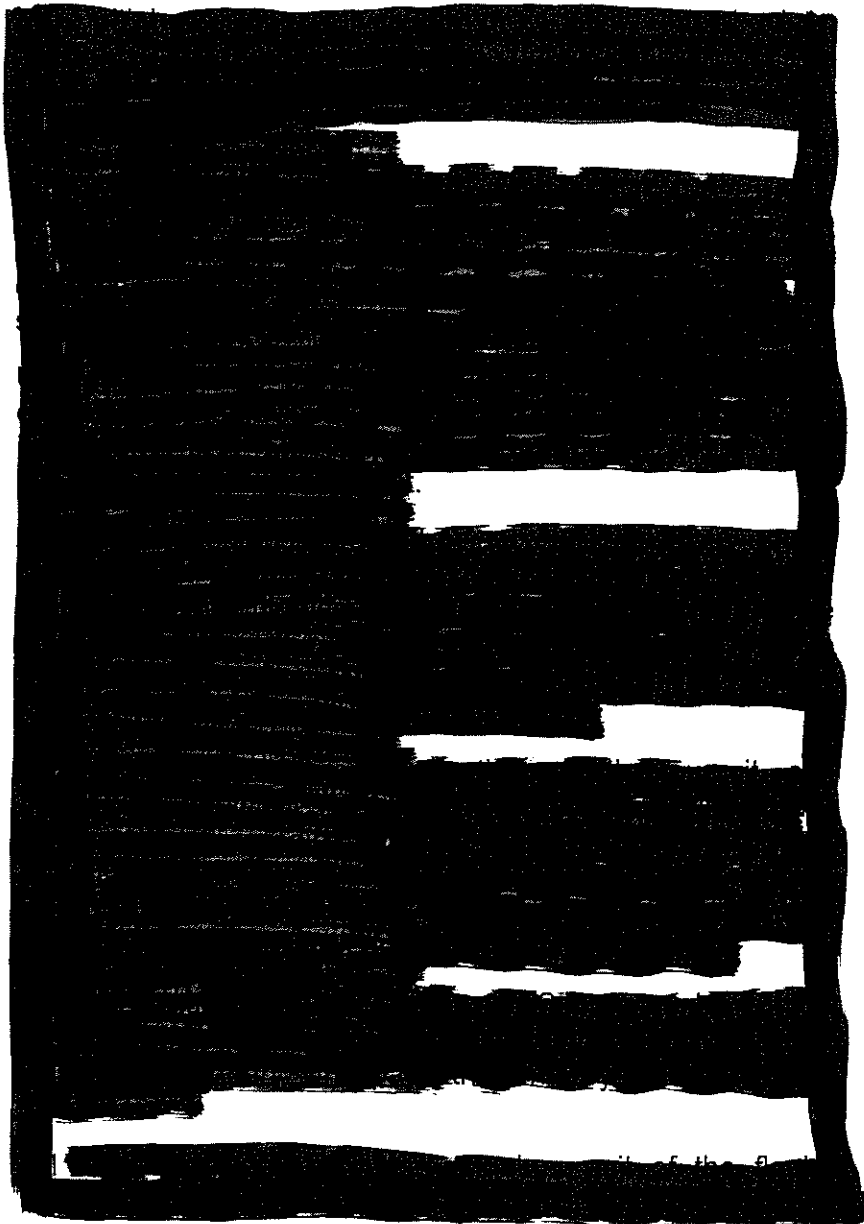
1.

2.

3.

4.

5.





[REDACTED]

- [illegible]

1. It is the responsibility of the Primary Unit to immediately notify the dispatcher when the fleeing motorist initiates definite evasive measures.
2. Due to the imminent dangers involved in vehicular pursuits, radio transmissions not concerning the pursuit should be kept to a minimum. All units not directly involved in the apprehension effort will refrain from non-emergency transmissions.



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3. The dispatcher will refrain from dispatching other non-emergency calls over the radio channel the pursuit is being conducted upon.

If a high-priority call-for-service is received and must be assigned to a unit, the dispatcher will have the appropriate unit switch to another radio channel to receive the information relating to the call.

4. The Communications Division supervisor should give consideration, based on the length of the pursuit, jurisdictional boundaries being crossed, etc, to moving certain pursuits to a dedicated radio channel, or moving district units not otherwise involved in the pursuit to another radio channel for purposes of resuming normal call response within a district.
5. The Communications Division supervisor should provide information to the dispatcher of adjacent districts regarding the pursuit, vehicle description, and other information that may be pertinent should the pursuit cross district boundaries.

G. Communications Responsibilities of Primary Vehicle:

1. Once the primary vehicle has notified the dispatcher that a pursuit situation exists, the following procedures will take effect:
  - a. While the Primary Unit Deputy is transmitting information over the radio, it is important that his/her voice be as normal and coherent as possible. With the siren operating, a deputy may have the tendency to shout when transmitting.

Shouting causes radio transmissions to become distorted. The Deputy must attempt to remain as calm as possible.
  - b. If the Primary Unit is a two-deputy unit, it will be the responsibility of the passenger to handle radio transmissions during the actual pursuit.



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- c. The transmitting Deputy of the primary vehicle shall convey the following information as it becomes available:

- (1) Unit number;
- (2) Location;
- (3) Direction of travel;
- (4) Known reasons for pursuit;
- (5) Description of vehicle, occupants, license number, etc.; and
- (6) Estimated rate of speed.

The Deputy should keep the dispatcher informed of the direction of travel and any other information deemed appropriate. It is particularly important that the reason for the pursuit (example: traffic violation, robbery suspect, etc) be established.

H. Responsibilities of the Radio Dispatcher:

1. The dispatcher will advise units participating in a pursuit of any known hazardous conditions in the area of the pursuit, e.g., accidents, closed streets, etc.
2. Other pertinent information to be conveyed should include:
  - a. A description of the vehicle and occupant(s) (when known);
  - b. Direction of travel;
  - c. Known reasons for the chase; and,
  - d. The radio channel upon which the chase is being conducted.



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3. Units that are out of service during the broadcast of the vehicular pursuit will be advised of circumstances (as time allows) when returning to service.
4. During the vehicular pursuit, dispatch personnel will use any available information to further develop and ascertain the possible identity of the fleeing driver and/or occupants, plus attempt to discover other possible reasons for which the individual(s) might be fleeing.

Developed information may play an important part in future apprehension efforts of the individual(s) should an immediate apprehension effort fail.

5. When appropriate, a unit will be dispatched to the scene from which the chase initiated, or any other pertinent location, in order to identify and/or verify the exact circumstances of the incident.
6. Dispatch personnel will notify the immediate supervisors of the Primary and Secondary Units involved in the fresh pursuit.

Upon notification, the ranking field supervisor closest in proximity of the pursuit will assume overall command and will be accountable for procedure compliance and all requisite reporting matters.

- I. Responsibilities of the Patrol Supervisor
  1. The Patrol Supervisor shall take command of the pursuit, issue orders as the situation dictates and immediately respond to its stopping point.
  2. The Deputies Supervisor shall complete the "Harris County Sheriff's Office Vehicle Pursuit Report" form when any Departmental personnel are involved in a pursuit.
  3. Each District Commander shall conduct an annual review of all pursuit reports filed in their District and make



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recommendations for modification and/or training to the Bureau Major.

J. Restrictions:

1. [REDACTED]
2. Firing warning shots is never permissible.
3. The following methods of stopping fleeing vehicles will not be attempted:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

K. Roadblocks:

[REDACTED]

L. Termination of Pursuit:

1. A vehicular pursuit may be terminated by any of the following:
  - a. When any supervisor orders the pursuit terminated.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- f. When the danger created by the pursuit outweighs the necessity for immediate apprehension.

2. 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 Deputy.

A forcible stop of a pursued vehicle may be undertaken only under the following circumstances:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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[REDACTED]

- d. Any use of force will be in compliance with the legal constraints of *Section 9.51, Arrest and Search, Texas Penal Code*, and conform to the policies of the Harris County Sheriff's Office.
- e. A forcible stop will not be initiated without supervisory permission.

[REDACTED]

[REDACTED]

[REDACTED]

3. Culmination of pursuits:

- a. Whenever possible, the Primary Unit should give his/her exact location where a pursuit terminates
- b. In all instances, the license number of the vehicle stopped must be provided to the dispatcher before exiting the unit.

[REDACTED]

- d. Following the arrest of suspect(s) and the scene being otherwise secured, other units will resume normal duties.



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M. Inter and Intra Jurisdictional Pursuits

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

N. Special Emphasis #1:

To some Deputies, abandoning a pursuit is unthinkable and often considered a cowardly act. However, the professional, well-trained and well disciplined deputy is aware that the decision to abandon pursuit(s) may be the most intelligent and professional course of action under the circumstances. Further, the decision to abandon a pursuit, based on the conditions and circumstances present, may result in saving the life of a citizen or fellow Deputy.

O. Special Emphasis #2:

It is difficult to describe exactly how a fleeing motorist could or should be apprehended, except that it must be done legally and safely. It is also difficult to list any particular traffic regulations that pursuing deputies could or should not disregard. Likewise, one cannot set a safe, maximum pursuit speed or designate the maximum number of law enforcement vehicles to be involved in a particular pursuit.

Each individual pursuit is unique within itself. The pursuing deputy, in a short period of time, will have to use his/her own judgment; collect his/her total resources, including his training and overall experience, bearing in mind the policy, procedures and guidelines outlined in this policy, and apply them collectively to the existing circumstances.



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If the Deputy feels certain that his/her "fresh pursuit" is justified according to the established criteria and it can be performed safely, he/she should continue with the intent to apprehend the suspect, but only while exercising the maximum amount of care and caution for all concerned.

Deputies should never be indifferent to the safety of the public, and every endeavor should be made to handle each pursuit with such care and finesse that they can rationally be justified as a help, not a hazard, to road safety.

**Revision:**

This policy has been revised on the below listed dates:

April 21, 2009

July 26, 2012