



**TEXAS SOUTHERN UNIVERSITY
DEPARTMENT OF PUBLIC SAFETY**



STANDARD OPERATING PROCEDURE

SUBJECT: Emergency Driving in Non-Pursuit and Pursuit Situations		NO. OF PAGES: 5
REFERENCES: Transp. Code 546.001–546.005, 547.305 & 547.702	EFFECTIVE DATE: Jan. 1, 2009	REVIEW DATE: N/A
General Order 029	SPECIAL INSTRUCTIONS/SUPERSEDES: N/A	ISSUING AUTH.: CHIEF OF POLICE

Texas Southern University Department of Public Safety officers will make every reasonable effort to apprehend a fleeing suspect and to respond to emergency calls quickly and safely. The pursuit or call response should never be carried to such an extent as to endanger the lives or property of innocent users of the street, highway, the violator, or the officer.

A. Definitions:

1. **Emergency Driving in Non-Pursuit Situations:** The operation of an authorized emergency vehicle with emergency lights and siren in operation by a police officer in response to a life threatening or a violent crime in progress, using due regard for the safety of others.
2. **Emergency Driving in Pursuit Situations:**
 - a. An active attempt by a law enforcement officer, operating an emergency vehicle and utilizing simultaneously all emergency equipment, to apprehend one or more occupants of another moving vehicle.
 - b. When the driver of a fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing the speed of the vehicle and/or disobeying traffic laws and/or ignoring the officer and/or attempting to elude the officer.

B. Emergency Driving - General:

1. **Authorization:**
 - a. The operation of a police vehicle, when utilized as an authorized emergency vehicle, is governed by the Texas Transportation Code Chapter 546.
 - b. Department vehicles are authorized to be operated as emergency vehicles in compliance with this policy in non-pursuit and pursuit emergency situations.
2. **Emergency Mode:**
 - a. Visual and audible equipment on police vehicles is governed by the Texas Transportation Code Chapters 546 and 547.
 - b. When operating a department vehicle as an authorized emergency vehicle, the officer will immediately activate all emergency lights and siren.
 - c. Officers will immediately notify the dispatcher.
 - d. Officers will not operate a police vehicle in emergency status if it is occupied by any passenger (guards, civilian riders, etc) other than another police officer.
 - e. Police vehicles without emergency lights and sirens will not be operated as emergency vehicles.

C. Non-Pursuit Situations:

1. Emergency responses will be made only when the incident involves a life threatening

- situation or a violent crime in progress.
2. Emergency responses must be approved by a supervisor.
 3. When deciding to initiate or continue driving under emergency conditions, officers will consider such factors as traffic volume, time of day, weather conditions, and potential hazard or liability to themselves and the public.
 4. Officers will have sufficient information to justify the decision to drive under emergency situations.
 5. Officers responding to an officer needs assistance call must bear in mind that even though a rapid response is important, they must arrive at the scene safely in order to be of assistance.

D. Pursuit Situations:

1. Prohibitions concerning vehicular pursuits:

- a. Probable cause must exist for the belief that a felony offense has been committed and failure to apprehend a suspect immediately may result in loss of life or serious bodily injury to another. In no case will a crime against property alone qualify for use of pursuit.
- b. Pursuits will only be utilized in instances of pursuing suspected perpetrators of felony crimes, which occurred on property owned, operated or controlled by Texas Southern University.
- c. No pursuit will be initiated or continued on or off property owned, operated or controlled by Texas Southern University by any officer unless a supervisor approves such pursuit.

2. The following factors will be taken into consideration by the officer prior to initiating a pursuit:

- a. Nature of the offense.
- b. Performance capabilities of the pursuit vehicle.
- c. Road, traffic, and pedestrian conditions.
- d. Environmental factors such as rain, fog, ice, snow, or darkness that would substantially increase the danger of pursuit.
- e. Age of offender and/or whether the identity is known.
- f. Officer's familiarity of area and their ability to accurately describe location and direction of travel.

3. Once the decision has been made to become engaged in a pursuit, the following actions will be taken:

- a. The supervisor and shift commander will immediately be notified by the communication operator so they are aware of and authorize the pursuit.
- b. The supervisor or shift commander will control the pursuit and have the authority to order the pursuit terminated at any time.
- c. One secondary unit will be approved by the supervisor or shift commander to respond.
- d. No other units will be involved in the pursuit unless authorized by the supervisor or shift commander.

4. Officer initiating a pursuit will broadcast the fact as soon as possible and make every effort to broadcast the following information:

- a. Reason for the pursuit.
- b. Location of the pursuit.
- c. Direction of travel and rate of speed.
- d. Description and license plate of the fleeing vehicle.
- e. Description of the occupants of the vehicle.
- f. Evasive actions being used, such as running without headlights, intentional collisions, driving on the wrong side of the roadway, etc.

5. Secondary unit will assume responsibility for constant and clear communication of:
 - a. Pursuit location, direction of travel, and speed of pursuit.
 - b. Traffic violations committed by suspects.
 - c. Damage to property and/or vehicles.
 - d. Other actions perceived to have caused injury/damage.
 - e. Changes in weather, road, or traffic conditions.
 - f. If the pursuit is leaving Texas Southern University Department of Public Safety jurisdiction.

6. Communication operator responsibilities:
 - a. At the beginning of a pursuit, broadcast to inform officers that a pursuit is in progress.
 - b. The channel on which the pursuit originated will be designated as the primary channel for the pursuit. The primary unit, secondary unit, and control supervisor should have exclusive use of that frequency.
 - c. As soon as possible, notify the supervisor and commander that a pursuit is in progress.
 - d. Keep other districts advised if the pursuit is likely to enter or cross another district.
 - e. Upon confirmation that a pursuit has been terminated, broadcast to officers to cease all pursuit activity.

7. Supervisor responsibilities:
 - a. It is the responsibility of a supervisor to make informed decisions about the pursuit and termination of pursuit for the officers.
 - b. Supervisors should be within radio contact at all times and continually assess the advisability of beginning and continuing the pursuit.
 - c. The Operations Captain shall be responsible for submitting an annual analysis of all pursuits to the Chief of Police no later than January 15 each year. The purpose of this analysis is to determine if the pursuits were in compliance with departmental policy and if there are training needs or policy modifications that need to be considered.

8. Officers will not use their vehicle as a ramming device, to box in or surround a suspect vehicle, to overtake or force a suspect vehicle off the roadway, or to create roadblocks.

9. Officers will not discharge firearms at a fleeing vehicle or its occupants except in defense of life.

10. The pursuit will be terminated when continuation of the pursuit constitutes an unreasonable amount of risk or when the officer is ordered to do so by a supervisor.

11. When the suspect's identity has been established at a point where later apprehension can be accomplished, and there is no logical need for immediate apprehension, the pursuit will be terminated.

12. All officers who are involved in a pursuit will complete an incident report detailing the facts of the pursuit.

13. Officers should not feel compelled to continue an emergency response or pursuit when conditions escalate to a degree which places the safety of the officers or others in an unacceptable level of jeopardy.

- a. All officers involved in vehicular pursuits will be held accountable for the continuation of a pursuit when traffic hazards and other circumstances indicate, by danger level, that it should have been discontinued. Since the primary unit officer is usually concentrating on the safe operation of the police vehicle, the secondary unit officers should consider it a responsibility for advising the primary unit officer when they feel the pursuit is exceeding reasonable limits.

14. Pursuits initiated by other law enforcement agencies.

- a. When a pursuit begins within another agency's jurisdiction and passes or ends within Texas Southern University Department of Public Safety's primary geographical jurisdiction, the originating agency will have arrest responsibility.
- b. Communication operator will notify the supervisor and commander of the other agency's pursuit and all available information regarding the pursuit.

E. Response Codes:

1. Code 1 - (Routine Operation):

- a. Normal operation of a police vehicle without the use of emergency lights or siren.
- b. When responding Code 1, officers will obey all traffic laws

2. Code 2 - (Urgent Call):

- a. Operation of a police vehicle while the emergency lights are activated, but without use of the siren.
- b. This mode of operation may be used when responding to urgent calls. Urgent calls are those type calls in which someone is actively engaged in criminal conduct or there is reason to believe the immediate response of a police officer will prevent the situation from worsening, or there is a reasonable possibility that the suspect can be apprehended.
- c. Examples of Code 2 calls include but are not limited to burglary in progress, assault in progress, or disorderly conduct involving violence in progress.
- d. When operating Code 2, officers will obey all traffic laws.

3. Code 3 - (Emergency Operation):

- a. Operation of a police vehicle while the emergency lights and siren are activated and with supervisor authorization.
- b. This mode of operation may be used when responding to emergencies. These include situations in which death or injury has just occurred or in which someone is actively engaged in conduct that may result in death or injury.
- c. Examples of Code 3 calls include but are not limited to authorized pursuits, aggravated assault in progress, rape in progress, armed robbery in progress, kidnapping in progress, serious injury has occurred, and officer need assistance.
- d. Police vehicles will operate in accordance with Texas Transportation Code Chapters 546

APPROVED:

Roger Byars Date
Chief of Police

Review and Responsibility

Responsibility Party: Texas Southern University Department of Public's Safety's Command Staff

Review: Review will be conducted every even numbered

Retention: Original on file in the Office of the Chief of Police

Approval: Roger D. Byars, Director for Public Safety/Chief of Police

Date of Approval: September 1, 2008