

Preliminary Vehicle Pursuit Recommendations

The Commission on Police Practices created an ad hoc Pursuit Policy Committee with the objective of aligning SDPD’s Procedure 1.03 – Pursuit Procedures with nationwide best practices with the goal of improving both officer and community safety.

The Committee compared SDPD’s procedure against best practices and recommendations from the September 2023 report by the US Department of Justice’s Community Oriented Policing Services (COPS), the National Highway Traffic Safety Administration (NHTSA) with collaboration with the Police Executive Research Forum (PERF). ([COPS/PERF Report](#))

We also reviewed vehicle pursuit policies from 17 California and 7 nationwide agencies.

California	Nationwide
Anaheim	Baltimore
Bakersfield	Boston
Chula Vista	Chicago
Fresno	Houston
Irvine	New Orleans
Long Beach	Philadelphia
Los Angeles	Seattle
Los Angeles Sheriff	
Oakland	
Riverside	
Sacramento	
San Diego	
San Diego Sheriff	
San Francisco	
San Jose	
Santa Ana	
Stockton	

Policy Recommendations:

1. SDPD should only engage in vehicle pursuits for incidents that arose from a violent crime. Currently SDPD officers may initiate a vehicle pursuit for crimes as minimal as infractions and misdemeanors.

The Commission recommends SDPD change V. A. 1. to make clear that vehicle pursuits may only be initiated for violent felonies.

This aligns with the COPS/PERF report recommendation (1.2). In addition, many jurisdictions require a “violent felony” to initiate a pursuit. (Baltimore PD, Boston PD, Chicago PD, New Orleans PD, Philadelphia PD, San Jose PD and Seattle PD.)

Several others require “serious crimes” (Anaheim PD, Bakersfield PD, Chula Vista PD, Fresno PD, Irvine PD, Oakland PD, Riverside PD, Sacramento PD and Santa Ana PD.)

2. Emphasize that pursuits shall only be initiated for extremely serious allegations involving life or death situations to prioritize safety and minimize risks to all parties involved.

Chula Vista notes in their policy that officers should not assume that a fleeing individual is a serious criminal suspect.

3. SDPD should create a clear description of when a vehicle pursuit is no longer fresh and the circumstances when after termination of a pursuit a new pursuit may be initiated.

The Commission recommends that after a pursuit has been terminated, in order for a new pursuit to be initiated, a NEW violent felony must be committed, or if a supervisor approves a new pursuit.

This aligns with the COPS/PERF recommendation (1.3) and several cities have similar procedures (Boston and Seattle).

4. The Commission recommends that supervisors must actively monitor and approve vehicle pursuits. If a supervisor is not available, the pursuit will be terminated.

This aligns with the COPS/PERF recommendation (2.2), with multiple cities having similar policies suit (Anaheim, Bakersfield, Baltimore, Boston, Fresno, Houston, Long Beach, New Orleans, Oakland, and Seattle).

5. SDPD should create a Vehicle Pursuit Review Board, with at least one member of the public or the Commission on Police Practices, which will publish a publicly available quarterly report detailing vehicle pursuits SDPD officers engage or participate in. The Board will conduct a comprehensive review of pursuit data, identifying trends, evaluating tactics, and implementing improvements to pursuit policies based on the assessment.

This aligns with the COPS/PERF recommendation (4.5, 4.6), with New Orleans having a very clear post-pursuit process.

6. The procedure should explicitly state that the driving officer(s) may end a pursuit without authorization when they deem doing so is in the best interest of public safety. Officers who choose to terminate a pursuit will not be disciplined/reprimanded for a decision to terminate a pursuit.

The pursuing officer is in the best position to assess the risks in real-time and should not have to wait for confirmation from supervisors to terminate a pursuit if they deem it unsafe. (Chula Vista clearly notes that “no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved.”)

7. Clarify the procedure regarding disagreements in pursuit termination.

The policy has an approach when supervisors are not in agreement, leaving the decision to the Field Lieutenant or Watch Commander.

The Commission recommends that if there is a disagreement among officers or supervisors on whether to continue or terminate a pursuit, the decision should default toward safety (terminate). If an officer involved in the pursuit determines the pursuit is not safe, it should be terminated even if others disagree.

Officers who choose to terminate a pursuit will not be disciplined for a decision to terminate a pursuit.

8. The procedures should emphasize that drivers, including exempt drivers under CVC 21055, must still operate their vehicles with the degree of care imposed by common law. CVC Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway. This ensures that their actions do not impose an unreasonable risk of harm on others.
9. The Commission would recommend that examples of what constitutes reasonable and prudent behavior for police pursuit drivers under various circumstances to guide their decision-making during pursuits. For example, officers should consider time of day, traffic, pedestrians, or school zones nearby when determining if it is appropriate to engage in a pursuit. (Boston's policy does a good job outlining these considerations.)
10. We recommend that the procedure be updated to detail the circumstances and conditions under which a supervisor may override procedure and approve pursuit intervention tactics like blocking, ramming, boxing, and roadblocks.

Provide clear guidelines on when and how these tactics can be used effectively and safely. SDPD's current procedure does not elaborate when and/or under what circumstances are these tactics are permissible. (This is required by CVC 17004.7 (c)(6))

11. We recommend specific speed limits for pursuits in the policy to comply with the requirements of the CVC. Setting a speed limit helps mitigate risks and ensures the safety of all individuals involved in a pursuit.

Chula Vista and Stockton's policies list the factors that assist in determining the appropriate speed for a pursuit. (This is required CVC 17004.7 (c)(7))

12. Update the procedure to detail which police vehicles are and are not approved to be used in vehicle pursuits.

The operation of Police Department Vehicle SDPD Procedure mentions that there are vehicles that are manufactured as a "Police Pursuit Vehicle," which include being equipped with speed-rated tires. The vehicle pursuit policy states: "Officers driving vans, trucks, and non-pursuit-rated sport utility vehicles should be aware that the vehicles may not handle as well as pursuit-rated vehicles. They should consider turning over the pursuit to the first available unit driving a pursuit-rated vehicle or terminating the pursuit." Since there are specific vehicles intended for vehicle pursuits, it is reasonable that a police vehicle that is

not rated as a pursuit vehicle should not be used in a pursuit due to the risk of the officer and the public. (Chicago PD's procedure details the vehicle requirements clearly.)

13. The purpose of SDPD Pursuit Procedures is indicated as: "This Department procedure establishes guidelines to enhance the effectiveness of a pursuit and reduce the likelihood of incidents that could lead to potential liability."

The Commission recommends changing the purpose of the policy to focus on safety for both the public and officers. "Reduce the likelihood of incidents that could lead to potential liability" should be changed to "Ensure the safety and protection of officers, members of the community, and property."

Training Recommendations:

1. Incorporate interactive elements such as case studies, simulations, and scenario-based exercises into the training sessions to enhance engagement and facilitate active learning.

This approach can provide officers with practical experience and help them apply theoretical knowledge to real-life situations.

2. In coordination with the proposed Vehicle Pursuit Review Board, conduct post-pursuit debriefings or "lessons learned" discussions within the department to analyze the outcomes of past pursuits, identify areas for improvement, and reinforce key policy guidelines.

This reflective practice can help officers learn from real scenarios and apply those insights to future pursuits.

3. Implement regular policy refreshers after pursuits to reinforce the importance of adherence to vehicle pursuit procedures. These refresher sessions can serve as additional training and a reminder of the policy guidelines and promote consistency in decision-making among officers.
4. Keep comprehensive training records that document mandatory department-wide required annual training, training when the pursuit procedure is updated, as well as a date when the policy was reviewed. This practice ensures that all officers are informed about policy changes and are accountable for staying up to date with the latest procedures.

Practices:

1. **Distribution of Lessons Learned:** The department should distribute lessons learned and outcomes of high-profile vehicle pursuits to all personnel. This dissemination of information fosters a culture of continuous learning and improvement, enabling officers to apply insights from past pursuits to enhance future responses. By conducting thorough reviews and providing training summaries, outcomes, and overviews, the department can prevent the recurrence of similar incidents and improve overall response strategies.
2. **Periodic Policy Review:** Utilizing lessons learned from the Vehicle Pursuit Review Board, identify any areas for improvement in policy, training, or procedures. Evaluate pursuit

outcomes to assess the effectiveness of the policy changes in reducing risks and protecting public safety.

3. **Technology:** Explore the use of technology such as GPS tracking, drone surveillance, pursuit management software, training simulations/virtual reality to aid in monitoring and controlling pursuits. Entertain implementing systems that can remotely disable a fleeing vehicle (OnStar, remote disabling devices) if deemed necessary to prevent further harm.

Other Recommendations:

- SDPD Pursuit Procedures indicate that the Fleet Safety Sergeant conducts post-pursuit reviews and analysis of each Pursuit Report and provides feedback to division Captains where needed. The Fleet Safety Sergeant also provides statistical pursuit data on a quarterly basis, comparing current data to the prior year's activity.

The Commission requests to receive this data on a quarterly basis once complied. Additionally, if past quarterly reports are available, the Commission requests to receive those for the last 5 years.

- Based on the evaluation of the San Diego Police Department (SDPD) vehicle pursuit training and data, as well as SDPD 8 core values, it is recommended that the department consider pursuing Law Enforcement Accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA). This accreditation will not only enhance the department's standards and practices but also demonstrate a commitment to excellence in law enforcement.

CALEA membership requires the members/departments to perform yearly vehicle pursuits analysis.

Benefits of CALEA Accreditation:

1. **Enhanced Credibility:** CALEA accreditation signifies adherence to rigorous standards and best practices, enhancing the department's credibility and public trust.
2. **Improved Operations:** Accreditation promotes efficient and effective policies, procedures, and training, leading to improved operational outcomes.
3. **Risk Management:** Accreditation assists in identifying and mitigating risks, ensuring a safer environment for officers and the community.

Conclusion:

Reflecting on the comprehensive review of SDPD's Procedure 1.03 – Pursuit Procedures, the Commission on Police Practices has identified critical areas for alignment with nationwide best practices. Our goal is to enhance both officer and community safety by incorporating proven, effective policies.

Our key recommendations include:

1. Limiting vehicle pursuits to incidents involving violent felonies.

2. Emphasizing the importance of supervisory oversight.
3. Creating a Vehicle Pursuit Review Board.
4. Implementing robust training and review processes.

These steps align with the recommendations from the COPS/PERF report and practices from leading police departments.

However, it has become apparent that the police department's current method of providing data is hindering our ability to fully support the community and foster organizational growth. Disorganized data not only slows down our analysis but also impedes the implementation of meaningful policy changes. To truly understand and improve the impact of our policies, we must assess them through comprehensive data collection and analysis.

We strongly recommend that the department hires a data analysis firm or onboards an expert to help gain perspective on these critical situations. This step is crucial to ensure that our policies result in actual change and measured growth. By adopting a more structured approach to data management, the department can significantly enhance its ability to implement effective policies and ensure the safety of both officers and the community.

These recommendations matter for the entire City of San Diego because they directly impact public safety and trust in law enforcement. Effective vehicle pursuit policies can prevent unnecessary risks to both officers and civilians, reducing the likelihood of accidents and injuries. Additionally, clear and well-enforced policies demonstrate the department's commitment to accountability and transparency, which are essential for rebuilding and maintaining trust within the community.

Implementing these recommendations is not just about compliance with best practices; it is about demonstrating a genuine commitment to the safety and well-being of everyone in San Diego. The Commission remains dedicated to supporting these efforts for the betterment of our community, and we urge the SDPD to consider these policy recommendations seriously. By doing so, the department can take significant steps toward rebuilding trust and fostering a safer, more secure environment for all.