

 <p>FERNDALE POLICE DEPARTMENT</p>	Foot Pursuits		
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1.0 PURPOSE

The purpose of this policy is to establish regulation regarding foot pursuit tactics for members of the Ferndale Police Department, and to provide considerations in protecting the lives of personnel and the public while upholding the duty to enforce the law and apprehend violators.

2.0 DEFINITIONS

FOOT PURSUIT: The physical attempt by an officer without the aid of a vehicle, to detain, arrest, or otherwise take physical custody of an individual who attempts to flee on foot.

VIOLATOR: Includes any individual who a police officer reasonably believes has committed an offense or poses and immediate threat to the safety of the public or other officers.

CONTACT/COVER: A tactical practice of having two or more officers working together during a foot pursuit. The officers work as a team utilizing direct or indirect communication methods to coordinate their efforts, remain aware of the locations of officers and suspects, and keep abreast of the status of the pursuit.

3.0 POLICY

3.1 The safety of department personnel and the public is the primary consideration when determining whether officers should initiate or continue a foot pursuit. While officers shall make every reasonable effort to apprehend violators fleeing on foot, they must evaluate the risk involved to themselves, the suspect and the community. This policy does not prohibit or limit officer's ability to engage in a foot chase (MLEAC 3.5.7 c).

3.2 It must be fully understood by officers that the decision to not engage in or continue a foot pursuit where risks outweigh the benefit of apprehension is a perfectly valid option where warranted (MLEAC 3.5.7 b).

3.3 No officer or supervisor will be criticized or disciplined for a decision not to engage in foot pursuit if the officer or supervisor determines that the risk outweighs the benefit of apprehension (MLEAC 3.5.7 a).

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4.0 PROCEDURE (MLEAC 3.5.7 d)

The Ferndale Police Department recognizes that officers have the authority, at all times, to attempt to stop any individual suspected of committing any criminal offense, violation, or traffic infraction. If the violator provokes pursuit by fleeing, the department recognizes the officer determination to pursue based on the degree of risk to themselves or others .

4.1 Determining reasonableness is a primary consideration when deciding to engage in foot pursuit, and which must be made quickly and under unpredictable and dynamic circumstances (MLEAC 3.5.7 e). In addition to risk assessment to initiate or continue a foot pursuit officers should evaluate circumstances which includes but is not limited to:

- Whether the suspect is armed
- The seriousness of the offense (risk posed to other officers and the public by the the suspect)
- Backup officers' availability
- Number of suspects
- Officer's physical condition
- Location
- Ability to apprehend the subject at a later time (e.g. identity is known)
- Communication issues (e.g. familiarity with location, radio frequency and coverage)

4.2 Each officer must overcome any perception of "personal challenge" and rationally and analytically evaluate the situation as it develops.

4.3 Initiating officer responsibilities (MLEAC 3.5.7 f)

4.3.1 Dispatch shall be notified as to reason for pursuit; location and direction; description of suspect; whether suspect is armed; and coordinate with other officers to establish perimeter for containment.

4.3.2 The primary officer should maintain sufficient tactical gap between them and the suspect to allow time for maintaining cover and allow for the arrival of backup officers before engagement.

4.3.3 Officers should always wait for backup if they believe that the suspect is armed or extremely dangerous.

4.3.4 If other backup officers are on the scene or arrive shortly afterward, the primary officer or supervisor should communicate with them to set up a perimeter in the area to contain the violator.

4.4 Secondary and backup officers (MLEAC 3.5.7 g)

4.4.1 Whenever any officer announces that they are engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to permit the involved officers' maximum access to the radio talk group channel.

4.4.2 Any officer positioned to intercept a fleeing suspect or to assist the primary officer with the apprehension of the suspect shall act reasonably and in

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accordance with department policy, based upon available information and their own observations

4.4.3 Every attempt should be made by backup officers to accompany the primary officer.

4.4.4 Once the primary officer has a backup officer with them, the remaining backup officers arriving in the area shall directly communicate with the primary officer and make further attempts at establishing a perimeter.

4.5 Supervisor responsibilities (MLEAC 3.5.7 j)

4.5.1 Upon becoming aware of a foot pursuit, the supervisor shall direct that radio traffic is restricted, decide as soon as possible whether the foot pursuit should continue and make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control, and coordination of the foot pursuit.

4.5.2 Generally, the foot pursuit should be allowed to continue if there are at least two officers working together and there is a reasonable belief that:

- The suspect has committed an offense or violation that would permit the officer to detain the suspect.
- There is reasonable belief that the suspect poses an immediate threat to the safety of the public or other police officers.

4.5.3 The supervisor should maintain open communications with involved officer.

4.5.4 The supervisor should consider the use of specialized units/personnel to aid in the apprehension, e.g. canine, SWAT, following containment, etc. In the absence of a supervisor, this consideration should be undertaken by involved officers.

4.5.5 The supervisor should take command and control of the foot pursuit as soon as possible and coordinate the efforts of responding personnel in cooperation with information communicated from the officer(s) in pursuit. As in other tactical situations, the supervisor does not have to be physically present to assert control over the situation. Once the pursuit has concluded, the supervisor should proceed to the arrest or terminus site and supervise post event arrest, reporting, and debriefing activities as required.

4.5.6 The supervisor shall terminate any foot pursuit where the risk to the officer, the public, or the suspect outweighs the need for the foot pursuit.

4.6 Pursuit Restrictions (MLEAC 3.5.7 h)

4.6.1 A single officer may not abandon the police vehicle to chase a suspect fleeing on foot while other occupants of the suspect's vehicle remain.

4.6.2 The pursuing officer should always ensure that suspects who flee from vehicles do not have accomplices in the car that may attack from behind.

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4.6.3 Officers should always take their vehicle keys with them, or activate vehicle anti-theft devices, to avoid having suspects return to the scene and flee in police units.

4.6.4 Officers should always try to follow the same general path as the suspects so that the officers will discover any hidden obstacles, such as clotheslines, wires, cables, holes, and sprinkler heads, etc.

4.6.5 Officers should always remain cautious, in control, and alert for additional threats and other changes in the situation.

4.7 Communications (MLEAC 3.5.7 i)

4.7.1 Upon being notified or becoming aware that a foot pursuit is in progress, personnel shall ensure that a command officer is immediately notified of the foot pursuit and provided all available information (without compromising the ability of involved officer in communicating ongoing information).

4.7.2 Coordinate and dispatch additional backup assistance

4.7.3 Receive and record all incoming information on the pursuit and suspect

4.7.4 Relay pertinent information to other units and/or agencies as directed by the involved units

4.8 Termination of foot pursuit may represent the best judgement and most professional course of action and does not signify a lack of courage or perseverance (MLEAC 3.5.7 k).

4.8.1 Officers must terminate a foot pursuit when so ordered by a supervisor

4.8.2 Officers shall consider the following risk factors when deciding whether to initiate or continue a foot pursuit:

- Officer or third-party injury which requires immediate assistance when there is no other police or medical personnel available to render assistance
- If the suspect flees into buildings, structures, confined spaces, wooded or otherwise isolated areas and the officer does not have sufficient backup
- If the pursuing officer loses more than momentary visual contact and becomes unsure of the suspect's whereabouts/direction
- If the pursuing officer is unsure of their own location or direction of travel
- If the pursuing officer becomes too tired to effect an arrest at the conclusion of pursuit
- If the suspect's identity is established or other information exists which would allow for the suspect's apprehension at a later time, and there is no immediate threat to the public or police
- If the officer believes the danger outweighs the necessity for immediate apprehension
- If the officer loses possession of their firearm or other essential equipment
- Inclement weather, darkness or other environmental conditions that hinder the safe continuation of pursuit

4.8.3 After termination of a foot pursuit, the involved officers will notify communications of the last known location of the suspect, or in the case of apprehension, the location of apprehension.

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4.9 Units may re-engage in a previously terminated pursuit when officers become aware of new information, that makes relevant the circumstances that initiated the pursuit originally (MLEAC 3.5.7 l).

4.9.1 Supervisor must approve/authorize units to re-engage the previously terminated foot pursuit regardless of who terminated the initial pursuit.

5.0 REPORTS AND REVIEW (MLEAC 3.5.7 m)

5.1 At the conclusion of a foot pursuit, the primary officers involved shall complete an incident report and submit it to their immediate supervisor for review. In the event of an arrest resulting from a foot pursuit, all officers involved shall complete supplemental reports to the primary officer's report. The narrative should detail their involvement and include:

- Reason for pursuit and severity of the offense
- Role of officer in pursuit
- Whether an arrest was made and what role the officer played
- Was pursuit terminated and by whom
- If pursuit was terminated, list circumstances for this decision
- Injuries as a result of pursuit
- Environmental conditions
- Distance and route travelled

5.2 The immediate supervisor will forward the officer's report(s) with their supporting documentation and their review, to the Chief of Police, or designee for review. The immediate supervisor will review all topics listed above and address tactics, training, policy, safety and supervisory issues. The supervisor shall review the available information regarding the reason for the pursuit and severity of the offense, if reasonable suspicion exists if the subject was armed, the officer's knowledge of the person pursued, the risk posed to the public or the officer, the time of day and weather conditions and availability of backup and support resources, the officer's familiarity with the pursuit area, officer's actions at apprehension/termination, if force was used if it was reasonable and compliance with policy, training and decision making and include it in the meaningful review.

Any use of force shall be reviewed following the procedures in Article 4 Response to Resistance (MLEAC 3.5.7 n).

5.3 The Chief of Police or designee shall conduct a documented annual review examining the past year's foot pursuits to discover any patterns, trends, or emerging issues. The review should also include a review of pursuit policies and procedure (MLEAC 3.5.7 o).



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