

PLANNING AND DEPLOYMENT

TRANSMITTAL OF WRITTEN DIRECTIVE

FOR SIGNATURE OF: James E. Craig, Chief of Police

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TYPE OF DIRECTIVE: Manual Directive 202.7

BOARD OF POLICE COMMISSIONERS

SUBJECT: FOOT PURSUIT

ORIGINATED OR REQUESTED BY: Planning and Deployment

APPROVALS OR COMMENTS:

The above referenced was reviewed by Internal Affairs, Professional Education and Training and Planning, Research and Deployment. Revisions are marked in strikethroughs, bold, and italics. The BOPC's adopted recommendations are indicated in blue in the Pending document.

Changes in this policy reflect the best practices Foot Pursuits model policy obtained from the International Association of Chiefs of Police (IACP).

Approved
Chris M.
12/26/19

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PLANNING AND DEPLOYMENT.
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Series 200 Operations	Effective Date	Review Date Annually	Directive Number
Chapter 202 – Limits of Authority			202.7
Reviewing Office <i>Force Investigations</i>			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Revised <small>Revisions are in <i>italics</i></small>
References			

FOOT PURSUIT

202.7-1 PURPOSE

The purpose of this policy is to provide guidelines and possible alternatives to assist the members of this Department in making decisions on when to pursue on foot and when to terminate that pursuit.

202.7-2 POLICY

Foot pursuits are inherently dangerous police actions. A member's decision to pursue on foot shall be made with an awareness of the risk to which the member and others will be exposed. The safety of Department members and public safety are paramount considerations in all foot pursuits. No member shall be criticized or disciplined for a decision not to engage in a foot pursuit if, in the member's assessment, the risk to any member or citizen exceeds that which is reasonably acceptable under the provisions of this and related Departmental policies and training.

202.7-3 Definitions

202.7- 3.1 Foot Pursuit

A situation in which a Department member, on foot, chases a suspect in an effort to detain or arrest that individual, whom the member has reasonable suspicion to believe is about to commit, is committing, or has committed a crime, and is resisting apprehension by fleeing from the member on foot.

202.7-4 Unprovoked Flight

1. Department members have the authority to stop any person with or without a warrant when there is reasonable suspicion to believe that the person has committed or is about to commit a criminal offense, or the member otherwise has lawful grounds to detain or arrest the suspect.
2. It is important to note that flight alone does not constitute sufficient legal justification to detain or arrest an individual. Flight must be accompanied by one (1) or more factors that together provide sufficient justification to support a temporary investigatory stop. Where necessary, a Department member may pursue persons who he/she reasonably believes have committed an act that would warrant a stop, investigative detention, or arrest. Members shall not pursue persons on the basis of flight alone.
3. Members must state in their incident reports, or any other applicable reports, the detail as to why they reasonably believed the suspect saw them, recognized them as law enforcement officers, and whether they were in uniform or traveling in a marked or

202.7 Foot Pursuit

unmarked vehicle, and any other useful and relevant information to describe the circumstances of the event.

202.7-5 Deciding Whether to Pursue**202.7- 5.1 General**

1. The *member's* decision to pursue should always be undertaken with an awareness of the degree of risk to which the *member* exposes themselves or others.
2. *In deciding whether or not to initiate a pursuit, Department members should consider the following alternatives to foot pursuit:*
 - a. *Air Support;*
 - b. *Containment of the area;*
 - c. *Canine search;*
 - d. *Saturation of the area with patrol personnel; and/or*
 - e. *Apprehension at another time and place when the member knows the identity of the subject or has other information that would likely allow for later apprehension.*

202.7- 5.2 Risk Factors

In deciding whether to initiate or continue a foot pursuit, members should consider the following risk factors:

- a. *Acting alone - Members shall not initiate and/or continue a foot pursuit if acting alone (one (1) person unit). If exigent circumstances warrant, the member shall keep the suspect in sight from a safe distance and coordinate containment;*
- b. *Area familiarity – Members who are unfamiliar with the area in which the pursuit will be conducted are at a serious disadvantage to the suspect (e.g. terrain, hiding places, potential ambushes, etc.);*
- c. *Multiple suspects –The risks presented when pursuing multiple suspects mandate the use of back up, as well as consideration to alternatives to a pursuit;*
- d. *Available backup – Members must weigh a variety of factors including the seriousness of the offense, continuing dangers to the member and the public, and the availability of additional members to respond when considering whether or not to initiate, continue, or terminate a foot pursuit;*
- e. *Department member fitness levels – Members must recognize that engaging in a foot pursuit expends significant physical exertion, regardless of a member's level of physical fitness;*
- f. *Weather and darkness – Inclement weather and darkness are other risk factors that should be weighed by members;*
- g. *Location and Time (Traffic Patterns) – Members must consider the possible risk of harm to drivers of vehicles in heavy traffic and/or pedestrians who may be hit by vehicles attempting to avoid a collision during a foot pursuit; and*
- h. *Members should consider potential hazards that may arise during foot pursuits, e.g. dilapidated structures.*

202.7 Foot Pursuit**202.7- 5.3 Initiating Member's Responsibilities**

1. *Department members* initiating foot pursuits shall bear operational responsibility for the foot pursuit, unless circumstances dictate otherwise, or until relieved by a supervisor.
2. The *member* initiating a foot pursuit shall, *as soon as practical*, provide the following information to the dispatcher:
 - a. Unit identifier (e.g. scout car number);
 - b. Reason for the foot pursuit;
 - c. *Member(s)* location and direction of pursuit;
 - d. Number of suspects and description; and
 - e. Whether or not the suspect(s) is *confirmed to be* armed.
3. When the pursuing *members* terminate the pursuit, they shall notify the dispatcher of their location and request any assistance they deem necessary.
4. If the foot pursuit culminates in an arrest, the arresting *members* shall notify the dispatcher and stand by for a patrol supervisor to respond to the termination point, unless conditions are such (e.g. hostile crowd, etc.) that the *member's* and/or the arrestee's safety require the *member* to convey the detainee to the *Detroit Detention Center (DDC)*.

202.7- 5.4 Jurisdictional Considerations

1. *Department members* engaged in a lawful pursuit falling within the guidelines of this directive may continue the pursuit outside the boundaries of the City of Detroit. In no case shall the pursuit continue across the international border into Canada.
2. If the pursuit culminates with an arrest, *members* should notify the authority having jurisdiction over the territory where the pursuit has terminated.

202.7- 5.5 Foot Pursuit Coordination

The following protocol should be followed when engaging in a foot pursuit:

- a. The primary (initiating) *member should* immediately coordinate directly or indirectly, through the dispatcher, and with secondary *members* (when available), to establish a perimeter in the area to contain the suspect(s);
- b. As a tactical consideration, and if feasible, the primary *member should* not try to overtake the fleeing suspect, but *should* attempt to keep them in sight until sufficient manpower is available to take them into custody;
- c. Assisting *Department members should* immediately attempt to contain the pursued suspect by tightening the perimeter when the suspect is spotted. *Members* should respond to the primary *member's* location if the primary *member* is alone, or if the primary *member* has stopped the suspect and requests assistance to take the suspect into custody;
- d. When two (2) or more *Department members* are in foot pursuit, they should *adhere to the following*:

202.7 Foot Pursuit

- Not separate unless they remain in sight of each other *and* maintain communication;
 - Allow the lead *member* to concentrate on the suspect's actions *while* the second *member* provides backup and maintains communication with dispatch and other assisting *members*; and
 - When one (1) *member* is on foot and their partner is in a motor vehicle, the *member* in the motor vehicle *should* maintain communication with dispatch, allowing the lead *member* to concentrate on the suspect's actions. It is recognized that due to tactical considerations (e.g. attempting to thwart a suspect's intended escape route, hard to navigate terrain, etc.), it may be necessary for the *member* in the motor vehicle to briefly lose sight of their partner. If this occurs, the *member* on foot should keep the suspect in sight until such time *their* partner reunites with them, or additional reinforcements arrive.
- e. If the pursuit is terminated because the primary *member* lost sight and the direction of the suspect, it may be reinstated if the primary or responding *members* regain sight of the suspect. If a witness provides *members* with information regarding the direction of the suspect *or members* regain sight of the suspect, *members* may reinstate the pursuit. *Members* who reinstate the pursuit become the primary unit.

202.7- 5.6 Reinstating a Pursuit

Members shall only reinstate any previously terminated foot pursuit consistent with the authorization criteria for initiating a new pursuit.

202.7- 5.7 Communications Responsibilities

Communications is responsible for the following during a foot pursuit:

- a. Receive, record, and immediately report incoming information from the *member(s)* involved in the pursuit to other *Department members* regarding the suspect;
- b. Alert a patrol supervisor from the precinct of occurrence to monitor the pursuit. Should the pursuit involve personnel from a different command, a supervisor from the involved member's command, if available, will be alerted to monitor the pursuit;
- c. Alert neighboring precincts and/or jurisdictions, where practical, that a pursuit is heading their way and update the progress of the pursuit for the safety of *members* in those precincts or jurisdictions; and
- d. Alert *Air Support*.

202.7- 5.8 Supervisor's Responsibilities

1. Upon becoming aware of a foot pursuit, the supervisor shall decide as soon as possible whether the foot pursuit should continue. The supervisor should allow the pursuit to continue *under the following conditions*:

202.7 Foot Pursuit

- a. There are at least two (2) *Department members* working in tandem, and there is a reasonable belief that the suspect has committed an act that would permit the *members* to detain the suspect;
 - b. There is a reasonable belief that the suspect poses an immediate threat to the safety of the public or other *Department members*; and/or
 - c. The pursuit does not violate provisions of this or other Department policy, procedures, or training.
2. The supervisor shall terminate a foot pursuit at any time they conclude that the danger to pursuing *members* or the public outweighs the necessity for immediate apprehension.
 3. The patrol supervisor monitoring the foot pursuit shall command, control, and coordinate the situation as soon as possible, appropriately directing resources to safely apprehend the suspect. This includes, but is not limited to, directing *Air Support's* helicopter, as well as any responding vehicles, to utilize any available audio speaker equipment to verbally command the suspect to terminate the pursuit, or to request other resources (e.g. *Canine (K-9) Unit*, Special Response Team).
 4. The monitoring patrol supervisor shall *only* respond to the culmination point of a pursuit if *a subject is in custody*.
 5. After reviewing the circumstances of the pursuit, the monitoring supervisor shall determine whether the actions of the *members* involved were in accordance with these procedures and take any corrective or non-disciplinary action that may be necessary.

202.7- 5.9 Weapons

1. A *member* in pursuit of or following a suspect who is reasonably believed to possess a firearm should use good safety strategies such as assessing, selecting, and *utilizing* cover as they pursue the suspect. If sufficient cover is not available, *members should use their discretion whether to continue the pursuit*. If *members elect to terminate the foot pursuit, they should* establish a perimeter.
2. Under no circumstances shall a *member* run or carry a handgun with their finger on the trigger. When a suspect appears unarmed and there is no other reliable information (e.g. witness, nature of offense, etc.) to determine the danger the suspect presents, it is generally best to keep the handgun securely holstered until or unless needed to effect the arrest.

202.7 Foot Pursuit

202.7- 5.10 Air Support

1. Once *Air Support's* helicopter pilot has established visual contact with the pursued suspect, the helicopter pilot shall notify the zone dispatcher that it is in position, illuminate the area if necessary, and begin assisting and coordinating the ground activities.
2. The helicopter pilot shall advise ground units of the following:
 - a. Unsafe conditions or potential hazards;
 - b. Any facts believed relevant in determining the continuation or termination of the pursuit; and
 - c. Advise and update the dispatcher and monitoring patrol supervisor regarding any other observations.
3. The use of the helicopter's spotlight or speaker system, when requested by the ground units or the monitoring supervisor, shall be at the sole discretion of the helicopter pilot. The use of helicopter equipment, as well as all other tactical decisions, shall be based on the totality of circumstances, the safety of the member and the suspect, and the environment.

202.7- 5.11 Containment of the Area

1. A perimeter is used to contain a suspect in a specific area, thus making apprehension more likely. By establishing a perimeter, the suspect will be contained; and, when combined with discontinuing a foot pursuit, inherent risks associated with pursuing is removed or greatly reduced.
2. When a perimeter is established, the four (4) C's are tactical guidelines that may ensure a safe and successful apprehension of the suspect. The four (4) C's are: Control, Communicate, Coordinate, and Contain.

202.7-6 Termination of a Foot Pursuit

202.7- 6.1 Authority to Terminate a Foot Pursuit

A pursuit may be terminated by any of the following members:

- a. The units engaged in the pursuit;
- b. The monitoring patrol supervisor;
- c. Ranking member of the Department; and
- d. Communications supervisor – in the event a patrol supervisor has not acknowledged and assumed responsibility as the monitoring supervisor. *The Communications supervisor is authorized to terminate a pursuit if the monitoring supervisor fails to maintain communication with the monitoring zone dispatcher.*

202.7 Foot Pursuit

202.7- 6.2 Criteria for Termination of a Foot Pursuit

Unless there are exigent circumstances such as an immediate threat to the safety of other *Department members* or civilians, *members should* not engage in or continue a foot pursuit under the following conditions:

- a. The *member* or monitoring supervisor believes the danger to pursuing *members* or the public outweighs the necessity for immediate apprehension;
- b. A *Department member* or a third party is injured during the pursuit and requires immediate assistance, and there are no other police or medical personnel able to render assistance;
- c. The *member* loses possession of their firearm;
- d. The suspect flees into buildings, structures, confined spaces, or into wooded or otherwise isolated areas and the *member* does not have sufficient backup and containment of the area. The primary *member* shall stand by, radio their location, and await the arrival of other *Department members* to establish a containment perimeter. At this point, the incident may be considered a barricaded or otherwise noncompliant suspect, and *members should* consider using specialized units such as the Special Response Team (SRT), *Air Support* or *Canine (K-9) Unit*;
- e. The *member* loses visual contact with the suspect and becomes unsure of the suspect's *location* or continued direction of travel;
- f. The *member* is unsure of their own location or direction of travel;
- g. The suspect's identity is established or other information exists that allows for the suspect's probable apprehension at a later time, and there is no immediate threat to the public or *Department members*. The nature or seriousness of the offense, and the possible loss of evidence should the suspect be allowed to flee, should be considered when determining to continue or terminate the foot pursuit in these circumstances; and
- h. A *member should* not initiate and/or continue a foot pursuit if primary *members* lose communications with dispatch, or if communication with backup is interrupted. Maintaining constant communication with dispatchers and other members of the foot pursuit operation, and the ability to clearly transmit the location of the fleeing suspect, are absolutely essential for *the safety of Department members* and the effectiveness of pursuit.

202.7-7 Foot Pursuit Review

1. All *members* will be required to document all foot pursuits on their Activity Log Sheet (DPD250). In addition, all foot pursuits that result in an arrest shall be documented on an *incident* report. If a foot pursuit results in a use of force, it shall also be documented on a Use of Force Report (UF-002) and the check box for "foot pursuit" shall be checked.
2. Supervisors investigating use of force or detainee injury incidents shall document the evaluation of the tactics utilized by the *member*, including an evaluation of the

202.7 Foot Pursuit

foot pursuit, within the Supervisory Investigation Report (UF-002A) and any recommended or imposed disciplinary, correction, or training actions as relevant.

202.7-8 Training

1. All *Department members* shall attend in-service foot pursuit training bi-annually. This in-service training shall be held simultaneously with the use of force training that is provided in the firearms qualification process.
2. Foot pursuit training shall consist of familiarization of the Department's Foot Pursuit policy and proper decision making skills.

Related Procedures

- Directive 201.4 – Canine
- Directive 201.11 Use of Force and Detainee Injury
- Directive 202.1 – Arrests
- Directive 202.2 – Search and Seizure
- Directive 304.6-Body Worn Camera
- Directive 303.3 – In-Car Video Camera Equipment
- Directive 304.2 – Use of Force
- Directive 304.1 – Firearms
- Directive 304.3 – Chemical Spray Device
- Training Directive 18-01 - Electronic Control Weapons (ECW)
- Training Directive 05-04 – Positional Asphyxia
- Training Directive 04-03 – Use of Force Continuum

Forms and Reports

- Use of Force Report (UF-002)
- Investigatory Stop/Frisk (UF-45)