

A scenic view of the Houston skyline at dusk, featuring several prominent skyscrapers and a large, multi-level highway interchange in the foreground. The scene is framed by trees with autumn foliage on the left and right, and a winding path leads through a grassy area in the foreground.

Houston Police Department Motor Vehicle Pursuit Policy

Assistant Chief Thomas E. Hardin
on behalf of Chief Troy Finner
Patrol Region 1 Command

“There’s no greater challenge and there is no greater honor than to be in public service.”

- Condoleeza Rice

What Will Be Covered

- ◇ HPD General Orders and where to find them
- ◇ The HPD Pursuit Policy (HPD General Order 600-04)
 - ◇ What Officers can and cannot do
 - ◇ Responsibilities at various ranks
 - ◇ Training
 - ◇ Checks and balances
- ◇ Technology being invested in to limit pursuits and/or increase driving skills
- ◇ Questions

HPD General Orders

- ◇ The Houston Police Department General Orders are a collection of written orders of the Chief of Police that establish the policies and procedures of the Houston Police Department.
- ◇ In the interest of transparency, the Houston Police Department's General Orders are online for public viewing.
- ◇ The General Orders can be found at
 - ◇ www.houstontx.gov/police
 - ◇ “Transparency” tab on the right
 - ◇ Click on “General Orders”

HPD General Orders

- ◆ While most policies are posted in their entirety, some portions and policies have been redacted.
- ◆ What gets redacted?

The Policy

- ◆ The Houston Police Department places the highest value on the life and safety of its officers and the public at large.
- ◆ The methods the department establishes to enforce the laws are intended to minimize the risk of injury to officers and citizens alike.
- ◆ The driver of an authorized emergency vehicle shall drive with due regard for the safety of all persons and is responsible for the consequences of reckless disregard for the safety of others.

- Houston Police Department General Order 600-04 *Motor Vehicle Pursuits*

What is a Motor Vehicle Pursuit?

- ◇ **Policy Definition:** A motor vehicle pursuit occurs when a police officer, driving an authorized emergency vehicle, attempts to stop or apprehend a suspect who refuses to stop while operating a motor vehicle. The suspect must exhibit one of the following types of conduct:
 - a. A willful disregard for personal safety or the safety of others in an attempt to avoid arrest.
 - b. A refusal to obey an officer's repeated signal to stop.

Criminal Penalties

- ◇ **Texas Penal Code Sec. 38.04. EVADING ARREST OR DETENTION:** A person commits an offense if he intentionally flees from a person he knows is a peace officer or federal special investigator attempting lawfully to arrest or detain him.
- ◇ **A State Jail Felony** if the actor uses a vehicle or watercraft and has no prior convictions for evading.
- ◇ **A Third Degree Felony** if previously convicted for evading or another suffers serious bodily injury as a direct result of the attempt to flee.
- ◇ **A Second Degree Felony** if another suffers death as a direct result of the attempt to flee.

When are Pursuits Authorized?

- ◆ The decision to engage in a motor vehicle pursuit is highly dependent on the ability of an officer, supervisor, or commander to continually assess the need to pursue versus the risk of injury involved in engaging in the pursuit.

The Anatomy of a Pursuit. What Happens?

◆ Phase 1:

- ◆ Suspect commits violation or is suspected to be involved in an offense.
- ◆ Officer attempts to stop the vehicle.
- ◆ Suspect refuses to stop.

◆ Phase 2:

- ◆ Officer initiates a pursuit.
- ◆ A second unit is dispatched.
- ◆ Supervisor takes command of the pursuit.
- ◆ Dispatch and Supervisor request updates, provide guidance.

◆ Phase 3

- ◆ Suspect stops or surrenders voluntarily.
- ◆ Suspect is stopped by their own actions or approved intervention techniques.

Notifying the Dispatcher

- ◇ **What information will officers immediately share with the dispatcher?**
 - ◇ **Unit number**
 - ◇ **Present Location**
 - ◇ **Where the pursuit began**
 - ◇ **Direction of travel**
 - ◇ **Reason for the pursuit**
 - ◇ **Description of the fleeing vehicle (e.g. make, model, color, license plate, etc.)**
 - ◇ **Description and number of occupants of the fleeing vehicle (if known)**
 - ◇ **Estimated speed of the fleeing vehicle**

Officer's Responsibilities

- ◆ Officers are authorized to initiate or continue a pursuit when the following requirements are met:
- ◆ The officer has a good faith belief that under the circumstances the need to immediately apprehend the suspect outweighs the clear risk of harm to the public.
- ◆ Law and Policy require officers to constantly evaluate the risk and factors when initiating or continuing a pursuit. Those factors include but are not limited to:
 - ◆ The seriousness of the offense committed or suspected.
 - ◆ Whether an officer's immediate presence is necessary to apprehend a suspect to prevent injury or loss of life.
 - ◆ Alternative courses of action, if any, available to achieve a comparable result.

(Continued on the next slide)

What Other Factors Must be Assessed?

- ◇ Knowledge of the suspect being pursued. (Can a warrant be filed?)
- ◇ Observable driving behavior
- ◇ Relative performance capabilities of the suspect vehicle
- ◇ Road conditions
- ◇ Weather
- ◇ Population density
- ◇ Vehicular and pedestrian traffic
- ◇ The presence of other persons in the police vehicle

(Continued on the next slide)

Officers Shall Continually Assess

- ◆ Officers shall continually assess the nature and severity of harm their actions could cause, the likelihood any harm would occur, and whether any risk of harm would be clear to a reasonably prudent officer.
- ◆ This includes injuries to bystanders as well as the possibility a crash would prevent the officer from arriving on the scene or assisting in the apprehension of the suspect.

Supervisor's Responsibilities

- ◇ The designated on-duty field supervisor:
 - ◇ Shall be in command of the pursuit and advise the dispatcher if the pursuit should continue.
 - ◇ Shall monitor all radio communications related to the pursuit.
 - ◇ Shall continually assess the pursuit and its circumstances relative to the points already mentioned.

Supervisor's Responsibilities

- ◇ May terminate the pursuit if sufficient evidence exists to file a warrant. This does not apply when the nature of the criminal activity and the need to take the suspect into custody justifies the possible risk (hostage situation, etc.).
- ◇ May become involved in the pursuit if in close proximity and has the proper equipment.
- ◇ Shall immediately go to the scene where the pursuit has ended to take command.
- ◇ Shall supplement the offense report documenting all supervisor actions taken.

Management's Responsibilities

- ◆ Although the actual management of the pursuit is the responsibility of the field supervisor (Sergeant), the designated shift commander (Lieutenant) shall assess the reasonableness of continuing the pursuit using the same parameters already mentioned.
- ◆ For pursuits that last fifteen minutes or more or if a unit from another jurisdiction becomes involved in the pursuit, the shift commander must review all information and supplement the original offense report.

Vehicles Eligible to Initiate or Continue a Pursuit

- ◆ Marked HPD vehicles with operable emergency lights and sirens that is believed to be in sound mechanical condition including brakes, steering and police radio systems.
- ◆ Police helicopters
- ◆ Police units with canine partners (always dispatched)

How Many Police Vehicles Will be Involved?

- ◆ Pursuits should be limited to a primary unit, a secondary unit, and a field supervisor.
- ◆ Field supervisors can authorize additional units based on:
 - ◆ Officer Safety
 - ◆ Tactical Considerations

What Training Do Officers Receive?

- ◆ **Cadets and Probationary Police Officers:**
 - ◆ **Basic Cadet Driving**
 - ◆ **Defensive Driving**
 - ◆ **Vehicle Dynamics**
 - ◆ **Managing Police Pursuits**

Continued Education

- ◇ **Defensive Driving Elective**
- ◇ **At-Fault Crash Remediation**
- ◇ **Driving Safety and Pursuit Refresher**
- ◇ **Pursuit Intervention Technique**
- ◇ **Post-PIT Tactical Vehicle Containment**
- ◇ **Vehicle Containment Technique**
- ◇ **Stopping Techniques Refresh**
- ◇ **Basic Driving – Redress**

Restrictions

Officers shall not:

- ❖ Pursue a fleeing vehicle by driving the wrong way on a freeway.
- ❖ Pursue while operating a vehicle without emergency equipment, or without emergency equipment activated.
- ❖ Drive along the side or in front of a fleeing vehicle in an attempt to force the vehicle from the roadway, unless authorized as an approved stopping technique.
- ❖ Ram or bump a fleeing vehicle in an attempt to force the vehicle from the roadway, unless trained and authorized to implement the PIT Maneuver.

Restrictions

- ◆ Continue a pursuit if the primary unit, on-scene police helicopter, or any on-duty supervisor orders the pursuit to discontinue.
- ◆ Discharge a firearm to disable or stop a fleeing vehicle.
- ◆ Use a privately owned vehicle in any part of a pursuit or as a termination technique.
- ◆ Use a tire deflation device on controlled access freeways.
- ◆ Use barricades or other obstructions set across a roadway to stop or prevent the escape of a fleeing vehicle.

Checks and Balances

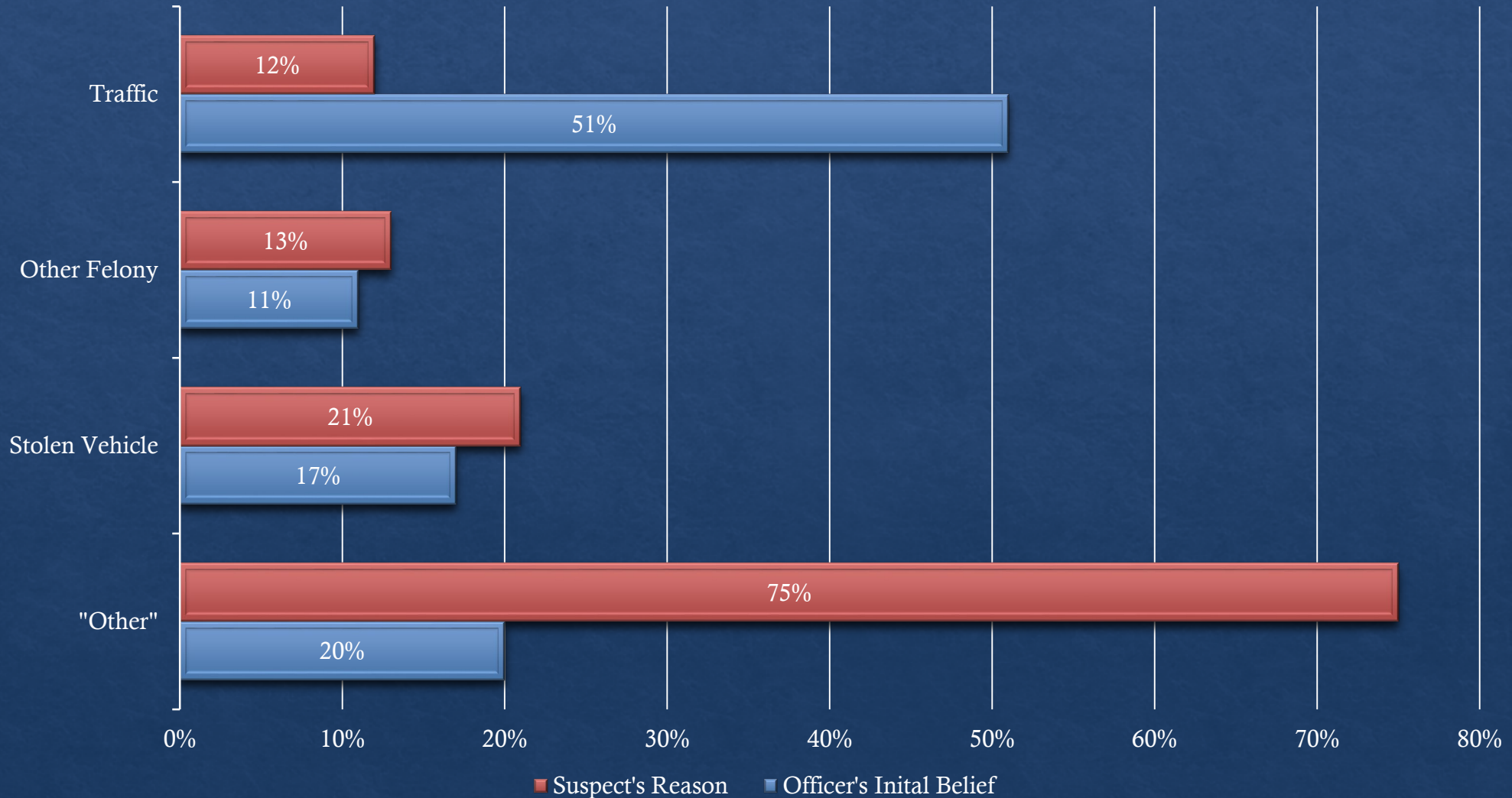
- ◇ **Post pursuit documentation:**
 - ◇ **Officers complete a detailed offense report.**
 - ◇ **At the conclusion of the pursuit, the Sergeant will supplement the offense report and document all details of the pursuit.**
- ◇ **The Sergeant has 5 days to complete this to allow for the reviewing of BWC video, incident reports and associated documentation.**
 - ◇ **Lieutenant: Five (5) calendar days after Sergeant's approval.**
 - ◇ **Commander: Five (5) calendar days after Lieutenant's approval.**
 - ◇ **Assistant Chief: Five (5) calendar days after Commander's approval.**

How Common are Vehicle Pursuits?

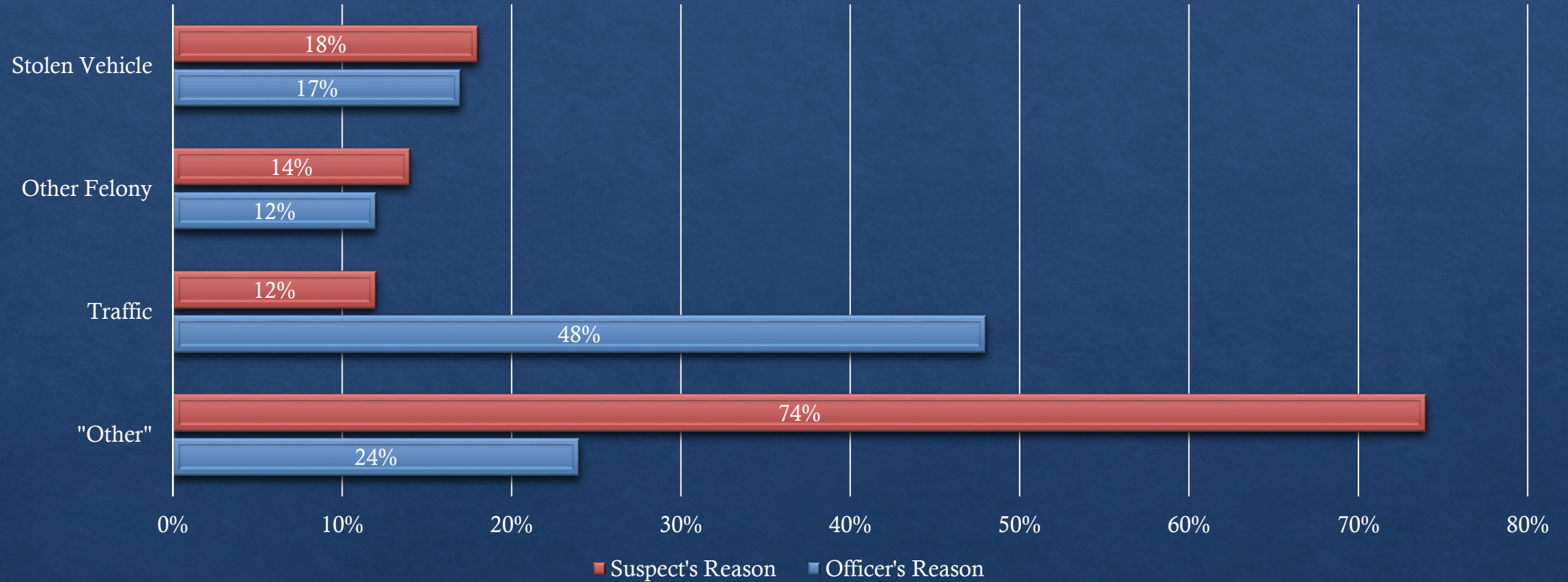
- ◆ Over the last three (3) years, on average, less than one half of one percent of traffic stops result in pursuits.
- ◆ Pursuits vary in time, length and speeds.

3 Year Average – Pursuit Causation

Why Officer initiated a pursuit versus the actual reason the suspect fled.



2022 YTD Tracking



How is HPD Working to Mitigate Risk?

- ◇ Researching, testing and evaluating new products to prevent and/or deescalate pursuits sooner.
 - ◇ The Grappler police bumper.
 - ◇ Driving simulators. Allows you to simulate traffic conditions and road conditions in digital, scenario based, stress inoculation training.
 - ◇ Increase the number of officers trained in intervention techniques (PIT).
 - ◇ In the process of creating an internal “Drive to Arrive” messaging campaign. Driving safety reminders to include stopping distances correlated with speeds. To be displayed at stations and on the MDT during boot up.
 - ◇ The campaign will be accompanied by training videos.

Questions?