

County of Siskiyou
Office of the District Attorney
J. Kirk Andrus



Bureau of Investigation
Policy and Procedure Manual



Preface..... iii

Law Enforcement Code of Ethicsiv

Mission Statement..... v

 Mission v

 Vision..... v

 Values..... v

Authority of the District Attorneyvi

Section 3-General Operations..... 1

 300 Use of Force 1

 300.1 Purpose and Scope..... 1

 300.1.1 Definitions 1

 300.1.2 Law 1

 300.1.3 Philosophy..... 2

 300.2 Policy 2

 300.2.1 Duty to Intercede 2

 300.2.2 Factors Used to Determine the Reasonableness of Force 3

 300.2.3 Non-Deadly Force Applications..... 4

 300.2.4 Pain Compliance Techniques..... 4

 300.2.5 De-escalation Techniques and Force Alternatives 4

 300.3 Deadly Force Applications..... 6

 300.4 Reporting the Use of Force 6

 300.4.1 Notification to Supervisors..... 6

 300.4.2 Medical Attention for Injuries Sustained Using Force 7

 300.5 Supervisor Responsibility 7

 314 Vehicle Pursuit Policy 9

 314.1 Purpose and Scope..... 9

 314.1.1 Definitions 9

 314.2 Policy 10



Table of Contents

314.2.1 When to Initiate a Pursuit	10
314.2.2 When to Terminate a Pursuit.....	11
314.2.3 Speed of Pursuit.....	11
314.3 Pursuit Units.....	12
314.3.1 Vehicles Without Emergency Equipment	12
314.3.2 Primary Unit Responsibilities.....	13
314.3.3 Secondary Unit Responsibilities.....	13
314.3.4 Pursuit Driving Tactics	14
314.3.5 Procedures for Units not Involved in Pursuit	14
314.3.6 Pursuit Trailing	15
314.3.7 Aircraft Assistance	15
314.4 Supervisory Control and Responsibility.....	15
314.5 Loss of Pursued Vehicle	16
314.6 Multiple Jurisdiction Considerations	16
314.6.1 Assumption of Pursuit by Another Agency	17
314.7 Pursuit Intervention	17
314.7.1 Use of Firearms.....	18
314.7.2 Capture of Suspects.....	18
314.7.3 Reporting Requirements	18
314.8 Pursuit Training	19
314.8.1 Policy Review.....	19
314.9 Application of Motor Vehicle Pursuit Policy	19



Preface

The Bureau of Investigation is one of the greatest assets available to the Office of the District Attorney. As such, each member of this Bureau is expected to foster and maintain the highest standards of conduct, appearance, and professionalism, while displaying honesty, trustworthiness, and integrity, in both relationships and interactions with the public and with other criminal justice agencies.

This manual is a vital component for maintaining these high standards. It is intended to outline the values, policies, and procedures applicable to our operation. Every investigator of this Bureau becoming thoroughly familiar with its content contributes to the overall success of our organization.

It must be kept in mind that no set of rules, regulations, policies, or procedures will embrace every situation an investigator may find themselves in during the general discharge of their duties. Some things must necessarily be left to the judgment and discretion of the investigator. It is the expectation of this office that discretion will always be exercised with good reason and sound discernment.

Yves D. Pike

Chief Investigator
Bureau of Investigation



Law Enforcement Code of Ethics

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement.



Mission Statement

Mission

The mission of the Siskiyou County District Attorney's Office is to promote justice and protect the people of the County of Siskiyou and the State of California by aggressively, honorably, and fairly prosecuting those who violate the law.

The mission of the Bureau of Investigation is to provide timely, thorough, comprehensive and professional investigations of criminal and civil matters, in support of the prosecutorial functions by the Office of the District Attorney.

Vision

Our vision is to enhance the quality of life in our community, to be leaders in exemplary investigations, to aggressively advocate the cause of justice and, above all, to make Siskiyou County a safer community for everyone.

Values

Integrity: Integrity is the hallmark of the Bureau of Investigation; we are committed to honesty, ethical behavior, and the highest performance standards by the members of our office.

Professionalism: We value a spirit of professional service to the public, our department, and fellow public servants, by maintaining a clear sense of perspective and direction, cultivated and developed through an environment that encourages teamwork, innovation, and constant self-evaluation, balanced with individual autonomy. We hold ourselves accountable for our actions and take pride in a professional level of service, with impartiality and due consideration to all.

Service: We provide an excellent level of service in a courteous, compassionate, efficient, and accessible manner. We value a safe and harmonious work environment for all members of our organization, which is free of any discrimination or hostility.

Respect: We treat all persons in a dignified and courteous manner, and exhibit understanding of diversity, both in our professional and personal endeavors. We respect the constitutional rights of every individual and treat all people with dignity, fairness, and respect.



Authority of the District Attorney

The District Attorney acts as the public prosecutor and the chief law enforcement officer of Siskiyou County. They are equally charged with the duty to investigate and to prosecute alleged criminal activity, as these functions are inseparable. The District Attorney's jurisdiction to investigate offenses to which criminal and civil penalties apply extends to any place within the county.

Criminal proceedings cannot be initiated without the concurrence, approval, or authorization of the District Attorney.

Although the District Attorney has no peace officer powers, pursuant to California law they have the authority to hire sworn peace officers to assist in their duties. This creates a tandem relationship that facilitates their full and discretionary authority to investigate and to prosecute crimes committed within their jurisdiction.

The Bureau of Investigation, while under the umbrella of the District Attorney's Office, is a stand-alone law enforcement agency, headed by a Bureau Chief and recognized by the Commission on Peace Officer Standards and Training, under state law.

The authority of the District Attorney to investigate all attempted and committed crimes makes it necessary for Bureau investigators to have independent jurisdiction, in the county as a whole, as well as in the incorporated cities therein.



Section 3-General Operations

300 Use of Force

300.1 Purpose and Scope

This policy recognizes that the use of force by law enforcement requires constant evaluation. Even at its lowest level, the use of force is a serious responsibility. The purpose of this policy is to provide investigators of this Bureau with guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any given situation, each investigator is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

300.1.1 Definitions

Definitions related to this policy include:

- a) Force: The application of techniques or tactics, chemical agents, or weapons to another person, which application has the potential to cause pain or injury. While there may be a level of "force" inherent merely in verbal commands or simple touch by a peace officer, for the purpose of this policy it is not considered a "use of force" simply to detain, search, handcuff, escort, direct, or make physical contact with another person. Therefore, the use of force protocols detailed below shall not automatically attach to these actions by a member of this Bureau.
- b) Deadly Force: A level or type of force the use of which creates a substantial likelihood of very serious injury or death.

300.1.2 Law

The use of force by Bureau personnel shall be in accordance with the strictest adherence to the law, including but not limited to the following:

- a) "Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape, or to overcome resistance... A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested. A peace officer shall not be deemed an aggressor or lose the right to self-defense by the use of objectively reasonable force... to effect the arrest or to prevent escape or to overcome resistance." (California Penal Code Section 835a).



- b) "The test of reasonableness... requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether he is actively resisting arrest or attempting to evade arrest by flight... The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." (Graham v. Connor, 490 U.S. 386 (1989)).

300.1.3 Philosophy

The ethical use of force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. Investigators are regularly involved in numerous and varied human encounters and when warranted, may use force in carrying out their duties. Investigators must have an understanding of, and true appreciation for, the limitations of their authority. This is especially true with respect to investigators overcoming resistance while engaged in the performance of their duties. The Bureau recognizes and respects the value of all human life and dignity, without prejudice to anyone. It is also understood that vesting investigators with the authority to use reasonable force and protect the public welfare requires a careful balancing of all human interests.

300.2 Policy

It is the policy of this Bureau that investigators shall use only that amount of force which reasonably appears necessary, given the facts and circumstances perceived by the investigator at the time of the event, to effectively bring an event under control. Given that no policy can realistically predict every possible situation an investigator might encounter in the field, it is recognized that each investigator must be entrusted with well-reasoned discretion in determining the appropriate use of force in each incident. While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this policy requires an investigator to actually sustain physical injury before applying reasonable force.

300.2.1 Duty to Intercede

Any investigator present and observing another law enforcement officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of such excessive force. An investigator who observes another law enforcement officer use force that exceeds the



degree of force permitted by law should promptly report these observations to his or her supervisor.

300.2.2 Factors Used to Determine the Reasonableness of Force

When determining whether or not to apply any level of force and evaluating whether an investigator has used reasonable force, a number of factors should be taken into consideration. These factors include, but are not limited to:

- a) The immediacy and severity of the threat to investigators and/or others.
- b) The conduct of the individual being confronted, as reasonably perceived by the investigator at the time.
- c) Investigator/subject factors, including age, size, relative strength, skill level, injury, exhaustion, and the number of investigators and other peace officers vs. subjects.
- d) Apparent effects of drugs and/or alcohol on the subject(s).
- e) The subject's mental state or capacity.
- f) Proximity of weapons.
- g) Time and circumstances permitting, the availability of other options (i.e., what resources are reasonably available to the investigator under the circumstances).
- h) The seriousness of the suspected offense(s) or reason(s) for contact with the individual.
- i) Training and experience of the investigator.
- j) Potential for injury to citizens, investigators, other peace officers, and suspects.
- k) Risk of escape.
- l) Other exigent circumstances.

It is recognized that investigators are expected to make split-second decisions and that the amount of an investigator's time available to evaluate and respond to changing circumstances may impact his or her decision. While various degrees of force exist, each investigator is expected to use only that degree of force reasonable under the circumstances to successfully accomplish a legitimate law enforcement purpose, in accordance with this policy. It is recognized, however, that circumstances may arise in which investigators reasonably believe that it would be impractical or ineffective to use any of the standard tools, weapons or methods provided by this Bureau. Investigators may find it more effective or practical to improvise their response to rapidly unfolding conditions they are facing. In such circumstances, the use of any improvised device or



method must nonetheless be objectively reasonable and utilized only to the degree reasonably necessary to accomplish a legitimate law enforcement purpose.

300.2.3 Non-Deadly Force Applications

Any application of force that is not reasonably intended or anticipated to create a substantial likelihood of death or serious injury shall be considered non-deadly force. Each investigator is provided equipment, training, and skills to assist in the apprehension and control of suspects, as well as protection of investigators and the public.

300.2.4 Pain Compliance Techniques

Pain compliance techniques may be very effective in controlling a passively or actively resisting individual. Investigators may only apply those pain compliance techniques for which the investigator has received departmentally approved training, and only when the investigator reasonably believes that the use of such a technique appears necessary to further a legitimate law enforcement purpose. Investigators utilizing any pain compliance technique should consider the totality of the circumstances including, but not limited to:

- a) The potential for injury to any involved investigator or others if the technique is not used.
- b) The degree to which the pain compliance technique may be controlled, in application, according to the level of resistance.
- c) The nature of the offense(s) involved.
- d) The level of resistance of the individual(s) involved.
- e) The need for prompt resolution of the situation.
- f) If time permits (e.g., passive demonstrators), other reasonable alternatives.

The application of any pain compliance technique shall be discontinued once the investigator determines that compliance has been achieved.

300.2.5 De-escalation Techniques and Force Alternatives

When feasible, investigators should utilize de-escalation techniques, crisis intervention tactics, and other alternatives to using force. De-escalation techniques and strategies should be applied throughout the course of any interaction with an individual, even after force is administered. Investigators should keep the following considerations in mind when they are going to have contact with individuals:



- a) When possible, investigators should approach a situation with the intent to de-escalate and should consider the value of establishing time and distance in a contact where a use of force may occur.
- b) If the situation safely allows the time and distance for communication to occur, communication should be the first option attempted. Investigators should maintain communication throughout any encounter under such circumstances.
- c) When safe and feasible to do so, investigators should attempt to persuade, advise, and provide clear instructions and warnings. When verbal directions are not appropriate, investigators should consider using non-verbal methods of communication. This may include situations involving language barriers, or when people are unable to hear or understand verbal commands.
- d) Investigators should consider whether an individual's non-compliance may be due to a medical condition, mental impairment, substance interaction, developmental or physical disability, or other considerations that may be beyond the individual's control.
- e) When the situation allows, investigators should use de-escalation techniques, alternative resources (e.g., calling in additional officers and/or specially trained personnel), and force-mitigation techniques, to avoid the use of unnecessary force.

Anytime an investigator is going to have contact with an individual which reasonably appears it may lead to a use of force, they should approach the contact with consideration of the following principles of de-escalation:

- a) How to approach, greet, engage, adapt, repair, and close the event in an effective manner.
- b) Tactical methods of making contact including, but not limited to: time, distance, cover, and concealment.
- c) The impact volume, tone, and pace of speech, as well as physical demeanor, have on communication.
- d) Giving respect and dignity to all individuals.
- e) Active listening.
- f) Ability to give and receive constructive feedback.
- g) Mindful attention.
- h) Providing a voice to others and the value of allowing people to "vent".
- i) Non-verbal communication and behavioral cues.



- j) Questioning strategies (i.e., open- vs. close-ended questions).
- k) Utilization of persuasion strategies, including rational, personal, and/or ethical appeals.
- l) How to effectively deal with difficult or dominating people.
- m) The negative impact of inappropriate communication.
- n) Remember to let the individual speak and keep the WAIT principle in mind- "Why Am I Talking?"

300.3 Deadly Force Applications

While the use of a firearm is expressly considered deadly force, other force might also be considered deadly force, if the investigator reasonably anticipates or intends that the force applied will create a substantial likelihood of causing death or very serious injury. The use of deadly force is justified in the following circumstances:

- a) An investigator may use deadly force to protect himself, herself, or others from what he or she reasonably believes would be an imminent threat of death or serious bodily injury.
- b) An investigator may use deadly force to stop a fleeing suspect, when the investigator has probable cause to believe that the suspect has committed, or intends to commit, a felony involving the infliction, or threatened infliction, of serious bodily injury or death, and the investigator reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to any other person, if the suspect is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

300.4 Reporting the Use of Force

Any use of force by a member of this Bureau shall be documented promptly, completely, and accurately, in an appropriate report. The use of particular weapons, such as chemical agents, may require the completion of additional report forms, as specified in agency policy and/or law.

300.4.1 Notification to Supervisors

Supervisory notification shall be made as soon as practical following the application of force, under any of the following circumstances:

- a) The application of force appears to have caused physical injury.
- b) The individual has expressed a complaint of pain.



- c) Any application of a control device.
- d) The individual has been rendered unconscious.
- e) If an investigator observes any suspected excessive force by a member of this Bureau or another law enforcement agency.

300.4.2 Medical Attention for Injuries Sustained Using Force

Prior to booking or release, medical assistance shall be obtained for any person who has sustained visible injury, expressed a complaint of pain, or who has been rendered unconscious. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practical, should be witnessed by another officer and/or by medical personnel.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, unusually high tolerance to pain, or who require a protracted physical encounter with multiple investigators and/or other peace officers to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.

300.5 Supervisor Responsibility

When a Bureau supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- a) Obtain the basic facts from the involved investigator(s).
- b) Ensure that any injured parties are examined and treated.
- c) Separately interview the subject(s) upon whom force was applied.
- d) Ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
- e) Identify any witnesses not already included in related reports.
- f) Review and approve all related reports.
- g) If a supervising investigator is informed of any suspected excessive force by a member of another law enforcement agency, the supervisor shall inform the Chief Investigator immediately. The Chief Investigator or District Attorney will decide the manner of notification to that agency. In all cases, however, any allegation of excessive force by a member of another agency shall be reported to that agency.



In the event that the supervisor believes the incident may give rise to potential civil litigation, the Chief Investigator and/or District Attorney shall be notified immediately. Should the supervisor determine that any application of force appears to have been outside the scope of policy, a separate internal administrative investigation shall be initiated. In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.



314 Vehicle Pursuit Policy

314.1 Purpose and Scope

Emergency driving, traffic stops, and vehicle pursuits make up some of the most hazardous activities in which law enforcement personnel regularly engage. Pursuits of suspected or known violators of the law expose innocent citizens, law enforcement officers and fleeing violators to the potential for serious injury or death. These risks are greater for Bureau personnel in plainclothes and operating unmarked emergency vehicles. The primary purpose of this policy is to provide investigators guidance in balancing the safety of the public and themselves against their duty to apprehend violators of the law. Another purpose of this policy is to reduce and minimize the potential for pursuit related collisions.

Vehicular pursuits require investigators to exhibit a high degree of common sense and sound judgment, in the midst of rapidly evolving circumstances. Investigators should not forget that the immediate apprehension of a suspect is generally not more important than the safety of innocent motorists and investigators. Deciding whether to initiate a pursuit is a critical decision which must be made quickly and under complex and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no investigator or supervisor shall be criticized or disciplined for deciding not to initiate or continue a vehicle pursuit because of the perceived risks involved. This includes circumstances where this policy would permit the initiation or continuation of a pursuit.

It is recognized that the situations surrounding vehicle pursuits are not always predictable. Decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably known to the investigator at the time of the pursuit. Investigators should keep in mind that among the most important factors to the successful conclusion of a pursuit are measured self-discipline and sound professional judgment. An investigator's conduct during the course of a pursuit must be objectively reasonable, based upon what a reasonable officer would do under similar circumstances. An unreasonable desire to apprehend a fleeing suspect at all costs, regardless of risk to the suspect, pursuing officers, or public, has no place in professional law enforcement.

314.1.1 Definitions

Definitions related to this policy include:

- a) Pursuit: An event involving one or more law enforcement officers attempting to apprehend a suspected or actual violator of the law in a motor vehicle, while the driver is using evasive tactics, such as high speed driving, driving off a highway, turning suddenly, or driving in a legal manner but failing to yield to the officer's signal to stop.



314.2 Policy

It shall be the policy of this Bureau that a motor vehicle pursuit shall be conducted as to comply with the minimum equipment standards, as required by Vehicle Code section 21055, displaying a steady forward-facing red light and sounding a siren, as may be reasonably necessary. This policy is established to provide investigators with guidelines for driving with due regard for the safety of all persons using the highway, as required by Vehicle Code section 21056.

314.2.1 When to Initiate a Pursuit

Investigators are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle, when the escape and continued freedom of the suspect is reasonably believed to pose a significant threat of great bodily harm or death to officers and/or the public. However, because the Bureau utilizes unmarked emergency vehicles, which are not distinctly marked as law enforcement vehicles, and because investigators are usually in plainclothes assignments, the initiation of pursuits is generally discouraged. Initiating a pursuit for violators of misdemeanors not involving violence or risk of serious harm, independent of the pursuit, is strongly discouraged. The following factors should be considered by an investigator, separately or collectively, in deciding whether to initiate a pursuit:

- a) The seriousness of the known or reasonably suspected crime(s), balancing the apparent need for immediate capture against the risk to investigators, innocent motorists and others.
- b) Whether the suspect(s) reasonably represent a serious threat to public safety.
- c) If the suspect(s) has been identified and whether they may be located and apprehended at a later time.
- d) Safety of the public in the area of the pursuit, including the type of area, time of day, amount of vehicular and pedestrian traffic, and the speed of the pursuit relative to these factors.
- e) Familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher and supervisor, and the driving capabilities of the pursuing investigators under the conditions of the pursuit.
- f) Weather, traffic, and road conditions, which may substantially increase the danger of the pursuit beyond the apparent value of apprehending the suspect(s).
- g) Performance capabilities of the vehicles used in the pursuit, in relation to the speeds and other conditions of the pursuit.
- h) Vehicle speeds.



- i) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders, and/or hostages).
- j) Availability of other resources, such as helicopter assistance or marked law enforcement vehicles, from assisting agencies in the area.
- k) Department vehicles carrying passengers other than investigators are discouraged from becoming involved in a pursuit.

314.2.2 When to Terminate a Pursuit

Pursuits should be discontinued whenever the totality of objective known circumstances, or which should reasonably be known, to the investigator or supervisor, indicates that the risks of continuing the pursuit reasonably appear to outweigh the need to apprehend the suspect(s).

Investigators must objectively and continuously weigh the seriousness of the offense against the potential dangers to innocent motorists and others, when deciding whether to continue or terminate a pursuit. In the context of this policy, to terminate a pursuit shall be construed to mean to discontinue or to stop chasing the fleeing vehicle(s). In addition to the factors listed in section 314.2.1 of this policy, the following factors should be considered in deciding whether to terminate a pursuit:

- a) If directed by a supervisor.
- b) Distance between the pursuing investigator(s) and the fleeing vehicle(s) becomes so great that further pursuit would be futile, or would require the pursuit to continue for an unreasonable time or distance.
- c) Pursued vehicle location is no longer definitely known.
- d) Investigator's pursuit vehicle sustains any type of damage that renders it unsafe to drive.
- e) Hazards to uninvolved bystanders or motorists.

Once a pursuit is terminated, the pursuing investigator shall turn off their emergency equipment and take actions to remove themselves from the view of the suspect(s), such as turning onto another roadway, or pulling to the side of the road and stopping. The investigator will also announce over the radio that the pursuit has been terminated. As soon as practical after the termination of a pursuit, the pursuing investigator shall notify his or her supervisor.

314.2.3 Speed of Pursuit

The speed of a pursuit is a factor that should be evaluated continually by the involved investigator and their supervisor. Evaluation of vehicle speeds shall take into



consideration public safety, officer safety, and the safety of the occupants of the fleeing vehicle. If the pursuit reaches high speeds, the following factors should also be considered when determining the reasonableness of the speed and whether to continue the pursuit:

- a) Pursuit speeds have become unsafe for the surrounding conditions.
- b) Pursuit speeds have exceeded the driving ability of the investigator.
- c) Pursuit speeds are beyond the capabilities of the pursuit vehicle, making its operation unsafe.

314.3 Pursuit Units

Pursuit units should generally be limited to two vehicles, a primary and a secondary unit. However, the number of units involved may vary depending upon the circumstances. An investigator or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears the number of investigators involved, or available equipment resources, would be insufficient to safely take the suspect(s) into custody.

If an investigator operating an unmarked emergency vehicle is the initial pursuing unit, that investigator will assume the secondary position when a marked law enforcement vehicle is in a position to become the primary unit. When two marked law enforcement vehicles are in a position to take over the pursuit, investigators operating unmarked vehicles shall cease their participation in the pursuit.

Investigators not initially involved should stay out of the pursuit, but should remain alert to its progress and location. Any investigator who drops out of a pursuit may, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

314.3.1 Vehicles Without Emergency Equipment

Unmarked vehicles which are not equipped with a forward-facing red light and a siren are generally prohibited from initiating or joining any pursuit. Investigators in such vehicles, however, may become involved in emergency activities involving serious crimes or life-threatening situations. Those investigators should terminate their involvement in any pursuit immediately upon the arrival of a sufficient number of distinctively marked law enforcement vehicles, unmarked law enforcement vehicles equipped with emergency lighting, or any law enforcement helicopter. The exemptions provided by Vehicle Code section 21055 do not apply to investigators operating vehicles without emergency equipment.



314.3.2 Primary Unit Responsibilities

The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit until relieved of that position by a marked unit or the pursuit is otherwise terminated. The primary responsibility of the investigator initiating the pursuit is the apprehension of the suspect(s), without unreasonable danger to themselves or other persons.

The primary unit will contact the Siskiyou County Sheriff's Office Dispatch Center by radio when a pursuit has been initiated and, as soon as practical, will provide information including, but not limited to:

- a) Reason for the pursuit.
- b) Location and direction of travel.
- c) Approximate speed of the fleeing vehicle.
- d) Description of the fleeing vehicle and license number, if known.
- e) Number, identity, and description of occupants, if known.
- f) Information concerning the use of firearms, weapons, threat of force, injuries, hostages, or other unusual hazards.

The investigator in the primary unit shall be responsible for broadcasting the progress of the pursuit until a secondary unit takes over this responsibility. Once a marked law enforcement unit joins the pursuit and takes over the role of primary unit, the initiating investigator, who should then assume the role of secondary unit, should maintain the responsibility for broadcasting the pursuit, until relieved from the pursuit by a second marked unit.

314.3.3 Secondary Unit Responsibilities

The secondary unit in the pursuit is responsible for the following:

- a) An investigator in the secondary unit should immediately notify the dispatch center of their involvement in the pursuit and their assumption of the secondary role.
- b) Request the assistance of a marked law enforcement vehicle if one has not been requested already.
- c) Remain a safe distance behind the primary unit, unless directed to assume the role of primary unit, or if the primary unit becomes unable to continue the pursuit.
- d) Broadcast the progress of the pursuit, unless the situation dictates otherwise.



314.3.4 Pursuit Driving Tactics

The decision to use or not use specific driving tactics requires the same ongoing assessment of considerations outlined in the factors investigators should consider concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

- a) Investigators, with consideration for their driving skills and vehicle performance capabilities, will adequately space themselves from other involved vehicles, such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle, whenever possible.
- b) Because intersections present increased risks, the following tactics should be considered when approaching intersections:
 1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 2. Pursuing units should exercise due caution when proceeding through controlled intersections.
- c) As a general rule, investigators should not directly pursue a vehicle driving left of the roadway center (i.e., wrong way driving). In the event the pursued vehicle drives left of center, the following tactics should be considered:
 1. Requesting assistance from an air unit.
 2. Maintaining visual contact with the pursued vehicle, while paralleling it on the correct side of the roadway.
 3. Requesting other units observe any exits available to the suspect(s).
 4. Notifying the California Highway Patrol and/or other jurisdictional agency of the wrong way driver.
- d) Investigators involved in a pursuit should not attempt to pass other involved units, unless the specific situation indicates otherwise, or they are requested to do so by the primary unit.

314.3.5 Procedures for Units not Involved in Pursuit

Investigators not directly involved in the pursuit as a primary or secondary unit should not parallel or trail the pursuit without observing all traffic laws. Investigators not directly involved in the pursuit should not use emergency equipment, unless assigned to control traffic at upcoming intersections, or unless the specific situation dictates otherwise. Investigators not directly involved in the pursuit should not join the pursuit or go to the termination point, unless requested to do so by the pursuing investigator(s) or pursuit



supervisor. Non-pursuing units needed at the termination point should respond in a non-emergency manner, observing the rules of the road.

314.3.6 Pursuit Trailing

In the event the initiating unit from this Bureau relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission from a supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the involved suspect(s).

To “trail” a pursuit means to follow the path of the pursuit at a safe speed, while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit shall maintain sufficient distance from the pursuit units to clearly indicate an absence of participation in the pursuit.

314.3.7 Aircraft Assistance

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether to continue or terminate the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, and provide deputies and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information, to evaluate whether to continue or terminate the pursuit. If ground units are not within visual contact of the pursued vehicle and the air unit determines that it is unsafe to continue the pursuit, the air unit has the authority to terminate the pursuit.

314.4 Supervisory Control and Responsibility

Bureau management personnel, when available, will exercise control and responsibility over all vehicle pursuits initiated by investigators from this agency. However, an involved air unit, or an on-scene supervisor from an outside agency of jurisdiction, has the authority to terminate any vehicle pursuit involving a member of this Bureau.

Pursuits, by their very nature, can be stressful for involved personnel. Management personnel and supervisors will be cognizant of this and closely monitor investigators who are directly involved in the pursuit.

Any Bureau supervisor aware of the pursuit, upon being made aware of a pursuit involving investigators of this agency, will be responsible for the following:



- a) Assessing all factors of the pursuit, including the seriousness of the crime and justification for the pursuit.
- b) Ensuring that the pursuit is within the guidelines and requirements of this policy.
- c) Directing that the pursuit be terminated if, in their judgement, it is unjustified to continue the pursuit under the guidelines of this policy and/or applicable California law.
- d) Ensuring that aircraft are requested, if available.
- e) Ensuring the notification to and/or coordination with outside agencies, if the pursuit either leaves, or is likely to leave, the jurisdiction of this agency.
- f) Controlling and managing Bureau units when a pursuit enters another jurisdiction.
- g) Responding to the termination point of the pursuit and ensuring that all written directives are followed, and taking control of the scene, if appropriate. If a supervisor is not available, the most senior member at the scene will assume this responsibility.
- h) Notifying the Chief Investigator immediately.
- i) Ensuring that all reports and forms are completed and submitted to the Chief Investigator on a timely basis.

314.5 Loss of Pursued Vehicle

When the pursued vehicle is lost from sight, the primary unit should broadcast any material information to assist other units in locating the vehicle or suspect(s). The primary unit will be responsible for coordinating any further search for either the pursued vehicle or any suspects fleeing on foot.

314.6 Multiple Jurisdiction Considerations

If a pursuit enters another agency's jurisdiction, the primary investigator or supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other applicable facts, should determine whether or not to request the other agency to take over the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary investigator or supervisor ensure that notification is given to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether or not such jurisdiction is expected to assist or take over the pursuit.



314.6.1 Assumption of Pursuit by Another Agency

Units originally involved shall discontinue their participation when advised that another agency has assumed the pursuit, unless the assuming agency only has one unit to take over the pursuit and requests continued assistance from the primary unit. Upon discontinuing the pursuit, the primary unit may proceed to the termination point to assist in the investigation.

The role and responsibilities of investigators at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency that assumed the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and California Highway Patrol (CHP) units, a request for CHP assistance will mean that they will assume responsibilities for the pursuit.

314.7 Pursuit Intervention

Pursuit intervention is an attempt to stop the suspect vehicle through various tactical applications which include, but are not limited to: roadblocks, blocking, boxing, Pursuit Intervention Technique (PIT), forcing the suspect vehicle off the roadway, or ramming maneuvers. Depending on the circumstances, all of these could potentially be considered as deadly force. These intervention techniques should only be used when there is an imminent danger of loss of human life or great bodily harm, and when all other reasonable means of apprehension have been considered and/or exhausted.

The following factors shall be considered when determining whether to utilize intervention techniques during a pursuit:

- a) Reasonableness, in regard to use of force, based on the circumstances and the nature of the offense.
- b) The capability of the pursuing investigator(s) in regard to experience and training in the intervention method or tactic.
- c) The type of vehicles involved (e.g., motorcycle, car, pickup, SUV, etc.).
- d) Speed of the pursued vehicle.
- e) Location of the pursuit (e.g., school zone, residential area, downtown, etc.).
- f) Occupants of the suspect vehicle (i.e., potential innocent persons, hostages, etc.).
- g) Pedestrian and vehicular traffic and volume.



314.7.1 Use of Firearms

The use of firearms to attempt to disable a pursued vehicle is not generally an effective tactic. It involves all the dangers associated with discharging firearms. Investigators should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any investigator from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

314.7.2 Capture of Suspects

Self-discipline and sound judgment are essential to a successful conclusion of a pursuit and apprehension of suspect(s). At the conclusion of a pursuit, the following procedures will be followed by involved investigators:

- a) Appropriate medical services shall be provided to anyone injured during the pursuit.
- b) The monitoring Bureau supervisor will immediately respond to the termination location and take control of the scene, if local law enforcement officers are not on scene.
- c) Investigators should always be conscious of physical hazards and/or hostile environments in their surroundings.
- d) The suspect(s) shall be taken into custody using only the force reasonably necessary to affect the arrest, in observance with all other policies, codes and laws.
- e) If a local law enforcement agency is present at the location of apprehension, or the termination point of the pursuit, a request should be made to that agency to transport the suspect(s) from the scene.
- f) If the suspect(s) flees from the scene on foot, a perimeter will be established. Additional units may be requested to assist with the perimeter or search for the suspect(s).

314.7.3 Reporting Requirements

The following reports should be completed once the pursuit is concluded:

- a) The primary investigator should complete the appropriate crime and/or arrest reports.
- b) The supervisor shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP no later than 30 days following the pursuit, pursuant to Vehicle Code section 14602.1. The primary investigator should



complete as much of the required information on the form as is known and then forward the report to the supervisor, for review and submission.

- c) After obtaining the available information, the supervisor shall promptly notify the Chief Investigator of the following information:
1. Date and time of pursuit.
 2. Length of pursuit.
 3. Involved units and investigators.
 4. Initial reason for the pursuit.
 5. Starting and termination points.
 6. Disposition (i.e., arrest, citation, etc.), including arrestee information, if applicable.
 7. Injuries and/or property damage.
 8. Medical treatment provided.
 9. Name and agency of supervisor at scene.
 10. A preliminary determination whether the pursuit appears to be in compliance with this policy and whether additional review or follow-up is warranted.

314.8 Pursuit Training

Pursuant to Penal Code section 13519.8, in addition to the required initial and supplementary POST training on pursuits, all sworn investigators shall also participate in no less than annual department training. The training will address this policy, the importance of vehicle safety, and the importance of protecting the public at all times. This training shall include a recognition of the need to balance the known offense(s) and the need for immediate capture against the potential risks to investigators and others.

314.8.1 Policy Review

Each sworn investigator of this agency shall certify, in writing, that they have received, read, and understood this policy, initially and upon any amendments to this policy. This signed form shall be retained in the investigator's training file.

314.9 Application of Motor Vehicle Pursuit Policy

This policy has been written and adopted pursuant to the provisions of Vehicle Code section 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.