



Department of Police Accountability

National Survey of Vehicle Pursuit Policies

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National Data

National Highway Administration

In 2020, 532 people died as a result of police vehicle pursuits including three officers.

2015 USA Today Report

More than 5,000 bystanders and passengers were killed in police pursuits from 1979 through 2013, and tens of thousands more were injured.

US DOJ – Fatality Analysis Reporting System (FARS) data

From 2015 to 2020, there was an average of 370.5 fatal crashes per year due to police pursuits.

Community Concerns over Race Disparities in Vehicle Pursuits

In 2020, activists in Washington DC from communities of color, raised concerns to the media, that people of color more likely to be the subject of dangerous vehicle pursuits (The Appeal).

Given the historical racial tensions between POC and police, POC can often become scared of a potential interaction with law enforcement and choose instead to flee the area, often leading to dangerous pursuits for minor offenses.

Balancing Test Used Nationwide

Vehicle pursuits are inherently dangerous to officers, bystanders, fleeing persons and their passengers. The majority of vehicle pursuit policies mandate that officers balance the need of immediate capture, including the seriousness of the suspected offense, against the risk to pursuing officers, innocent motorists, and others, to protect the public. (See California Vehicle Code 17004.7.)

In recent years, major cities with dense populations have shifted toward adopting more restrictive policies limiting pursuits for person's suspected of committing violent felonies or when there is some other imminent threat to life, in addition to weighing the risks v. rewards of the pursuit under the balancing test.

2013

Boston Police Department

Boston PD policy states that city congestion precludes pursuit driving in a safe manner. No pursuits allowed unless the occupants of the vehicle are wanted for a violent or life-threatening felony, or the vehicle is being operated in an erratic or dangerous manner which poses of threat of harm to the public if it is not stopped.

San Francisco Police Department

Similar to Boston. Vehicle pursuits are authorized if a fleeing person is suspected of a violent felony or when there is a reasonable belief that the person needs to be immediately apprehended because of the risk to public safety.

2015

New Orleans Police Department

Officers may only pursue if they have a reasonable suspicion that the fleeing person has committed a violent crime and the person's escape would pose an imminent danger of death or serious bodily injury to the officer or another person.

2016

Philadelphia Police Department

Pursuits allowed if necessary to prevent the death or serious bodily injury of another person, or the pursuit is necessary to prevent escape and the officer has probable cause to believe that the person being pursued possesses a deadly weapon other than the vehicle itself.

2017

Detroit Police Department

After a string of fatalities from vehicle pursuits, Detroit PD updated its policy in 2017 to limit pursuits to situations where there is probable cause to believe the suspect committed a violent felony.

2019

Baltimore Police Department

In 2019, Baltimore PD updated its vehicle pursuit policy to limit pursuits to when there is probable cause that a violent felony occurred.

2020

Chicago Police Department

Bans pursuits for theft-related offenses (including auto theft) or traffic offenses except driving under the influence.

Pursuits for other misdemeanors and felonies allowed subject to balancing test.

Los Angeles Police Department

Date of last update unknown. Considerably broader policy than more dense cities.

LAPD currently employs a balancing test (public safety v. need to apprehend) plus no pursuits for infractions, misdemeanor evading, or reckless driving in response to enforcement action.

Pursuits for misdemeanors and felonies allowed but officers first must determine the availability of an air unit. Whenever possible, air units assume responsibility for tracking fleeing vehicles.

More on LAPD

The Board of Police Commissioners in LA recently requested pursuit analysis for the past few years. The Chief of Police produced a report dated April 19, 2023, that highlights how LAPD pursuits and related collisions have increased exponentially since 2018.

Result: From 2018 to 2023, 25% of LAPD vehicle pursuits ended in collisions and the majority of those were suffered by third-party victims.

New York Police Department

Vehicle Pursuit Policy not available to the public.

NYPD has made headlines in the past year because of its lenient pattern of engaging in vehicle pursuits. NYPD's new Chief of Patrol, is largely credited for the 600% increase in pursuits in 2023. The media reported that he created an unofficial policy change within NYPD because official policies and guidelines state that pursuits should only be used as a last resort. Media also reports that there has been an uptick in fatalities due to increased pursuits and that the state Attorney General is currently reviewing NYPD vehicle fatalities.

California Pursuit Data from CHP – 2021

data from entire State

A total of 12,513 pursuits in 2021

- 20.1% resulted in crashes
- 35.3 % were injury crashes
- 1.7% fatal crashes. (44 fatal crashes, which resulted in 52 deaths)

How does SFPD improve outcomes for solving property crimes since pursuits are dangerous in our heavily populated City?

Pursuits involving air support reported an apprehension rate of 80.6% percent while pursuits not involving air support reported an apprehension rate of 48.1 percent (CHP 2021 data).

Since SF does not use helicopters presumably due to poor visibility and our unique terrain, another option for air support is the use of drones

Drones

The City may consider the use of drones for vehicle chases and active incidents only.

- Drones reduce, if not eliminate, the need for pursuits and are a form of de-escalation.
- Drone use for surveillance or investigations may raise serious civil liberties concerns but use during pursuits and active incidents may not.
- Civil liberties would have to be protected through the 19 B process.
- Need a robust City-wide discussion.

Tire Deflation Devices Reduce Need for Dangerous Pursuits

TDDs often decrease or eliminate the need for pursuits. The Police Commission specifically authorized the pre-emptive (non-pursuit) use of TDDs on September 6, 2023, when it sent a revised DGO 5.01, SFPD's Use of Force policy, to meet and confer with the POA and subsequently issued a Commission Resolution 23-89 dated September 21, 2023. The revised DGO 5.01 with the new TDD guidelines was adopted on November 1, 2023.

DPA recommends updating DGO 5.05, SFPD's Vehicle Pursuit Policy, to provide updated and specific guidance to officers on when and how they can use TDD devices during pursuits. (5.01 currently refers to outdated Bureau Orders)

Vehicle Location Tracking Devices

Vehicle location tracking devices, like GPS Launchers, for short-term use may reduce the need for vehicle pursuits.

Some academic and civil liberty experts have opined that the short-term use of location tracking devices during pursuits would fall under the exigent circumstances/hot pursuit exception to the GPS warrant requirement under *US v. Jones*.

Need to go through the City's 19 B process to ensure civil liberties are protected.

City Attorney would need to weigh in on the Constitutional issues.

A cityscape at sunset with a sunburst effect over the Petronas Towers. The sun is low on the horizon, creating a bright glow and casting long shadows. The Petronas Towers are the central focus, with their spires reaching towards the sky. Other skyscrapers are visible in the background, some with unique architectural features like the 'X' shape of the HSBC building. The overall mood is serene and dramatic.

Any Questions?