



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

July 19, 2024

Chief William Scott
Chief of Police

Dear Chief Scott:

At the meeting of the Police Commission on Wednesday, July 17, 2024, the following resolution was adopted:

RESOLUTION 24-84

APPROVAL OF REVISED DEPARTMENT GENERAL ORDER 5.05, "EMERGENCY RESPONSE AND PURSUIT DRIVING," TO USE IN MEETING AND CONFERRING WITH THE EFFECTED BARGAINING UNITS AS REQUIRED BY LAW, WITH LABOR INSTRUCTIONS PROVIDED IN RESOLUTION NO. 23-30;

RESOLVED, that the Police Commission hereby approves revised Department General Order 5.05, "Emergency Response and Pursuit Driving," for the Department to use in meeting and conferring with the effected bargaining units as required by law; and be it

FURTHER RESOLVED, that labor instructions are provided in Resolution No. 23-30, Police Commission Directions Regarding Police Department and Department of Human Resources Labor Negotiations with Effected Bargaining Units regarding Department General Orders.

AYES: Commissioners Clay, Benedicto, Yanez, Vice President Carter-Oberstone and President Elias
NAYS: Commissioners Walker and Yee

Very truly yours,

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

1211/ks

cc: Captain D. Toomer/PDD
Manager A. Steeves/PDD
Management Assistant G. Rosalejos/WDU
Director L. Preston/Labor Relations
Senior Analyst L. Davis/Labor Relations

CINDY ELIAS
President
MAX CARTER-OBERSTONE
Vice President
LARRY YEE
Commissioner
JESUS YANEZ
Commissioner
KEVIN BENEDICTO
Commissioner
DEBRA WALKER
Commissioner
C. DON CLAY
Commissioner
Sergeant Stacy Youngblood
Secretary

EMERGENCY RESPONSE AND PURSUIT DRIVING

5.05.01 PURPOSE

The purpose of this order is to establish policies and procedures for the operation of police vehicles in both emergency response and pursuit driving situations. Only sworn officers may engage in response and pursuit driving. For purposes of this order, the term “members” means all ranks of sworn peace officers.

5.05.02 POLICY

A. GENERAL POLICY

Members shall, at all times, drive with due regard for the safety of all persons.

B. EMERGENCY (CODE 3) RESPONSE POLICY

1. It is the policy of the San Francisco Police Department that members respond to emergency calls expeditiously. In addition to responding Code 3 when involved in a pursuit, members may respond Code 3 when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved.
2. Pursuant to California Vehicle Code §17004 and §17004.7(c)(4), Field supervisors (Patrol Sergeants) shall continually monitor, evaluate, and control subordinates' emergency responses. Supervisors shall continually evaluate the need for the emergency response against the risk to safety of persons and property. When the risks appear to be unreasonable, the supervisor shall order the emergency response terminated.

C. PURSUIT POLICY

1. The policy of the San Francisco Police Department is to safely apprehend a fleeing violator without unnecessarily endangering the public and/or peace officers.

2. Pursuant to California Vehicle Code §17004.7, in determining whether to initiate or continue a vehicle pursuit, members shall balance the known or reasonably suspected offense and the apparent need for immediate capture against the risks to motorists, pedestrians, peace officers, and others to protect the public. When it becomes apparent that the benefits of immediate apprehension are clearly outweighed by an unreasonable danger to the peace officer or others, the member shall not initiate a pursuit or, if the pursuit is already in progress, the member shall terminate the pursuit.
3. Pursuant to California Vehicle Code §17004 and §17004.7(c)(4), it is the policy of the Department that field supervisors (Patrol Sergeants) continually monitor, evaluate, and control subordinates' vehicle pursuits. Supervisors shall continually evaluate the need for the pursuit against the risk to safety of persons and property. When the risks appear to be unreasonable, the supervisor shall immediately order the pursuit terminated.

5.05.03 DEFINITIONS

- A. **EMERGENCY VEHICLE.** A vehicle that is driven by a member and used to enforce Vehicle Code violations, perform peace officer duties, respond to emergencies and is equipped with an authorized red light and siren. For the purposes of this order, the terms “police units” and “units” will be used to describe emergency vehicles driven by members.
- B. **EMERGENCY (CODE 3) RESPONSE.** An emergency vehicle's activation of at least one steady burning red warning lamp, visible from the front and sounding of a siren as necessary under the circumstances to provide suitable warning to afford users of the highways the opportunity to yield the right-of-way.
- C. **VEHICLE PURSUIT.** A vehicle pursuit is an attempt by a police unit to stop a moving motor vehicle when the operator of the vehicle is attempting to avoid capture by using willfully evasive tactics or willfully failing to yield.
- D. **PURSUIT SUPERVISOR.** A pursuit supervisor is a field supervisor of a member involved in a pursuit who assumes control of the pursuit. Only one field supervisor at a time may act as the pursuit supervisor. In addition, higher ranking members retain authority to terminate the pursuit or take control of directing the pursuit at any time. A field supervisor acting as the Primary pursuit unit may not assume the role of pursuit supervisor. A field supervisor or higher-ranking member not acting as the Primary pursuit vehicle, may act as the pursuit supervisor.
- E. **PRIMARY PURSUIT VEHICLE.** The police unit initiating the pursuit, unless otherwise designated by the pursuit supervisor or by this order.

- F. **MOTORIZED SCOOTER.** While the Vehicle Code classifies motorized scooters as a motor vehicle, the Department recognizes that motorized scooters present different challenges and dangers regarding vehicle pursuits. Pursuits of motorized scooters shall fall under the guidance of DGO 5.25 Foot Pursuits.

5.05.04 EMERGENCY (CODE 3) AND NON-EMERGENCY RESPONSES

- A. **EMERGENCY RESPONSE.** It is the policy of the Department that members respond Code 3 only when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved.
- B. **NON-EMERGENCY RESPONSE.** The member shall respond directly to the assignment and observe all traffic laws and regulations.
- C. **DETERMINING THE RESPONSE.** The member responding to the call and/or the member's field supervisor shall determine the appropriate response. A "non-emergency" call may require an emergency response.
- D. **NOTIFICATION TO DEPARTMENT OF EMERGENCY MANAGEMENT (DEM).** An officer initiating an emergency response shall notify DEM as soon as possible regarding the Code 3 response and the member's location. During a Code 3 response, DEM will accept all emergency traffic whether isolated to one or more separate events.
- E. **SUPERVISOR NOTIFICATION BY DEM.** DEM will immediately notify a field supervisor (preferably the responding member's field supervisor) that an emergency (Code 3) response is being undertaken and relay other relevant information about the response as provided by the responding unit.
- F. **MONITORING FOR SUPERVISORY DIRECTION.** Members shall, at all times, monitor radio traffic for supervisory direction. Members shall not respond Code 3 when instructed not to do so by a supervisor.
- G. **RED LIGHT AND SIREN.** Members performing an emergency response shall activate their forward visible red light and shall sound the siren as reasonably necessary under the circumstances to provide suitable warning to afford other users of the highways an opportunity to yield the right-of-way (California Vehicle Code §21055). Members shall not use the "hi-lo" setting or the air horn in lieu of the siren.
- H. **NON-EMERGENCY VEHICLE.** Members shall not engage in an emergency response in a non-Department vehicle or in a vehicle that is not equipped with authorized red light and siren.

5.05.05 VEHICLE PURSUITS- PURSUIT GUIDELINES

A. WHEN A PURSUIT IS AUTHORIZED. Pursuant to San Francisco Administrative Code 96I.2(d)

1. A member driving an emergency vehicle, “may engage in a vehicle pursuit if the member has reasonable suspicion or probable cause to believe that a felony or violent misdemeanor crime has occurred, is occurring, is about to occur,” or when there is a reasonable belief that the individual needs to be immediately apprehended because of the risk that the individual poses to public safety.

A violent misdemeanor is defined as an offense that:

- (1) is a misdemeanor under federal, state, local, or tribal law;
- (2) and has an element that the use or attempted use of physical force, or the threatened use of a deadly weapon.

Examples of violent misdemeanors include but are not limited to:

- Battery (California Penal Code § 242);
- Battery against a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, whether on or off duty (California Penal Code § 243(b));
- Battery committed against a spouse, a person with whom they are cohabitating, the parent of a child-in-common, former spouse, fiancé, or person with whom they currently have, or as previously had, a dating or engagement relationship (California Penal Code § 243(e)(1));
- Battery against person of elder or dependent adult (California Penal Code § 243.25);
- Battery against transportation personnel or passenger (California Penal Code § 243.3);
- Sexual battery (California Penal Code § 243.4);
- Battery against school employee (California Penal Code § 243.6);
- Stun gun or less lethal weapon assault (California Penal Code § 244.5);
- Drawing, exhibiting, or using a firearm or deadly weapon (California Penal Code § 417);
- Intentionally inflicting serious bodily injury; drawing or exhibiting firearm or deadly weapon (California Penal Code § 417.6).

In regard to San Francisco Administrative Code 96I.2(d), members are reminded that they shall, at all times, drive with due regard for the safety of all persons. Members must weigh the seriousness of the crime against the risks to the public that a vehicle pursuit may present. Members must keep the below listed considerations in mind when evaluating whether or not to initiate a pursuit.

2. DETERMINING WHETHER TO INITIATE, CONTINUE OR TERMINATE A PURSUIT. A member should base their decision on whether to initiate, continue, or terminate a pursuit on the facts and reasonable inferences made at the time of the incident.

A member shall consider the following factors and conditions in deciding, under the totality of the circumstances, whether to initiate, continue, or terminate a pursuit. As the pursuit evolves, members shall continue to evaluate whether to continue or terminate the pursuit. The member should make this determination based on the following factors:

- a. Protection of the public, given the known or reasonably suspected offense, and the apparent need for immediate capture against the risks to the public or peace officers;
- b. Risk to safety of the public in the area of the pursuit;
- c. Risk to safety of the pursuing units;
- d. Presence of passengers in the pursued vehicle;
- e. Speeds involved in the pursuit;
- f. Vehicular and/or pedestrian traffic safety and volume;
- g. Traffic conditions;
- h. Weather conditions;
- i. Proximity of the fleeing vehicle to the pursuing unit;
- j. Familiarity of the members in the primary pursuit unit and the pursuit supervisor with the location and area of the pursuit;
- k. Quality of radio communications between pursuing unit(s), DEM, and the pursuit supervisor;
- l. Time of day;
- m. Road conditions;
- n. Capability of the police vehicles involved;

- o. Availability of air support;
 - p. Whether the violator can be identified and safely apprehended at a later time; and
 - q. Knowledge of the location of the pursued vehicle.
3. DETERMINING APPROPRIATE SPEED. In determining the appropriate speed of the pursuit vehicle(s), members shall consider the factors listed in Section 5.05.05(A)(2) above, as well as public safety, peace officer safety, and safety of the occupants in the fleeing vehicle.
4. LIGHTS AND SIREN. Members involved in a vehicle pursuit shall activate the vehicle's red light and siren for the duration of the pursuit.
5. WRONG DIRECTION ON FREEWAY. Members shall terminate a pursuit if the pursued vehicle enters a freeway going the wrong way.
6. ORDERS TO TERMINATE PURSUIT. When directed to terminate a pursuit by the pursuit supervisor or a higher-ranking member, the pursuing units(s) shall ~~do so~~ immediately terminate the pursuit and shall:
- a. Acknowledge the termination directive by radio;
 - b. Provide the location of the pursuit termination; and
 - c. Shall not continue to pursue or follow the vehicle in an emergency or non-emergency manner.

B. COMMUNICATION DURING A PURSUIT

1. NOTIFICATION TO DEM. When a pursuit is initiated, the primary unit shall communicate to DEM that it is in a pursuit and request a Code 33. Responding units and the pursuit supervisor shall also notify DEM of their involvement in the pursuit. DEM will record in CAD the number of pursuing units, and the identity of the pursuit supervisor, once a supervisor acknowledges control.
2. INFORMATION TO TRANSMIT DURING A PURSUIT
- a. It is imperative that the pursuing unit(s) provide all information necessary for initial and ongoing supervisory evaluation of the pursuit.
 - b. A member's initial broadcast of a pursuit shall contain the following information:

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- 1) Unit designation and description of the pursuing unit (if it is not a marked patrol vehicle);
 - 2) The suspected law violation(s) or reason for the pursuit; and
 - 3) Location, direction of travel, and speed of pursuit.
- c. When radio traffic allows, the pursuing unit shall transmit the following information if known or reasonably suspected and time permits:
- 1) Traffic conditions;
 - 2) Color, make and license number of the suspect vehicle;
 - 3) Number, description, and identity of occupants in the suspect vehicle; and
 - 4) Information concerning any weapons.
- d. If the pursuing unit(s) do not provide the information required under (2)(b) above in a reasonable amount of time, the pursuit supervisor shall order the pursuing unit(s) to terminate the pursuit.
3. DEM PURSUIT SUPPORT. The role of DEM is to obtain and broadcast essential information to ensure safety and effective supervisory control. To ensure that this vital information is relayed, DEM will at a minimum:
- a. Rebroadcast the commands of the pursuit supervisor directly to pursuing units; and
 - b. Assist the pursuit supervisor in obtaining information needed to assess and supervise the pursuit.

C. PURSUING UNITS

1. PURSUIT VEHICLES

- a. If the primary unit initiating a pursuit is anything other than a marked patrol vehicle (example: wagon without prisoners, pickup truck, motorcycle, van, unmarked vehicle), DEM shall dispatch a marked patrol vehicle as soon as possible, to take over the pursuit. When the marked patrol vehicle enters the pursuit, the initial vehicle shall cease its pursuit and respond to the termination point of the pursuit in a nonemergency mode unless otherwise authorized by a supervisor.
- b. Members operating a patrol wagon transporting prisoners shall not initiate or become involved in a pursuit.
- c. Members operating Department vehicles that are not equipped with authorized red light and siren shall not initiate or become involved in a pursuit.

- d. Members operating any Department vehicle containing a ride along, victim, witness, or prisoner shall not initiate or become involved in a pursuit.
2. **DUTIES OF PRIMARY PURSUIT UNIT.** The primary pursuit unit is responsible for attempting to safely apprehend a fleeing violator without unnecessarily endangering the public and other units, while adhering to the requirements in this order, and to consider the operator's ability to perform necessary functions, including but not limited to:
 - a. Communication with dispatch, supervisors, and other units;
 - b. Utilizing driving tactics and recognizing involved vehicles' capabilities; and
 - c. Executing reasonable and proper initiation, continuation, and termination of the pursuit.
 3. **DUTIES OF SECONDARY PURSUIT VEHICLE.** The secondary pursuit unit serves as a backup in case the primary unit is unable to continue with the pursuit and assists in the apprehension at the termination of the pursuit. The secondary unit should assume the communications function when requested to do so by the primary unit. If a third party is struck by a pursuing unit or the suspect vehicle, the secondary unit shall immediately notify the pursuit supervisor, cease pursuit, and assist at the crash scene.
 4. **ADDITIONAL PURSUIT VEHICLES.** No more than two units shall be involved in a vehicle pursuit unless:
 - a. The pursuit supervisor authorizes additional units. Factors for the pursuit supervisor to consider in determining whether to authorize additional units include, but are not limited to, the nature of the crime, the number of suspects, weapons, whether the pursuing units have requested additional units, or other facts that would warrant the need for additional units.
 - b. The only instance in which additional pursuit units may join a pursuit without the pursuit supervisor's approval is in the extraordinary circumstance in which:
 - 1) the primary unit cannot request the pursuit supervisor's approval over the radio without jeopardizing the safety of the public or other units; and
 - 2) the member reasonably believes that the unit's assistance is necessary to prevent the threat of death or serious bodily injury to the pursuit units or the public. In such extraordinary circumstances, the member(s) who join the pursuit without prior authorization shall document the circumstances that required their assistance and prevented them from obtaining the pursuit supervisor's approval.

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5. **RESPONDING TO VICINITY OF PURSUIT.** Units not designated as the primary or the secondary pursuit unit should not respond Code 3 to the vicinity of a pursuit nor parallel a pursuit in Code 3, unless otherwise directed by the pursuit supervisor.
6. **RADIO TRAFFIC.** The primary pursuit unit, pursuit supervisor, or DEM will designate a channel for the pursuit. The primary unit has priority in utilizing the radio channel. Other units should revert to an alternate channel for non-pursuit communications.
7. **DRIVING TACTICS DURING A PURSUIT**
 - a. All units involved in a pursuit shall comply with the directions of the pursuit supervisor.
 - b. **Passing.** Pursuing units shall not pass the primary pursuit unit unless the primary pursuit vehicle is no longer able to continue in the pursuit.
 - c. **Intersection Approach.** The following tactics may help avoid intersection collisions:
 - 1) Ensuring that forward facing red light and siren are activated;
 - 2) Slowing down when approaching the intersection and coming to a stop at a red traffic light or stop sign;
 - 3) Being alert for other responding emergency vehicles;
 - 4) Using simple hand signals to alert other drivers of requested actions;
 - 5) Analyzing the position of vehicles that have stopped in the intersection;
 - 6) Looking up the street for approaching vehicles;
 - 7) Examining each lane before entering; and
 - 8) Not assuming others will acknowledge or yield to your right of way.

D. SUPERVISORY CONTROL OF THE PURSUIT

1. A field supervisor of a unit involved in the pursuit shall assume control of the pursuit by notifying DEM (e.g., “3X100, I'm monitoring the pursuit.”). That supervisor shall then be designated the pursuit supervisor. Only one field supervisor may act as the pursuit supervisor. If a field supervisor is unavailable to act as pursuit supervisor, the platoon commander shall assume this role.

2. Should a member from a specialized unit (e.g., TAC, Traffic, Narcotics) become involved in a pursuit and the member's supervisor cannot assume control of the pursuit. A supervisor in the district in which the pursuit initiated shall assume control and be designated pursuit supervisor.
3. The pursuit supervisor shall supervise the pursuit until the termination of the pursuit, even if the pursuit leaves the pursuit supervisor's district. The pursuit supervisor shall manage and control the pursuit, including the speed of the pursuit, assess risk factors associated with the pursuit, and evaluate whether and when to terminate a pursuit.
4. The pursuit supervisor shall actively control a pursuit and determine the appropriate number of units involved.
5. Higher ranking members retain authority to terminate the pursuit or take control of directing it at any time.

E. COORDINATION, MANAGEMENT AND CONTROL OF INTER-JURISDICTIONAL PURSUITS

1. PURSUITS BY OTHER LAW ENFORCEMENT AGENCIES IN THE CITY

- a. If a vehicle from another law enforcement agency pursues within the City, a field supervisor may authorize one marked patrol unit to join in the pursuit. That supervisor shall be the pursuit supervisor. No other units shall be involved in the pursuit.
- b. The pursuit supervisor should request that DEM contact the pursuing agency for pursuit information. If requested by the pursuing agency, a SFPD unit may take over as the primary pursuit unit.

2. PURSUITS TRAVELING OUTSIDE OF SFPD'S JURISDICTION

- a. If a pursuit progresses towards another jurisdiction (e.g., freeways, federal property), the pursuit supervisor shall request DEM to notify the appropriate law enforcement agency of the approaching pursuit. See Section 5.05.05(E)(4).
- b. If a pursuit continues into another jurisdiction, the pursuit supervisor shall request DEM to notify the appropriate law enforcement agency in that jurisdiction.
- c. The pursuit supervisor shall maintain management and control of SFPD pursuit units that enter another jurisdiction. The pursuit supervisor shall coordinate with the outside law enforcement agency and determine the role of SFPD units in the pursuit. If the pursuit supervisor directs the SFPD units to discontinue

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the pursuit, those units shall discontinue their pursuit and proceed to the termination point in a nonemergency mode unless otherwise directed by a supervisor.

- d. If the pursuit continues into CHP jurisdiction and a marked CHP unit joins the pursuit, SFPD shall relinquish primary responsibility for the pursuit to the CHP. If the CHP requests to assume responsibility for the pursuit, SFPD units shall promptly discontinue the pursuit and proceed to the termination point in a nonemergency mode unless otherwise directed by a supervisor.
 - e. Officers remain subject to the SFPD's pursuit policy and supervisory control and management while outside SFPD's jurisdiction.
3. PURSUIT SUPERVISOR. The pursuit supervisor shall respond to the termination point of the pursuit in a nonemergency mode (unless otherwise authorized by a higher-ranking member) and meet with a representative from the other agency involved in the pursuit to determine which agency will be responsible for booking the suspect(s) and towing the vehicle.
 4. DEM OUTSIDE JURISDICTION NOTIFICATION AND COORDINATION
 - a. If a pursuit progresses toward or enters another jurisdiction, the pursuit supervisor shall request DEM to contact that jurisdiction's law enforcement agency. DEM will inform the other agency of the pursuit, all relevant facts available, and maintain contact and coordination with that outside agency until the pursuit leaves its jurisdiction, is terminated, or canceled. DEM will inform the pursuit supervisor when the requested contact with the outside agency is made, keep the pursuit supervisor informed of the law enforcement agency's intended response to the pursuit, and relay any instructions or information provided by the agency.
 - b. If an outside law enforcement agency notifies DEM of a pursuit entering the City, DEM will broadcast that information.
 - c. Officers observing an outside law enforcement agency in pursuit within the City shall notify DEM and instruct DEM to contact the outside law enforcement agency for information.
 5. RADIO CONTACT. If an SFPD unit loses radio contact with DEM, a passenger in the primary or secondary pursuit unit may attempt to regain communications by cellular telephone. If communication cannot be established via cellular telephone, the unit(s) shall terminate the pursuit unless there is reasonable suspicion that the fleeing suspect was involved in a violent felony.

F. INTERVENTION TACTICS

Pursuits are primarily following actions. Members should avoid using their vehicles or other objects to stop the suspect's vehicle.

1. **OFFENSIVE INTERVENTION TACTICS.** Listed below are offensive intervention tactics that members shall not use:
 - a. **Boxing in**: A technique designed to stop a violator's vehicle by surrounding it with law enforcement vehicles, then slowing all vehicles to a stop.
 - b. **Driving alongside**: A technique where the member pulls next to the pursued vehicle.
 - c. **Heading off/Channeling**: A technique where members place objects in the anticipated path of a pursued vehicle, which tend to alter that vehicle's direction.
 - d. **Deflecting**: The use of a member's vehicle to deflect or stop the violator's vehicle, through contact with the violator's vehicle.

Exception regarding Deflecting Only: Deflecting is authorized when a member has a reasonable basis to believe that a substantial risk exists that the suspect will cause imminent death or serious bodily injury to the public or peace officers unless this tactic is used. If feasible, prior to using this tactic, a member should obtain authorization from a pursuit supervisor. **The Department will review the use of this tactic as a use of deadly force.**

2. **DEFENSIVE INTERVENTION TACTICS.** The following defensive intervention tactics are authorized as specified below:
 - a. **TIRE DEFLATION DEVICES (TDD):** TDDs are de-escalation tools that use mechanical methods to defeat the integrity of vehicle tires to release the air pressure in a predictable, controlled manner. *Only Department issued TDDs may be deployed under the policy and procedures guiding TDD usage.*
 - b. **ROADBLOCKS:** A roadblock is a technique that establishes a physical impediment to traffic as a means for stopping a pursued vehicle using signs, devices, actual physical obstructions, or barricades. A member shall not establish a roadblock, using their vehicle or any other item, unless all of the following circumstances exist:
 - 1) The member has reasonable cause to believe that the suspect has committed or attempted to commit a felony involving the use or threatened use of deadly force;

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- 2) The member has reasonable cause to believe that a substantial risk exists that the suspect will cause death or serious bodily injury if his/her apprehension is delayed,
 - 3) Other reasonable means of apprehension and control have been exhausted;
 - 4) The roadblock can be established in a manner that the violator has sufficient opportunity to observe the roadblock and stop; and
 - 5) The pursuit supervisor approves and coordinates the roadblock.
3. STATIONARY VEHICLES. Nothing in this order shall preclude a member from using a Department vehicle as a tactical tool to block a stationary suspect vehicle to prevent its escape if any of the following conditions exist:
- a. There is reasonable suspicion that the suspect was involved in a felony incident;
 - b. The vehicle has come to a stop at the end of a pursuit or flight from law enforcement; or
 - c. Substantial risk exists to the public if the operator of the vehicle is allowed the opportunity to flee.
4. VEHICLE CONTAINMENT TECHNIQUE (VCT) - The VCT is a coordinated, controlled, and deliberate use of police vehicles (typically unmarked police vehicles) and trained members to make intentional contact to the front, rear, and/or side(s) of a suspect's stationary vehicle. The VCT is designed to contain the suspect's vehicle and negate its ability to flee, which greatly reduces the likelihood of a vehicle pursuit. *The VCT shall only be employed with the approval of a VCT trained supervisor. The Vehicle Containment Technique shall only be employed by Units/Details that are authorized by the Chief of Police and have a Unit Order regarding the use of the technique.*
- G. USE OF AIR SUPPORT UNIT. The role of air support during vehicle pursuits is to assist and coordinate field activities. When available, air support will respond to a vehicle pursuit. Air support will advise the concerned ground units of road hazards or any unsafe conditions, and where possible assist in the coordination of resources on the ground. Responding air support should report on the progress of the pursuit and provide information to assist members and supervisors in determining whether to continue the pursuit. Overall control of the pursuit shall remain with the pursuit supervisor.

H. UNMANNED AERIAL VEHICLES (UAV). To minimize the dangers from vehicle pursuits, members shall be authorized to use unmanned aerial vehicles (UAVs also known as drones) along with or in lieu of vehicle pursuits.

I. RESPONSIBILITIES AT TERMINATION POINT OF PURSUIT

1. OFFICER'S RESPONSIBILITY

- a. Control and Direction. Safety of the public and peace officers is of critical concern at the termination of a pursuit, particularly during the apprehension of the driver and any occupants of the pursued vehicle. The need for decisive action, self-control, and strict personal discipline is essential. In the absence of a supervisor, the senior officer in the primary pursuit unit has the responsibility for directing activities at the termination point of a pursuit.
- b. Additional Assistance. Once a pursuit has ended, the primary pursuit ~~vehicle~~ unit is responsible for advising DEM of the location and situation. A member from the primary pursuit unit shall also indicate whether additional units are needed to assist at the scene. Once a Code 4 is broadcast, units shall not respond to the termination point unless otherwise directed by a supervisor.
- c. Procedures For Apprehending Driver and Occupants Following the Pursuit. When approaching the driver and any occupants of the pursued vehicle to effect an arrest, members should be mindful of the tactical considerations for high-risk vehicle stops. The degree of force used in apprehending the suspect(s) shall be consistent with SFPD policies and procedures on Use of Force (DGO 5.01), Use of Firearms (DGO 5.02) and the Arrest and Control Manual.

2. SUPERVISORY RESPONSIBILITY. When a pursuit is terminated by apprehension of the driver and any occupants of the pursued vehicle, the pursuit supervisor shall respond to the location where the pursuit terminated, take charge of the scene, and be responsible for compliance with Department policy by all members present, including but not limited to, directing non-essential personnel to return to service in their districts.

J. POST-PURSUIT REPORTING AND ANALYSIS. A member in the primary pursuit unit shall complete an Incident Report as needed and the CHP 187A form unless otherwise directed by a supervisor. The member shall forward any reports and a copy of the CHP 187A form through their chain of command.

A copy of the initial report and CHP 187A form shall be emailed to EVOC via departmental email (sfpd.evoc@sfgov.org) and the original CHP 187A form shall be forwarded to EVOC via interdepartmental mail. The EVOC unit will send copies of all reports to the proper unit at CHP.

5.05.06 INJURY NOTIFICATIONS

- A. If any person is injured during the pursuit, the pursuit supervisor shall request DEM notify the on-duty patrol commander or designated duty captain.
- B. Upon notification, the patrol commander or designated duty captain shall respond to the scene of the injury and make further notifications as appropriate.

5.05.07 RESPONSE AND PURSUIT TRAINING REQUIREMENTS

Pursuant and consistent with California Penal Code § 13519.8, California Vehicle Code § 17004.7, and the guidelines established in POST Regulation 1081(a)(22), the Department will train its officers annually in emergency response and pursuit driving.

5.05.08 ANNUAL REPORTING

The Department shall annually report to the Police Commission on the total number of vehicle pursuits; the reasons for the pursuits; the number of pursuits that resulted in a collision; the number of pursuits that resulted in death or injury to a peace officer or member of the public; the number of pursuits that resulted in apprehension; and the number of pursuits that were found to be within or outside of policy.

References

- DGO 2.06, Vehicle Accidents Involving Members
- DGO 3.07, Department Accident Board of Review
- DGO 5.01, Use of Force
- DGO 5.02, Use of Firearms
- DGO 5.25, Foot Pursuits
- DM-14, Administrative Investigation of Member-Involved Collisions

EMERGENCY RESPONSE AND PURSUIT DRIVING

5.05.01 PURPOSE

The purpose of this order is to establish policies and procedures for the operation of police vehicles in both **emergency** response and pursuit driving situations. Only sworn officers may engage in response and pursuit driving. For purposes of this order, the term “~~officers~~” “**members**” means all ranks of sworn ~~personnel~~ **peace officers**.

± 5.05.02 POLICY

A. GENERAL POLICY

~~Officers~~ **Members** shall, at all times, drive with due regard for the safety of all persons.

B. EMERGENCY (CODE 3) RESPONSE POLICY

1. It is the policy of the San Francisco Police Department that ~~officers~~ **members** respond to emergency calls expeditiously. In addition to responding Code 3 when involved in a pursuit, ~~officers~~ **members** may respond Code 3 when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved.
2. ~~State law requires supervisory control of emergency vehicle operations~~ Pursuant to California Vehicle Code §17004 and §17004.7(c)(4), It is the policy of the Department that ~~field~~ **Field** supervisors (Patrol Sergeants) shall continually monitor, evaluate, and control subordinates' emergency responses. Supervisors shall continually evaluate the need for the emergency response against the risk to safety of persons and property. When the risks appear to be unreasonable, the supervisor shall order the emergency response terminated.

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1. The policy of the San Francisco Police Department is to safely apprehend a fleeing violator without unnecessarily endangering the public and/or **peace** officers.

2. Pursuant to California Vehicle Code ~~Section 17004.7~~ **§17004.7**, in determining whether to initiate or continue a vehicle pursuit, ~~officers~~ **members** shall balance the known or reasonably suspected offense and the apparent need for immediate capture against the risks to motorists ~~and~~, pedestrians, ~~peace~~ officers, and others to protect the public. When it becomes apparent that the benefits of immediate apprehension are clearly outweighed by an unreasonable danger to the ~~peace~~ officer or others, the ~~officer~~ **member** shall not initiate a pursuit or, if the pursuit is already in progress, the ~~officer~~ **member** shall terminate the pursuit.
3. ~~As with the policy on emergency responses, state law requires supervisory control of emergency vehicle operations. It~~ Pursuant to California Vehicle Code **§17004 and §17004.7(c)(4)**, it is the policy of the Department that field supervisors (Patrol Sergeants) continually monitor, evaluate, and control subordinates' vehicle pursuits. Supervisors shall continually evaluate the need for the pursuit against the risk to safety of persons and property. When the risks appear to be unreasonable, the supervisor shall immediately order the pursuit terminated.

H. 5.05.03 DEFINITIONS

- A. EMERGENCY VEHICLE. A vehicle that is **driven by a member and** used to enforce Vehicle Code violations, ~~to perform patrol~~ **peace officer** duties, ~~or to respond to emergency calls~~ **emergencies from the public, and is** equipped with an authorized red light and siren. **For the purposes of this order, the terms "police units" and "units" will be used to describe emergency vehicles driven by members.**
- B. EMERGENCY (CODE 3) RESPONSE. ~~When an~~ **An** emergency vehicle's **activation of is displaying a lighted red light of at least one steady burning red warning lamp**, visible from the front and sounding ~~the of a~~ siren as necessary under the circumstances to provide suitable warning to afford ~~other~~ users of the highways ~~an~~ **the** opportunity to yield the right-of-way.
- C. VEHICLE PURSUIT. A vehicle pursuit is an attempt by ~~an officer, in an emergency vehicle,~~ **a police unit** to stop a moving motor vehicle when the operator of the vehicle is attempting to avoid capture by using ~~high speed driving or other~~ willfully evasive tactics or ~~is driving in a legal manner but~~ willfully failing to yield.
- D. PURSUIT SUPERVISOR. A pursuit supervisor is a field supervisor of ~~an officer~~ **a member** involved in a pursuit who assumes control of the pursuit. Only one field supervisor at a time may act as the pursuit supervisor. In addition, higher ranking ~~officers~~ **members** retain authority to terminate the pursuit or take control of directing ~~it~~ **the pursuit** at any time. **A field supervisor acting as the Primary pursuit unit may not assume the role of pursuit supervisor. A field supervisor or higher-ranking member not acting as the Primary pursuit vehicle, may act as the pursuit supervisor.**

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- E. PRIMARY PURSUIT VEHICLE. The **police unit** initiating the pursuit, unless otherwise designated by the pursuit supervisor or by this order.
- F. **MOTORIZED SCOOTER.** While the Vehicle Code classifies motorized scooters as a motor vehicle, the Department recognizes that motorized scooters present different challenges and dangers in regards to vehicle pursuits. Pursuits of motorized scooters shall fall under the guidance of DGO 5.25 Foot Pursuits.

~~III.~~ **5.05.04 EMERGENCY (CODE 3) AND NON-EMERGENCY RESPONSES**

- A. EMERGENCY RESPONSE. It is the policy of the Department that officers members respond Code 3 only when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved.
- B. NON-EMERGENCY RESPONSE. The ~~officer~~ **member** shall respond directly to the assignment and observe all traffic laws and regulations.
- C. DETERMINING THE RESPONSE. The ~~officer~~ **member** responding to the call and/or the ~~officer's~~ **member's** field supervisor shall determine the appropriate response. A "non-emergency" call may require an emergency response.
- D. NOTIFICATION TO DEPARTMENT OF EMERGENCY MANAGEMENT (DEM). An officer initiating an emergency response shall notify DEM as soon as possible regarding the Code 3 response and the ~~officer's~~ **member's** location. During a Code 3 response, DEM will accept all emergency traffic whether isolated to one or more separate events.
- E. SUPERVISOR NOTIFICATION BY DEM. DEM will immediately notify a field supervisor (preferably the responding ~~officer's~~ **member's** field supervisor) that an emergency (Code 3) response is being undertaken and relay other relevant information about the response as provided by the responding unit.
- F. MONITORING FOR SUPERVISORY DIRECTION. ~~Officers~~ **Members** shall, at all times, monitor radio traffic for supervisory direction. ~~Officers~~ **Members** shall not respond Code 3 when instructed not to do so by a supervisor.
- G. RED LIGHT AND SIREN. ~~Officers~~ **Members** performing an emergency response shall activate their forward visible red light and shall sound the siren as reasonably necessary under the circumstances to provide suitable warning to afford other users of the highways an opportunity to yield the right-of-way (~~21055 CVC~~ **California Vehicle Code §21055**). ~~Officers~~ **Members** shall not use the "hi-lo" setting or the air horn in lieu of the siren.
- H. NON-EMERGENCY VEHICLE. ~~Officers~~ **Members** shall not engage in an emergency response in a non-Department vehicle or in a vehicle that is not equipped with

authorized red light and siren.

IV. 5.05.05 VEHICLE PURSUITS: *PURSUIT GUIDELINES*

A. PURSUIT GUIDELINES

A. WHEN A PURSUIT IS AUTHORIZED. ~~Except as otherwise provided in this order,~~ Pursuant to San Francisco Administrative Code 96I.2(d)

1. ~~an officer~~ **A member driving** in an emergency vehicle, “may initiate a pursuit of an individual: a. Suspected of a violent felony; or
b. When there is an articulable reasonable belief that the individual needs to be immediately apprehended because of the risk that individual poses to public safety.

~~An officer shall not initiate a pursuit of an individual suspected of a non-violent felony, misdemeanor, property crime, or vehicle code violation, except as specified in (b) above.~~

engage in a vehicle pursuit if the member has reasonable suspicion or probable cause to believe that a felony or violent misdemeanor crime has occurred, is occurring, is about to occur,” or when there is a reasonable belief that the individual needs to be immediately apprehended because of the risk that the individual poses to public safety.

A violent misdemeanor is defined as an offense that:

- (1) is a misdemeanor under federal, state, local, or tribal law;
- (2) and has an element that the use or attempted use of physical force, or the threatened use of a deadly weapon.

Examples of violent misdemeanors include but are not limited to:

- Battery (California Penal Code § 242);
- Battery against a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, whether on or off duty (California Penal Code § 243(b));
- Battery committed against a spouse, a person with whom they are cohabitating, the parent of a child-in-common, former spouse, fiancé, or person with whom they currently have, or as previously had, a dating or engagement relationship (California Penal Code § 243(e)(1));
- Battery against person of elder or dependent adult (California Penal Code § 243.25);
- Battery against transportation personnel or passenger (California Penal Code § 243.3);
- Sexual battery (California Penal Code § 243.4);
- Battery against school employee (California Penal Code § 243.6);

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- Stun gun or less lethal weapon assault (California Penal Code § 244.5);
- Drawing, exhibiting, or using a firearm or deadly weapon (California Penal Code § 417);
- Intentionally inflicting serious bodily injury; drawing or exhibiting firearm or deadly weapon (California Penal Code § 417.6).

In regard to San Francisco Administrative Code 96I.2(d), members are reminded that they shall, at all times, drive with due regard for the safety of all persons. Members must weigh the seriousness of the crime against the risks to the public that a vehicle pursuit may present. Members must keep the below listed considerations in mind when evaluating whether or not to initiate a pursuit.

2. DETERMINING WHETHER TO INITIATE, CONTINUE OR TERMINATE A PURSUIT. ~~An officer~~ A member should base ~~a~~ their decision on whether to initiate, continue, or terminate a pursuit on the facts and reasonable inferences made at the time of the ~~decision~~ incident.

~~An officer~~ A member shall consider the following factors and conditions in deciding, under the totality of the circumstances, whether to initiate, continue, or terminate a pursuit. As the pursuit evolves, ~~officers~~ members shall continue to evaluate whether to continue or terminate the pursuit. The ~~officer~~ member should make this determination based on the following factors:

- a. Protection of the public, given the known or reasonably suspected offense, and the apparent need for immediate capture against the risks to the public or ~~police~~ peace officers;
- b. Risk to safety of the public in the area of the pursuit;
- c. Risk to safety of the pursuing ~~officers~~ units;
- d. Presence of passengers in the pursued vehicle;
- e. Speeds involved in the pursuit;
- f. Vehicular ~~and~~/or pedestrian traffic safety and volume;
- g. Traffic conditions;
- h. Weather conditions;
- i. Proximity of the fleeing vehicle to the pursuing unit;
- j. Familiarity of the ~~officers~~ members in the primary pursuit ~~vehicle~~ unit and the pursuit supervisor with the location and area of the pursuit;

- k. Quality of radio communications between pursuing **unit(s)**, DEM, and the pursuit supervisor;
 - l. Time of day;
 - m. Road conditions;
 - n. Capability of the police vehicles involved;
 - o. Availability of air support;
 - p. Whether the violator can be identified and safely apprehended at a later time; and
 - q. Knowledge of the location of the pursued vehicle.
3. DETERMINING APPROPRIATE SPEED. In determining the appropriate speed of the pursuit vehicle(s), **officers members** shall consider the factors listed in Section ~~IV.A.2 above,~~ **5.05.05 (A)(2)** as well as public safety, peace officer safety, and safety of the occupants in the fleeing vehicle.
4. LIGHTS AND SIREN. **Officers Members** involved in a vehicle pursuit shall activate the vehicle's red light and siren ~~during the entire~~ **for the duration of the** pursuit.
5. WRONG DIRECTION ON FREEWAY. **Officers Members** shall ~~discontinue~~ **terminate** a pursuit if ~~a~~ **the** pursued vehicle enters a freeway going the wrong way.
6. ORDERS TO TERMINATE **PURSUIT**. When directed to terminate a pursuit by the pursuit supervisor or a higher ranking **member**, the pursuing **units(s)** shall ~~do so~~ immediately **terminate the pursuit** and shall:
- a. Acknowledge the **termination** directive ~~on by the~~ radio;
 - b. Provide the location of the pursuit termination; and
 - c. Shall not continue to pursue **or follow** the vehicle in an emergency or non-emergency manner.

B. COMMUNICATION DURING A PURSUIT

1. NOTIFICATION ~~OF~~ **TO** DEM. When ~~a unit initiates a pursuit~~ **a pursuit is initiated**, the **primary** unit shall communicate to DEM that it is in a pursuit and request a Code 33. ~~Any other~~ **Responding** units ~~in the pursuit~~ and the pursuit supervisor shall also notify DEM of their involvement in the pursuit. DEM will record in CAD the number of pursuing **units**, and the identity of the pursuit supervisor, ~~when~~ **once** a supervisor acknowledges control.

2. INFORMATION TO TRANSMIT ~~TO DEM~~ DURING A PURSUIT

- a. ~~Communications from the pursuing unit(s) to DEM are essential.~~ It is imperative that the pursuing unit(s) provide ~~DEM with~~ all information necessary for initial and ongoing supervisory evaluation of the pursuit.
- b. ~~An officer's~~ **A member's** initial broadcast of a pursuit shall contain the following information:
 - 1) Unit designation and description of the pursuing **unit** (if it is not a marked patrol ~~sedan~~ **vehicle**);
 - 2) The suspected law violation(s) or reason for the pursuit; and
 - 3) Location, direction of travel, and speed of pursuit.
- c. When radio traffic allows, the pursuing unit shall transmit the following information if known or reasonably suspected and time permits:
 - 4) Traffic conditions;
 - 5) Color, make and license number of the suspect vehicle;
 - 6) Number, description, and identity of occupants in the suspect vehicle; and
 - 7) Information concerning any weapons.
- d. If the pursuing **unit(s)** do not provide the information required under (2)(b) above in a reasonable amount of time, the pursuit supervisor shall order the pursuing **unit(s)** to terminate the pursuit.

3. DEM PURSUIT SUPPORT. ~~The flow of information is critical during a pursuit.~~ The role of DEM is to obtain and broadcast essential information to ensure safety and effective supervisory control. To ensure that this vital information is relayed, DEM will at a minimum:

- a. Rebroadcast the commands of the pursuit supervisor directly to pursuing units; and
- b. Assist the pursuit supervisor in obtaining information needed to assess and supervise the pursuit.

C. PURSUING UNITS**1. PURSUIT VEHICLES**

- a. If the **primary unit** initiating ~~the a~~ pursuit is anything other than a marked patrol ~~sedan~~ **vehicle** (example: wagon without prisoners, pickup truck, motorcycle, van, unmarked ~~sedan~~ **vehicle**), DEM shall dispatch a marked patrol ~~sedan~~ **vehicle** as

soon as possible, to take over the pursuit. When the marked patrol ~~sedan~~ **vehicle** enters the pursuit, the initial vehicle shall cease its pursuit and respond to the termination point of the pursuit in a nonemergency mode **unless otherwise authorized by a supervisor.**

- b. ~~Officers~~ **Members in operating** a patrol wagon transporting prisoners shall not initiate or become involved in a pursuit.
- c. ~~Officers~~ **Members in operating** Department vehicles that are not equipped with authorized red light and siren shall not initiate or become involved in a pursuit.
- d. ~~Officers~~ **Members in operating** any Department vehicle containing a ride along, victim, witness, or prisoner shall not initiate or become involved in a pursuit.

2. DUTIES OF PRIMARY PURSUIT ~~VEHICLE~~ **UNIT.** The primary pursuit ~~vehicle~~ **unit** is responsible for attempting to safely apprehend a fleeing violator without unnecessarily endangering the public and ~~officers~~ **other units**, while adhering to the requirements in this order, and to consider the operator's ability to perform necessary functions, including but not limited to:

- a. Communication with dispatch, supervisors, and other **units**;
- b. **Utilizing** driving tactics and **recognizing** involved vehicles' capabilities; and
- c. **Executing** ~~The~~ reasonable and proper initiation, continuation, and termination of the pursuit.

3. DUTIES OF SECONDARY PURSUIT VEHICLE. The secondary pursuit ~~vehicle~~ **unit** serves as a backup in case the primary unit is unable to continue with the pursuit and ~~to assist~~ **assists** in the apprehension at the termination of the pursuit. The secondary unit should ~~perform the communications with the other officers, supervisors, and dispatchers~~ **assume the communications function** when requested to do so by the primary unit. If a third party is struck by a pursuing unit or the suspect vehicle, the secondary unit shall immediately notify the pursuit supervisor, cease pursuit, and assist at the ~~collision~~ **crash** scene.

4. ADDITIONAL PURSUIT VEHICLES. No more than two units shall be involved in a vehicle pursuit unless:

- a. The pursuit supervisor authorizes additional units. Factors for the pursuit supervisor to consider in determining whether to authorize additional units include, but are not limited to, the nature of the crime, the number of suspects, weapons, whether the ~~officers in the~~ pursuing units have requested additional units, or other facts that would warrant the need for additional ~~officers~~ **units.**

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- b. The only instance in which additional pursuit units may join a pursuit without the pursuit supervisor's approval is in the extraordinary circumstance in which:
- 1) the **primary** unit cannot request the pursuit supervisor's approval over the radio without jeopardizing the safety of the public or other **officers units**; and
 - 2) the **officer member** reasonably believes that the unit's assistance is necessary to prevent the threat of death or serious bodily injury to the pursuit **officers units** or the public. In such extraordinary circumstances, the **officer(s) member(s)** who join the pursuit without prior authorization shall ~~explain in the incident report or in a written statement the extraordinary~~ **document the** circumstances that required their assistance and prevented them from obtaining the pursuit supervisor's approval.
5. RESPONDING TO VICINITY OF PURSUIT. Units not designated as **the** primary or **the** secondary pursuit ~~units unit shall~~ **should** not respond ~~in a Code 3 mode~~ to the vicinity of a pursuit nor parallel a pursuit ~~in a Code 3 mode~~, **unless otherwise directed by the pursuit supervisor.**
6. RADIO USE TRAFFIC. ~~Because there will be a "Code 33" in effect, the~~ **The** primary pursuit unit, **pursuit supervisor, and or** DEM will designate ~~the a~~ **a** channel for the pursuit. The primary unit has priority in utilizing ~~this the~~ **the radio** channel. Other units should revert to ~~another~~ **an alternate** channel for non-pursuit communications.
7. DRIVING TACTICS DURING A PURSUIT
- a. All **officers units** involved in a pursuit shall comply with the directions of the pursuit supervisor.*
- ~~a.~~ **b.** Passing. ~~Officers in the secondary pursuit vehicle or in any other authorized pursuing~~ **Pursuing** units shall not pass the primary pursuit ~~vehicle unit~~ unless the primary pursuit vehicle is no longer able to continue in the pursuit.
- ~~b.~~ **c.** Intersection Approach. The following tactics may help avoid intersection collisions:
- 1) Ensuring that **forward facing** red light and siren are activated;
 - 2) Slowing down when approaching the intersection and coming to a stop at a red **traffic** light or stop sign;
 - 3) Being alert for other responding emergency vehicles;
 - 4) Using simple hand signals to alert ~~and notify/advise~~ other drivers of requested actions;
 - 5) Analyzing the position of vehicles that have stopped in the intersection;

- 6) Looking up the street for approaching vehicles;
- 7) Examining each lane before entering; and
- 8) Not assuming others will acknowledge or yield to your right of way.

D. SUPERVISORY CONTROL OF THE PURSUIT

1. A field supervisor of ~~an officer~~ a unit involved in the pursuit shall assume control of the pursuit by notifying DEM (e.g., “3X100, I'm monitoring the pursuit.”). That supervisor shall then be designated the pursuit supervisor. Only one field supervisor may act as the pursuit supervisor. If a field supervisor is unavailable to act as pursuit supervisor, the platoon commander shall assume this role.
2. Should ~~an officer~~ a member from a specialized unit (e.g., TAC, Traffic, ~~Vice,~~ Narcotics) become involved in a pursuit and the ~~officer's~~ member's supervisor cannot assume control of the pursuit, ~~a~~. A supervisor in the district in which the pursuit initiated shall assume control and be designated pursuit supervisor.
3. The pursuit supervisor shall supervise the pursuit until the ~~abandonment or~~ termination of the pursuit, even if the pursuit leaves the pursuit supervisor's district. The pursuit supervisor shall manage and control the pursuit, including the speed of the pursuit, assess risk factors associated with the pursuit, and evaluate whether and when to terminate a pursuit.
- ~~4. All officers~~ units involved in a pursuit shall comply with the directions of the pursuit supervisor.
- ~~5.~~ 4. The pursuit supervisor shall actively control a pursuit and determine the appropriate number of units involved.
- ~~6.~~ 5. Higher ranking ~~officers~~ members retain authority to terminate the pursuit or take control of directing it at any time.

E. COORDINATION, MANAGEMENT AND CONTROL OF INTER-JURISDICTIONAL PURSUITS

1. PURSUITS BY OTHER LAW ENFORCEMENT AGENCIES IN THE CITY
 - a. If a vehicle from another law enforcement agency pursues within the City, a field supervisor may authorize one marked ~~SFPD~~ patrol unit to join in the pursuit. That supervisor shall be the pursuit supervisor. No other ~~SFPD~~ units shall be involved in the pursuit.

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- b. The pursuit supervisor should request that DEM contact the pursuing agency for pursuit information. If requested by the pursuing agency, a SFPD unit may take over as the primary pursuit ~~vehicle~~ **unit**.
2. PURSUITS TRAVELING OUTSIDE OF SFPD'S JURISDICTION
 - a. If a pursuit progresses towards another jurisdiction (e.g., freeways, federal property), the pursuit supervisor shall request DEM to notify the appropriate law enforcement agency ~~in the other jurisdiction~~ of the approaching pursuit. See Section **5.05.05(E)(4)** ~~IV.E.4.a below~~.
 - b. If a pursuit continues into another jurisdiction, the pursuit supervisor shall request DEM to ~~contact~~ **notify** the appropriate law enforcement agency in that jurisdiction.
 - c. The pursuit supervisor shall maintain management and control of SFPD **pursuit units** ~~in a pursuit~~ that enters another jurisdiction. The pursuit supervisor shall coordinate with the outside law enforcement agency ~~through DEM~~, and determine the role of SFPD units in the pursuit. If the pursuit supervisor directs the SFPD units to discontinue the pursuit, those units shall **discontinue their pursuit and proceed Code 1 to the pursuit termination to the termination point in a nonemergency mode unless otherwise directed by a supervisor**.
 - d. If the pursuit continues into CHP jurisdiction and a marked CHP unit joins the pursuit, SFPD shall relinquish primary responsibility for the pursuit to the CHP. If the CHP requests to assume responsibility for the pursuit, SFPD units shall promptly discontinue the pursuit and proceed **to the termination point in a nonemergency mode unless otherwise directed by a supervisor**.
 - e. Officers remain subject to the SFPD's pursuit policy and supervisory control and management while outside SFPD's jurisdiction.
 3. PURSUIT SUPERVISOR. The pursuit supervisor shall respond to the termination point of the pursuit in a ~~"Code 1" mode~~ **nonemergency mode (unless otherwise authorized by a higher-ranking member)** and meet with a representative from the other agency involved in the pursuit to determine which agency will be responsible for booking the suspect(s) and towing the vehicle.
 4. DEM OUTSIDE JURISDICTION NOTIFICATION AND COORDINATION
 - a. If a pursuit progresses toward or enters another jurisdiction, the pursuit supervisor shall request DEM to contact that jurisdiction's law enforcement agency. DEM will inform the other agency of the pursuit, all relevant facts

available, and maintain contact and coordination with that outside agency until the pursuit leaves its jurisdiction, is terminated, or canceled. DEM will inform the pursuit supervisor when the requested contact with the outside agency is made, keep the pursuit supervisor informed of the law enforcement agency's intended response to the pursuit, and relay any instructions or information provided by the agency.

- b. If an outside law enforcement agency notifies DEM of a pursuit entering the City, DEM will broadcast that information.
 - c. Officers observing an outside law enforcement agency in pursuit within the City shall notify DEM and instruct DEM to contact the outside law enforcement agency for information.
5. **RADIO CONTACT.** If an SFPD unit loses radio contact with DEM, a passenger ~~officer~~ in the primary or secondary pursuit ~~vehicle~~ **unit** may attempt to regain communications by cellular telephone. If communication cannot be established via cellular telephone, the unit(s) shall terminate the pursuit unless there is reasonable suspicion that the fleeing suspect was involved in a violent felony.

F. INTERVENTION TACTICS

Pursuits are primarily following actions. ~~Officers~~ **Members** should avoid using their vehicles or other objects to stop the suspect's vehicle.

1. **OFFENSIVE INTERVENTION TACTICS.** Listed below are offensive intervention tactics that ~~officers~~ **members** shall not use:
 - a. Boxing in: A technique designed to stop a violator's vehicle by surrounding it with law enforcement vehicles, then slowing all vehicles to a stop.
 - b. Driving alongside: A technique where the ~~officer~~ **member** pulls next to the pursued vehicle.
 - c. Heading off/Channeling: A technique where ~~officers~~ **members** place objects in the anticipated path of a pursued vehicle, which tend to alter that vehicle's direction.
 - d. Deflecting: The use of an ~~officer's~~ **member's** vehicle to deflect or stop the violator's vehicle, through contact with the violator's vehicle.

Exception regarding Deflecting Only: Deflecting is authorized when ~~an officer~~ **a member** has a reasonable basis to believe that a substantial risk exists that the suspect will cause imminent death or serious bodily injury to the public or **peace** officers unless this tactic is used. **If feasible, Before** ~~Before~~ **prior to** using this tactic, ~~an~~

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~~officer~~ **a member** should obtain authorization from a pursuit supervisor ~~if possible~~. **The Department will review the use of this tactic as a use of deadly force.**

2. DEFENSIVE INTERVENTION TACTICS. The following defensive intervention tactics are authorized as specified below:

- a. ~~SPIKE STRIPS AND MINI SPIKE STRIPS~~ TIRE DEFLATION DEVICES (TDD): ~~Spike strips are tire deflation devices laid in the path of a moving motor vehicle to disable its tires. This tactic is authorized under the circumstances outlined in the Department's Field Operation Bureau Order regarding Use of Spike Strips (currently Order #03-02). This tactic is authorized only if approved by a pursuit supervisor.~~ **TDD are de-escalation tools that use mechanical methods to defeat the integrity of vehicle tires to release the air pressure in a predictable, controlled manner. Only Department issued TDDs may be deployed under the policy and procedures guiding TDD usage.**
- b. ROADBLOCKS: A roadblock is a technique that establishes a physical impediment to traffic as a means for stopping a pursued vehicle using signs, devices, actual physical obstructions, or barricades. ~~An officer~~ **A member** shall not establish a roadblock, using ~~his or her~~ **their** vehicle or any other item, unless all of the following circumstances exist:
 - 1) The ~~officer~~ **member** has reasonable cause to believe that the suspect has committed or attempted to commit a felony involving the use or threatened use of deadly force;
 - 2) The ~~officer~~ **member** has reasonable cause to believe that a substantial risk exists that the suspect will cause death or serious bodily injury if his/her apprehension is delayed,
 - 3) Other reasonable means of apprehension and control have been exhausted;
 - 4) The roadblock can be established in a manner that the violator has sufficient opportunity to observe the roadblock and stop; and
 - 5) The pursuit supervisor approves and coordinates the roadblock.

3. STATIONARY VEHICLES. Nothing in this order shall preclude ~~a officer~~ **a member** from using a Department vehicle as a tactical tool to block a stationary suspect vehicle to prevent its escape if any of the following conditions exist:

- a. There is reasonable suspicion that the suspect was involved in a felony incident;

- b. The vehicle has come to a stop at the end of a pursuit or flight from law enforcement; or
- c. Substantial risk exists to the public if the operator of the vehicle is allowed the opportunity to flee.

4. VEHICLE CONTAINMENT TECHNIQUE (VCT) - The VCT is a coordinated, controlled, and deliberate use of police vehicles (typically unmarked police vehicles) and trained members to make intentional contact to the front, rear, and/or side(s) of a suspect's stationary vehicle. The VCT is designed to contain the suspect's vehicle and negate its ability to flee, which greatly reduces the likelihood of a vehicle pursuit. *The VCT shall only be employed with the approval of a VCT trained supervisor. The Vehicle Containment Technique shall only be employed by Units/Details that are authorized by the Chief of Police and have a Unit Order regarding the use of the technique.*

G. USE OF AIR SUPPORT UNIT. The role of air support during vehicle pursuits is to assist and coordinate field activities. When available, air support will respond to a vehicle pursuit. Air support will advise the concerned ground units of road hazards or any unsafe conditions, and where possible assist in the coordination of resources on the ground. Responding air support should report on the progress of the pursuit and provide information to assist ~~officers~~ **members** and supervisors in determining whether to continue the pursuit. Overall control of the pursuit shall remain with the ~~primary ground unit and the identified~~ pursuit supervisor.

H. UNMANNED AERIAL VEHICLES (UAV). To minimize the dangers from vehicle pursuits, members shall be authorized to use unmanned aerial vehicles (UAVs also known as drones) along with or in lieu of vehicle pursuits.

~~H.~~ **I. RESPONSIBILITIES AT TERMINATION POINT OF PURSUIT**

1. OFFICER'S RESPONSIBILITY

- a. Control and Direction. Safety of the public and **peace** officers is of critical concern at the termination of a pursuit, particularly during the apprehension of the driver and any occupants of the pursued vehicle. The need for decisive action, self-control, and strict personal discipline is essential. In the absence of a supervisor, the senior officer in the primary pursuit-~~vehicle~~ **unit** has the responsibility for directing activities at the termination point of a pursuit.
- b. Additional Assistance. Once a pursuit has ended, the primary pursuit ~~vehicle~~ **unit** is responsible for advising DEM of the location and situation.

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~~An officer~~ **A member** from the primary pursuit ~~vehicle~~ **unit** shall also indicate whether additional units are needed to assist at the scene. Once a Code 4 is broadcast, ~~officers~~ **units** shall not respond to the termination point unless ~~specifically requested~~ **otherwise directed** by a supervisor.

- c. Procedures For Apprehending Driver and Occupants Following the Pursuit. When approaching the driver and any occupants of the pursued vehicle to effect an arrest, ~~officers~~ **members** should be mindful of the tactical considerations for high-risk vehicle stops. The degree of force used in apprehending the suspect(s) shall be consistent with SFPD policies and procedures on Use of Force (DGO 5.01), Use of Firearms (DGO 5.02) and the Arrest and Control Manual.

2. SUPERVISORY RESPONSIBILITY. When a pursuit is terminated by apprehension of the ~~operator~~ **driver** and any occupants of the pursued vehicle, the pursuit supervisor shall respond to the location where the pursuit terminated, take charge of the scene, and be responsible for compliance with Department policy by all ~~officers~~ **members** present, including but not limited to, directing non-essential personnel to return to service in their districts.

I. J. POST-PURSUIT REPORTING AND ANALYSIS. ~~An officer~~ **A member** in the primary pursuit unit shall complete an Incident Report as needed and the CHP 187A form unless otherwise directed by a supervisor. The ~~officer's~~ **member** supervisor and the ~~Officer in Charge of the officer's unit~~ shall review the incident report during the report approval process. ~~After their review and signature, the officer~~ **member** shall forward any reports and a copy of the CHP 187A form through ~~the their~~ chain of command. ~~to the Commanding Officer of the unit. If the Commanding Officer identifies an issue or concern with the pursuit, the Commanding Officer shall submit a memorandum through the chain of command identifying these issues and concerns.~~

A copy of the initial report and CHP 187A form shall be emailed to EVOC via departmental email (sfpd.evoc@sfgov.org) and the original CHP 187A form shall be forwarded to EVOC via interdepartmental mail. The EVOC unit will send copies of all reports to the proper unit at CHP.

~~V. 5.05.06~~ **COMMAND LEVEL NOTIFICATION AND RESPONSE INJURY NOTIFICATIONS.**

- A. If any person is injured during the pursuit, the pursuit supervisor shall ~~ask~~ **request** DEM to notify the on-duty patrol commander or designated duty captain.
- B. Upon notification, the patrol commander or designated duty captain shall respond to the scene of the injury and ~~shall~~ make further notifications as appropriate.

~~VI.~~ 5.05.07 RESPONSE AND PURSUIT TRAINING REQUIREMENTS.

Pursuant to and consistent with California Penal Code § 13519.8, California Vehicle Code § 17004.7, and the guidelines established in POST Regulation 1081(a)(22), the Department will train its officers annually in emergency response and pursuit driving.

5.05.08 ANNUAL REPORTING

The Department shall annually report to the Police Commission on the total number of vehicle pursuits; the reasons for the pursuits; the number of pursuits that resulted in a collision; the number of pursuits that resulted in death or injury to a peace officer or member of the public; **the number of pursuits that resulted in apprehension**; and the number of pursuits that were found to be within or outside of policy.

References

DGO 2.06, Vehicle Accidents Involving Members

DGO 3.07, Department Accident Board of Review

DGO 5.01, Use of Force

DGO 5.02, Use of Firearms

DGO 5.25, Foot Pursuits

DM-14, Administrative Investigation of Member-Involved Collisions



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

April 10, 2023

Chief William Scott
Chief of Police

Dear Chief Scott:

At the meeting of the Police Commission on Wednesday, April 5, 2023, the following resolution was adopted:

RESOLUTION 23-30:

APPROVAL OF POLICE COMMISSION DIRECTIONS REGARDING POLICE DEPARTMENT AND DEPARTMENT OF HUMAN RESOURCES LABOR NEGOTIATIONS WITH AFFECTED BARGAINING UNITS;

CINDY ELIAS
President

MAX CARTER-OBERSTONE
Vice President

LARRY YEE
Commissioner

JAMES BYRNE
Commissioner

JESUS YANEZ
Commissioner

KEVIN BENEDICTO
Commissioner

DEBRA WALKER
Commissioner

Sergeant Stacy Youngblood
Secretary

WHEREAS, The Police Commission remains committed to its duty of effective oversight and policymaking for the San Francisco Police Department; and

WHEREAS, The Police Commission respects the importance of labor relations and the rights of public sector employees, including peace officers, under the Meyers Miliias Brown Act; and

WHEREAS, In 2016, the U.S. Department of Justice's "Assessment of the San Francisco Police Department" identified delays in policy enactment "because of collective bargaining practices," and recommended that the Police Department and the Police Commission "expedite the process in the future for other policy development;" now, therefore, be it

RESOLVED, When bargaining with affected bargaining units regarding Department General Orders or other policies passed by the Police Commission that require effects bargaining under law, the Police Commission hereby direct the Police Department and urge the San Francisco Department of Human Resources to meet and confer only to those negotiable effects required by law; and

RESOLVED, When bargaining with affected bargaining units regarding Department General Orders or other policies passed by the Police Commission that involve mandatory subjects of bargaining under law, the Police Commission hereby direct the Police Department and urge the San Francisco Department of Human Resources to meet and confer only to the extent required by law; and

FURTHER RESOLVED, When bargaining with affected bargaining units regarding Department General Orders or other policies passed by the Police Commission, the Police Commission hereby direct the Police Department and urge the San Francisco Department of Human Resources to not meet and confer on managerial decisions that are not within the scope of representation, and where there is no legal duty to meet and confer; and

FURTHER RESOLVED, When bargaining with affected bargaining units regarding Department General Orders or other policies passed by the Police Commission, the Police Commission hereby directs the Police Department and urges the San Francisco Department of Human Resources to ensure there are no unreasonable delays on any items within the scope of representation and consistent with the City's legal obligations.



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

AYES: Commissioner Walker, Byrne, Yanez, Benedicto, Yee, Vice President
Carter-Oberstone and President Elias.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stacy Youngblood".

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

CINDY ELIAS
President

MAX CARTER-OBERSTONE
Vice President

LARRY YEE
Commissioner

JAMES BYRNE
Commissioner

JESUS YANEZ
Commissioner

KEVIN BENEDICTO
Commissioner

DEBRA WALKER
Commissioner

Sergeant Stacy Youngblood
Secretary

1211/ks

cc: Deputy City Attorney Cabrera
Director L. Preston/SFPD Labor Relations
Captain D. Toomer/PSPP
Lieutenant E. Altorfer/PSPP
Isabelle Choy/SFPD Labor Relations