

YORK-POQUOSON SHERIFF'S OFFICE	GENERAL ORDERS
SUBJECT: Vehicle Operation	NUMBER: GO 2-9
EFFECTIVE DATE: February 10, 2020	REVIEW DATE: January 4, 2020
AMENDS/SUPERSEDES: GO 2-9, July 26, 2018	APPROVED: _____  Sheriff
VLEPSC: OPR.01.01, OPR.01.02, OPR.01.03, OPR.01.04, OPR.01.10	

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21 **POLICY**

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23 All personnel operating sheriff's office vehicles shall exercise due regard for the safety of all

24 persons. The protection of life is the paramount goal of the agency. No task, call, or incident

25 justifies disregard of public safety. All agency personnel who operate sheriff's office vehicles

26 will comply with safe driving procedures outlined herein with particular attention to responding

27 to calls for service or engaging in pursuits. Emergency warning devices shall be used consistent

28 with both legal requirements and the safety of the public and sheriff's office personnel. Pursuits

29 represent dangerous and difficult tasks that receive much public and legal scrutiny when

30 accidents, injuries, or death results. Pursuing deputies and supervisors must justify their actions

31 and, once they have decided to pursue, they shall continuously evaluate the safety of their

32 actions. Further, forcible measures to stop a fleeing driver, as detailed below, are prohibited

33 except where deadly force is authorized.

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35 **PURPOSE**

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37 To establish procedures governing the operation of law enforcement vehicles, with special

38 attention to emergencies and pursuits.

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DEFINITIONS

- Caravanning
 - Direct participation in a pursuit by law enforcement vehicles other than the primary and authorized support vehicles.

- Crime Involving Violence
 - An offense involving violence or the threat of violence to another person, or the use or threat of physical force to another person. Examples:
 - Murder
 - Robbery
 - Rape
 - Assault, including aggravated assault, assault and battery, domestic assault, and sexual assault, Abduction
 - Arson involving death or serious injury.
 - Any property crime coupled with life-threatening acts.
 - Any crime involving the display or use of a firearm, including misdemeanors involving firearms.

- Emergency Driving
 - That driving in response to a life-threatening or other serious incident, based on available information, which requires emergency equipment in operation, in accordance with Section [46.2-829](#), Code of Virginia and Section [46.2-920](#) Code of Virginia.

- Emergency Equipment
 - Emergency lights and siren designed to give advanced warning to other motorists and pedestrians.
 - Section [46.2-920](#), Code of Virginia and Section [46.2-1022](#), Code of Virginia apply.
 - In this order, an authorized emergency vehicle is one that is equipped with the above equipment.
 - All marked vehicles shall have distinctive reflectorized decals for additional visibility.

- Moving or Rolling Roadblock
 - A deliberate tactic by two or more pursuit vehicles to force a pursued vehicle in a specific direction or to force it to reduce speed or stop by maneuvering the pursuit vehicles in front of, behind, or beside the pursued vehicle.

- Normal or Routine Driving
 - That driving which dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly-understood "rules of the road."

- 85
- 86 • Primary Pursuit Vehicle
- 87 ○ Normally, the vehicle that begins the pursuit or the vehicle closest to the fleeing
- 88 suspect.
- 89 ○ The primary pursuit vehicle may be re-designated at the direction of the on-duty
- 90 supervisor.
- 91
- 92 • Pursuit Driving
- 93 ○ An active attempt by a deputy in an authorized emergency vehicle to apprehend a
- 94 suspect who is fleeing or evading apprehension provided the deputy reasonably
- 95 believes that the suspect is refusing to stop and is willfully fleeing capture by high-
- 96 speed driving or other evasive maneuvers.
- 97 ○ Pursuits shall be conducted only with activated emergency equipment as defined in
- 98 Section [46.2-920](#), Code of Virginia and Section [46.2-1022](#), Code of Virginia, and
- 99 under circumstances outlined in this order.
- 100 ▪ An attempt to stop a vehicle that is not fleeing or attempts to stop a vehicle that is
- 101 refusing to stop while still obeying traffic control devices and not exceeding the
- 102 speed limit by more than ten miles per hour is not a pursuit.
- 103
- 104 • Risk
- 105 ○ The degree of danger or hazard to the public or deputies.
- 106
- 107 • Roadblock
- 108 ○ Any method, restriction, or obstruction used to prevent free passage of vehicles on a
- 109 roadway in order to stop a suspect.
- 110
- 111 • Support Vehicles
- 112 ○ The second or additional law enforcement vehicles, participating in the pursuit, which
- 113 follows the primary pursuit vehicle at a safe distance and assists the primary vehicle
- 114 once the suspect vehicle has stopped, or which can assume the primary role if
- 115 circumstances dictate.
- 116
- 117 • Tire Deflation Device
- 118 ○ Any device that when deployed causes the tires of a vehicle to lose air and become
- 119 deflated.
- 120

121 **GENERAL PROCEDURES FOR ALL RESPONSES**

122

- 123 • General
- 124 ○ All sheriff's office vehicles shall be driven safely in full compliance with all traffic
- 125 laws and regulations.
- 126 ○ Sheriff's office vehicles are conspicuous symbols of authority, as such; citizens
- 127 expect the actions of deputies to correspond to that authority.
- 128 ○ Each deputy must set an example of good driving behavior and habits. Under certain
- 129 emergencies as defined below, the Code of Virginia authorizes deputies to disregard
- 130 traffic regulations.

- 131 ○ Neither the operator nor the sheriff's office, are released from civil liability for failure
132 to use reasonable care in such operation.
133
- 134 ● Routine Operation
- 135 ○ In case of accident or damage to any sheriff's office vehicle, the driver shall
136 immediately request the on-duty supervisor to respond.
- 137 ○ Drivers shall report accidents using the FR-300P form. Drivers shall also write a
138 memorandum detailing the circumstances.
- 139 ▪ Drivers shall report any found damage or other non-accidental damage and
140 document it on an incident report.
- 141 ▪ The sheriff shall initiate a review of all accidents involving Sheriff's Office
142 vehicles and damage reports and take appropriate action when required.
- 143 ▪ Vehicles used in routine or general patrol service shall be conspicuously marked
144 and equipped with a siren, emergency lights, and a functioning radio.
- 145 ❖ All equipment must be in operational order and radios shall be kept on and
146 monitored to keep the driver in constant radio communication.
147
- 148 ▪ Unmarked cars shall not be used for pursuit, unless with the expressed permission
149 of the on-duty supervisor.
- 150 ❖ Unmarked vehicles may be used for traffic enforcement and non-routine
151 patrol.
- 152 ❖ Each shall be equipped with a siren, emergency lights, and a functioning
153 radio.
- 154 ➤ All equipment must be in operational order and radios shall keep the
155 driver in constant radio communication.
156
- 157 ▪ Standard lighting equipment on marked vehicles shall include:
- 158 ❖ Hazard warning lights,
159 ❖ Spotlights, and/or
160 ❖ Alley (side) lights on the rooftop light bar.
- 161 ➤ Hazardous warning lights should be used any time that a sheriff's office
162 vehicle is parked where other moving vehicles may be endangered.
- 163 ➤ Alley lights and spotlights may be used when the vehicle is stationary or
164 moving at speeds not to exceed 15 miles per hour and shall not be used in
165 a manner which will blind or interfere with the vision of operators of other
166 approaching vehicles in accordance with Section [46.2-1029](#), Code of
167 Virginia.
168
- 169 ▪ Buckle Up! Occupant safety restraining devices shall be worn by all occupants,
170 including deputies, prisoners, or other occupants during vehicle operation.
- 171 ❖ Deputies are exempt from wearing seatbelts when transporting persons in
172 custody or traveling in circumstances which render the wearing of such safety
173 belt system impractical in accordance with Section [46.2-1094](#) Code of
174 Virginia.
175
- 176 ● Vehicle Inspections

- 177 ○ Before each duty assignment, deputies shall check their vehicles for cleanliness and
178 the operability of all equipment.
- 179 ○ Deputies shall also ensure that vehicles have adequate levels of radiator fluid, oil,
180 brake fluid, power steering fluid, and fuel.
- 181 ○ Deputies shall check the safety features of the vehicle prior to beginning duty. The
182 check shall include (but not be limited to) all lights, brakes, siren, horn, and steering.
- 183 ○ Deputies shall examine their vehicles at the beginning and end of their shifts for
184 damage. Deputies shall report any damage immediately to the on-duty supervisor.
- 185 ○ Deputies shall examine their vehicles at the beginning and end of their shifts to search
186 for evidence, contraband, or property discarded by prisoners or others. Rear seats
187 shall be thoroughly checked.
- 188 ○ Deputies who discover a sheriff's office vehicle in need of repair shall inform the on-
189 duty supervisor, as soon as possible.
- 190 ○ If at the discretion of the sheriff, vehicle damage results from abuse or neglect of a deputy,
191 disciplinary action may result.
- 192 ○ No deputy shall install, modify, remove, de-activate, or otherwise tamper with the
193 vehicle safety belts, emission control device, or any part of the vehicle or equipment,
194 which may affect the operation of the vehicle.
- 195 ○ During periods of inclement weather when sheriff's office vehicles cannot be washed
196 regularly, the driver must ensure that headlight and taillight lenses are kept clean, as
197 circumstances permit.
- 198 ○ No deputy shall operate any sheriff's office vehicle, which he or she believes to be
199 unsafe.
- 200
- 201 ● **Driving Rules**
- 202 ○ The driver shall carefully observe the surrounding conditions before turning or
203 backing any vehicle.
- 204 ○ Sheriff's office vehicles shall not be left unattended with the engine running nor shall
205 the vehicle be left unlocked when the deputy has left it to handle other business.
- 206 ▪ Deputies may carry two vehicle keys so that at incident scenes, the vehicle can be
207 secured with the engine running to power the emergency equipment, while the
208 deputy retains the second key.
- 209
- 210 ○ When driving, deputies must recognize the variable factors of weather, road surface
211 conditions, road contour, and traffic congestion, all of which directly affect the safe
212 operation of any motor vehicle, and shall govern the operation of the vehicle
213 accordingly.
- 214 ○ Deputy Sheriffs responding to certain crimes-in-progress sometimes discontinue the
215 use of the siren upon approaching the location of the occurrence.
- 216 ▪ Deputies shall understand that to do so means that, under Virginia law, they are
217 no longer operating an emergency vehicle and must therefore observe all posted
218 speeds and traffic control devices.
- 219
- 220 ○ Emergency driving to the scene of a motor vehicle accident is permissible only when
221 an emergency exists, when specific information indicates that conditions at the scene
222 require an emergency response, or when directed by a supervisor.

- 223 ○ Upon approaching a controlled intersection or other location where there is great
224 possibility of collision because of traffic congestion, the emergency driver shall
225 reduce the speed of the vehicle, stopping completely, if necessary, before entering
226 and traversing the intersection.
227 ▪ When faced with a red traffic signal or stop sign, however, the deputy shall stop,
228 or slow, so that traffic can be observed and determine that is safe to proceed his or
229 her vehicle and ensure by careful observation that the way is clear before
230 proceeding through the intersection.
231
232 ○ Regardless of the seriousness of the situation to which the deputy is responding, and
233 excepting circumstances that are clearly beyond the deputy's control, he or she shall
234 be held accountable for the manner in which he or she operates the vehicle.
235 ○ At the scene of a crime, a motor vehicle crash, or other incident, a sheriff's office
236 vehicle shall be parked in such a manner so as not to create an obstacle or hazard to
237 other traffic, unless necessary for the protection of an incident scene or injured
238 persons.
239 ▪ If a traffic hazard exists, the emergency lights and four-way flashing lights shall
240 be used to warn other drivers approaching the location.
241
242 ○ Operators of sheriff's office vehicles must bear in mind that traffic regulations
243 requiring other vehicles to yield the right of way to any emergency vehicle do not
244 relieve the emergency vehicle operator from the duty to drive with due regard for the
245 safety of all persons using the highways, nor shall they protect the driver from the
246 consequences of an arbitrary exercise of such right of way in accordance with Section
247 [46.2-829](#), Code of Virginia.
248

249 **PROCEDURES for DRIVING**

- 250
- 251 ● Emergency Driving
 - 252 ○ No fixed rule can apply to every circumstance that may arise governing emergency
253 driving.
 - 254 ○ According to available information, deputies are justified to respond to incidents
255 using a Level 3 response with emergency equipment, lights and siren, activated in
256 specified instances. However, in many cases, upon arrival and after assessing the
257 actual scene, deputies discover that a Level 3 emergency response would not have
258 been justified.
 - 259 ○ The York-Poquoson Sheriff's Office does not impose a maximum speed limit when
260 responding to Level 3 emergency calls; however, deputies shall respond at a
261 reasonable speed for the existing conditions and proceed with due regard for the
262 safety of persons and property in accordance with Section [46.2-920](#), Code of
263 Virginia.
 - 264 ○ Virginia Code Section [46.2-920.B](#), states:
 - 265 ▪ The exemptions granted to emergency vehicle operators shall only apply when the
266 operator of such vehicle displays a flashing, blinking, or alternating emergency
267 light and sound a siren designed to give automatically intermittent signals as may
268 be reasonably necessary.

- 269 ❖ The law does not release the operator of any civil liability for failure to use
 270 reasonable care in such operation.
- 271 ❖ Recognizing that protection of human life is paramount; the responding
 272 deputy must remember that his or her objective is to get to the location of the
 273 occurrence as soon as possible--safely--without endangering himself or others.
 274
- 275 • Call and Response Levels
 - 276 ○ Calls for service are classified as Normal response or Level 3 Emergency response
 277 depending on the circumstances given. They are defined as follows:
 - 278 ▪ Normal response calls are non-urgent and non-emergency calls.
 - 279 ❖ Units responding to normal response level calls shall respond to the location
 280 by the most direct means complying with all traffic regulations, signals and
 281 signs and shall not use emergency warning devices.
 - 282 ➤ Emergency lights and or siren shall not be used to clear or proceed
 283 through intersections during normal responses.
 - 284 ➤ Remote traffic signal changing devices shall not be used to clear or
 285 proceed through intersections during normal responses.
 - 287 ▪ Level 3 emergency responses are authorized for emergency calls where the
 288 preservation of life is an immediate consideration.
 - 289 ❖ Deputies self-initiating an upgrade to Level 3 emergency response shall advise
 290 over the radio that they are responding Level 3.
 - 291 ➤ This will alert the supervisor that he/she is responding with lights and
 292 siren using a more urgent response.
 - 294 ❖ Primary and support units responding to Level 3 emergency calls shall
 295 proceed to the location of the emergency call by the most direct means and in
 296 accordance with Section [46.2-920](#), Code of Virginia using all emergency
 297 warning, lights and sirens, with a paramount consideration for the safety of the
 298 public and other assigned deputies.
 - 299 ❖ In residential neighborhoods, active school zones and areas of pedestrian
 300 traffic, deputies shall limit their speed to no more than 20 MPH over the
 301 posted speed limit or lower speed in accordance with existing conditions and
 302 pedestrian traffic.
 - 303 ❖ Once emergency lights and/or siren are deactivated deputies shall obey all
 304 posted speed limits and signs or signals.
 - 306 ○ Field supervisors shall closely monitor the response levels for calls for assistance and
 307 shall have the authority to upgrade or downgrade assigned response levels.
 - 308 ▪ Field supervisors shall also respond to calls as necessary.
 - 309 ○ Level 3 Emergency Classification
 - 311 ▪ The following is a non-inclusive list of incidents when a Level 3 emergency
 312 response may be justified:
 - 313 ❖ A law enforcement officer who needs urgent help,
 - 314 ❖ A burglary in progress,

- 315 ❖ A robbery in progress or robbery alarm,
- 316 ❖ A person using or threatening the use of a deadly weapon,
- 317 ❖ A serious-injury or fatal accident,
- 318 ❖ A riot or large disturbance with fighting or injuries or damages occurring,
- 319 ❖ An apparent homicide,
- 320 ❖ A fight or an assault-in-progress,
- 321 ❖ A sex offense in progress,
- 322 ❖ An auto theft in progress,
- 323 ❖ A shoplifting involving a violent suspect,
- 324 ❖ Domestic dispute with an assault in progress, or just occurred with a suspect
- 325 still present,
- 326 ❖ An in-progress suicide attempt.

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- Deputy's Response to Calls
 - Upon arrival at the scene of a call, the responding deputy shall rapidly evaluate the situation and determine whether additional units are still needed or whether other units responding Level 3 can be slowed or cancelled.
 - All units responding to crime-in-progress calls, before coming within hearing distance, shall discontinue the use of the siren and at that time fully comply with all traffic laws.
 - Before coming within sight of the location, deputies shall discontinue the use of the emergency warning lights.
 - Deputies are reminded that upon deactivation of the siren and flashing lights, their response ceases to be an emergency response and they must comply with all posted speeds and traffic control devices.
 - In situations requiring a silent response, e.g., burglar alarms and prowler calls, deputies shall respond as rapidly as possible, but obeying all traffic laws, signs, and traffic devices.
- Deputy Initiated Response
 - When in the opinion of the deputy, an emergency is imminent or exists, or when activation of emergency warning devices is necessary to protect life or render the necessary enforcement, the Sheriff authorizes a Level 3 emergency response. Examples include:
 - Any incident where the use of emergency lights constitutes a necessary warning for the safety of life such as scenes of fires, accidents, or disasters.
 - As a visual and audible signal to attract the attention of motorists being stopped for traffic violations, or to warn motorists of imminent dangers.
 - In response to another law enforcement officer's emergency request for assistance.
 - In response to witnessed crimes-in-progress or after the direct advisement of the same.
 - Where because of location or distance to be traveled, or traffic conditions, the deputy determines that Level 3 operating conditions using lights and siren are essential in order to provide an appropriate response.

- 361 • Use of Emergency Warning Devices in Non-Emergencies
- 362 ○ Deputies shall activate emergency equipment to notify drivers that they must stop and
- 363 to provide a safe environment for the driver, deputy, and the public.
- 364 ○ Deputies may activate emergency equipment in other non-emergencies when
- 365 expediency is required to eliminate a potential hazard to the public or other deputies,
- 366 such as using emergency lights to protect disabled motorists or when sheriff's office
- 367 vehicles are used as protective barriers.

368 **PROCEDURES FOR PURSUITS**

- 370 • General
- 371 ○ All pursuits must be justified. Meaning the pursuing Deputy and/or Supervisor
- 372 authorizing the pursuit must be able to explain the reason for the pursuit by
- 373 articulating facts that are consistent with law and Sheriff's Office policy.
- 374 ○ A deputy may pursue a vehicle when he or she has a reasonable belief that at least
- 375 one of the following conditions exists:
- 376
 - 377 ■ The suspect presents an immediate threat to the safety of deputies or citizens.
 - 378 ■ The suspect has committed or is attempting to commit a crime involving actual or
 - 379 threatened violence, which may result in injury or death.
 - 380 ■ The necessity of immediate apprehension supersedes the danger created by the
 - 381 pursuit.
- 382
- 383 ○ Deputies must distinguish whether the immediate apprehension outweighs the danger
- 384 of the pursuit, or the danger of the pursuit outweighs the need for immediate
- 385 apprehension.
- 386
 - 387 ■ In determining whether to pursue, the deputy must weigh the decision by
 - 388 examining the degree of seriousness of the incident against the risk levels
 - 389 involved.
- 390 ○ The Sheriff expects deputies to end the pursuit when the level of risk, measured
- 391 against the seriousness of the violation, so requires.
- 392 ○ As required by this order, deputies shall document all pursuits.
- 393 ○ The following objective risk factors define low, moderate, and high risk. During a
- 394 pursuit, all deputies involved must continuously evaluate the risk to the pursuing
- 395 deputies, the suspect, and the public, and be prepared to end a pursuit when the risk
- 396 factors so require.
- 397
 - 398 ■ Risk factors may change during the pursuit.
- 399 • High Risk Factors
- 400 ○ High density of intersecting streets such as those found in business districts.
- 401 ○ Poor weather, slippery streets, low visibility,
- 402 ○ Blind curves, intersections, and narrow roads,
- 403 ○ Numerous pedestrians,
- 404 ○ Heavy, congested traffic,
- 405 ○ Speeds twice the posted limit, or greater than 80 mph,
- 406 ○ Motorcycles or non-patrol vehicles involved in the pursuit,

- 407 ○ Extremely hazardous maneuvers by the violator such as driving against oncoming
- 408 traffic or running red lights,
- 409 ○ Pursuing deputy is excited and not in full control of emotions,
- 410 ○ Numerous pursuit vehicles involved, above authorized number,
- 411 ○ No supervisor participating in the pursuit, or ineffective supervisory oversight,
- 412 ○ Special circumstances such as school districts, high pedestrian or vehicle traffic areas.
- 413
- 414 ● Moderate Risk Factors
 - 415 ○ Unmarked patrol vehicles involved in the pursuit,
 - 416 ○ Moderate density of intersecting streets such as found in a residential area,
 - 417 ○ Light pedestrian traffic,
 - 418 ○ Moderate traffic, little congestion,
 - 419 ○ Speeds 20 mph greater than the posted limit,
 - 420 ○ Pursuing deputy is generally calm with emotions under control,
 - 421 ○ Some hazardous but not extreme maneuvers by the violator such as crossing the
 - 422 center line to pass vehicles, sudden lane changes.
 - 423
- 424 ● Low Risk Factors
 - 425 ○ Only marked patrol vehicles are involved,
 - 426 ○ Pursuit takes place on a straight road, good surface, clear visibility,
 - 427 ○ Low density of intersecting streets,
 - 428 ○ Few or no pedestrians,
 - 429 ○ Clear, calm weather,
 - 430 ○ No hazardous maneuvers by the violator,
 - 431 ○ Speeds at less than 20 mph over the speed limit,
 - 432 ○ Supervisor is involved or provides effective oversight,
 - 433 ○ Authorized number of departmental vehicles involved in the pursuit,
 - 434 ○ Deputy is calm and in full control.
 - 435

436 **RESPONSIBILITIES DURING PURSUITS**

- 437
- 438 ● Primary Deputy Responsibilities
 - 439 ○ The deputy's primary responsibility in a pursuit is the safe operation of the vehicle.
 - 440 ○ Only marked vehicles with emergency equipment shall pursue, unless with the
 - 441 expressed permission of the on-duty supervisor.
 - 442 ○ The deputy initiating the pursuit shall notify the dispatcher of the following:
 - 443 ■ The location of the deputy and the suspect's vehicle,
 - 444 ■ The direction of travel,
 - 445 ■ The license number of the suspect's vehicle,
 - 446 ■ The description of the suspect's vehicle,
 - 447 ■ The reason for the pursuit,
 - 448
- 449 ● Supervisor's Responsibilities
 - 450 ○ The on-duty supervisor shall monitor the pursuit by ensuring compliance with
 - 451 departmental policy, directing deputies to join or abandon pursuit, re-designating

- 452 primary and support pursuing vehicles if necessary, approving or directing pursuit
453 tactics, and terminating the pursuit.
- 454 ○ The on-duty patrol supervisor shall monitor the pursuit and may respond to the
455 location of the stopped suspect. The supervisor may end the pursuit at any time that
456 he or she feels circumstances warrant.
 - 457 ○ No more than two sheriff's office vehicles may pursue a fleeing suspect without the
458 specific authorization of the on-duty supervisor. In authorizing additional vehicles to
459 pursue, the supervisor shall consider:
 - 460 ▪ The nature of the offense,
 - 461 ▪ The number of suspects,
 - 462 ▪ The number of deputies currently participating as primary or support vehicles,
 - 463 ▪ Any injuries or property damage already sustained as a result of the pursuit,
 - 464 ▪ Any other clear, articulated facts that would justify the assignment of additional
465 sheriff's office vehicles.
 - 466
 - 467 ○ After the incident, the supervisor shall critique the pursuit with all of the deputies'
468 involved and direct participants to submit reports.
 - 469 ○ The on-duty supervisor at the time the pursuit was begun will retain authority over the
470 pursuing deputies for the duration of the pursuit.
 - 471 ○ The supervisor may direct the use of tire-deflation devices, as appropriate.
 - 472
 - 473 ● Supporting Deputy's Responsibilities
 - 474 ○ Normally the first back-up unit to respond shall help the primary deputy in pursuing
475 the suspect and making the arrest.
 - 476 ○ The secondary pursuing deputy is responsible for:
 - 477 ▪ Broadcasting the progress of the pursuit and controlling the pursuit tactics.
 - 478
 - 479 ○ The secondary deputy must also alert other deputies of the probable route of travel.
 - 480 ▪ By handling these communications responsibilities, the primary deputy can focus
481 attention on the pursuit driving.
 - 482
 - 483 ○ Tire-deflation devices may be deemed appropriate to stop a pursuit and may be set up
484 by supporting officers.
 - 485 ▪ These devices shall be used only by individuals trained in their use and only under
486 the direct authorization of the on-duty supervisor.
 - 487
 - 488 ● Dispatcher's Responsibilities
 - 489 ○ Record all pertinent information about the pursued vehicle.
 - 490 ○ Notify all appropriate on-duty supervisors when the pursuit has begun.
 - 491 ○ Advise all other deputies of the pursuit and the information given by the pursuing
492 deputy.
 - 493 ○ Order the radio cleared of all but emergency traffic.
 - 494 ○ Alert all other nearby law-enforcement agencies of the pursuit and information given
495 by pursuing deputy when continuing beyond the County of York and the City of
496 Poquoson.
 - 497 ○ Query DMV, VCIN, and NCIC for license data and any warrants.

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MAJOR CONSIDERATIONS DURING PURSUITS

- Engaging in Pursuits
 - Deputy Sheriffs shall not operate a vehicle at a rate of speed that may cause loss of control.
 - The Sheriff expects deputies to end the pursuit whenever the safety risks outweigh the need for immediate apprehension.
 - The decision to begin, responsibility for continuing, and the choice of method of pursuit rests primarily, if not solely, with the individual deputy(s) involved.
 - Deputies should be aware that the courts may hold them criminally and civilly responsible for a pursuit conducted in a negligent manner. Therefore, deputies must exercise sound judgment and carefully consider the seriousness of the offense, the possible consequences, and the safety of citizens. Such considerations may include the following:
 - The seriousness of the crime,
 - The possibility of apprehension without pursuit,
 - The environment of the pursuit, such as a residential area, school, business district, or a limited-access highway, and the related street and traffic conditions,
 - The number of citizens and their distribution within the environment of the pursuit, such as bystanders, people in vehicles, children at play or going to or from a school,
 - The weather conditions,
 - Lighting and visibility,
 - Time of day, day of week, and season,
 - Speeds involved,
 - Condition of the vehicles involved, including the pursuing vehicle,
 - The capabilities, limitations, mental state of the drivers to including participating deputies.

- Rules of Pursuits, In Jurisdiction
 - The following will be adhered during all pursuits:
 - Deputies shall not:
 - ❖ Intentionally ram, bump, or collide with a fleeing vehicle, or
 - ❖ Pull alongside such vehicles in an attempt to force them off the road or into an obstacle.
 - Moving roadblocks shall be performed only at low speeds and under the direct authorization of the on-duty supervisor and then only if the participating deputies have been trained in the technique.
 - ❖ For this tactic to be employed, more than two pursuit vehicles must be involved.
 - Caravanning is prohibited.
 - Deputies shall not fire their weapons from a moving vehicle.

- 543 ❖ Deputies may only fire weapons at a vehicle under conditions described in [GO](#)
544 [2-6, Use of Force](#) policy.
545
- 546 ■ Should the person(s) attempting to avoid apprehension stop the fleeing vehicle
547 and proceed on foot, the deputy shall stop, give his or her location, and continue
548 efforts to apprehend on foot.
 - 549 ❖ Circumstances may dictate, however, a continued pursuit in a vehicle.
550
 - 551 ■ Support vehicles shall be dispatched in close proximity to offer assistance.
 - 552 ❖ The pursuing deputy should be cautious, however, that the pursued vehicle
553 may carry other persons who might be a threat to him or her.
554
 - 555 ■ If the on-duty supervisor orders the pursuit to end, then the primary and
556 supporting pursuing deputies shall cease immediately.
 - 557 ■ The pursuing deputy(s) shall end the pursuit if at any time during the course of the
558 pursuit he or she loses sight of the fleeing vehicle for more than a few seconds.
 - 559 ■ When accompanied by civilian passengers, deputies shall not pursue.
 - 560 ■ If a civilian is in a sheriff's office vehicle at the beginning of a pursuit, that
561 deputy shall:
 - 562 ❖ Turn the pursuit over to another deputy, or
 - 563 ❖ Deposit the civilian at an appropriate safe location and notify dispatch to have
564 the observer picked up.
565
 - 566 ■ When two vehicles are involved in pursuit:
 - 567 ❖ Each unit shall maintain a safe distance especially when passing through
568 intersections.
 - 569 ❖ Each unit involved in the pursuit shall use a different siren-sound selection, if
570 circumstances and safety permit.
 - 571 ➤ The use of different siren-sound combinations can help the primary and
572 secondary vehicles hear one another and alert motorists and bystanders
573 that two vehicles are operating under emergency conditions.
574
 - 575 ■ When the pursuit suspect drive in a direction opposite to the flow of traffic:
 - 576 ❖ The pursuing deputy shall not follow the suspect in the wrong direction,
 - 577 ❖ Shall transmit via radio detailed observations about the suspect vehicle's
578 location, speed, and direction of travel.
 - 579 ➤ The pursuing deputy may follow the suspect on a parallel road.
580
 - 581 ■ Deputies involved in a pursuit shall not try to overtake or pass the suspect's
582 vehicle.
 - 583 ❖ Deputies who have been trained in moving roadblocks may overtake or pass
584 in order to apply the technique with the approval of the on-duty supervisor.
585
 - 586 ■ Intersections are a particular source of danger.
 - 587 ■ When approaching an intersection where signal lights or stop signs control the
588 flow of traffic, deputies shall:

- 589 ❖ Reduce the vehicle's speed and control the vehicle to avoid collision with
590 another vehicle or pedestrian.
- 591 ❖ Deputies shall ensure that the intersection is clear before cautiously
592 proceeding through it after having made all other vehicles aware of their
593 presence.
- 594 ❖ Resume the pursuit speed only when safe.
- 595 ➤ When using emergency lights, siren, and headlamps, the deputy is
596 requesting the right of way and does not absolutely have the right to run a
597 red traffic light or stop sign.
- 598
- 599 • Stationary Roadblocks
- 600 ○ The use of a stationary roadblock maybe authorized by the Sheriff, by any command
601 officer, or by the on-duty patrol supervisor.
- 602 ○ The use of a roadblock constitutes the use of deadly force and [GO 2-6, Use of Force](#),
603 shall apply.
- 604 ▪ Roadblocks should only be used as a last resort in circumstances where deadly
605 force would otherwise be justified.
- 606
- 607 ○ The decision to erect a roadblock must consider:
- 608 ▪ The safety of deputies,
- 609 ▪ The risk of physical injury to the occupants of the pursued vehicle,
- 610 ▪ The protection of citizens and their property,
- 611 ▪ The nature and severity of the offense(s) involved,
- 612
- 613 ○ The roadblock must be clearly visible at a distance sufficient to enable approaching
614 vehicles to stop safely,
- 615 ○ The supervisor in charge of the roadblock shall notify the dispatcher of its precise
616 location,
- 617 ○ All participating deputies must be aware of the roadblock and have acknowledged
618 this awareness before it is constructed.
- 619 ▪ No personnel shall remain in blocking vehicles.
- 620
- 621 ○ An avenue of escape shall be provided.
- 622
- 623 • Tire Deflation Devices
- 624 ○ Tire deflation devices are useful in ending pursuits.
- 625 ▪ Their use must be governed by sound judgement and procedures outlined in this
626 policy.
- 627
- 628 ○ Utilization
- 629 ▪ The following shall be adhered to prior to the utilization of tire deflation devices:
- 630 ❖ Deputies using tire deflation devices shall have completed training on the use
631 of these devices.
- 632 ❖ Any use of tire deflation devices shall be approved by the on duty supervisor.
- 633 ❖ There is reasonable cause to believe the suspect has committed an offense
634 justifying the arrest of the suspect.

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- ❖ The deputies attempting to apprehend the suspect have given notice of command to stop the suspect by means of both lights and siren.
 - ❖ The suspect ignores the efforts and warnings obvious and visible to a reasonable person in the suspect's position.
- Deployment considerations
 - Sworn employees involved in using tire deflation devices will consider the following prior to utilizing this equipment:
 - ❖ Nature of the offense and if termination of the pursuit would be a better option.
 - ❖ Most effective location for the placement of tire deflation devices.
 - Deployment locations should have reasonably good sight distances to enable the person deploying the devices to observe the pursuit and other traffic as it approaches.
 - The on duty supervisor or deputy deploying the tire deflation device should choose a location with natural barriers such as roadway overpasses, guardrails or shrubbery.
 - ✓ These barriers will conceal the deputy from the suspect's view and allow deployment of the devices in a relative position of safety.
 - Position and vulnerability of the public, private property, and other assisting units and equipment.
 - Deployment should not occur on:
 - Curves,
 - Bridges,
 - Those locations where reasonable judgment under the circumstances would dictate avoidance.
 - High traffic areas,
 - Construction zones,
 - During special events, or activities that may create situations where the use of the device would be inappropriate.
 - Tire deflation devices should not be deployed to stop the following vehicles unless continued movement of the suspect vehicle would result in an increased hazard to others:
 - ❖ Any vehicle transporting hazardous materials
 - ❖ Any passenger bus transporting passengers
 - ❖ Any school bus transporting students
 - ❖ Any vehicle that would pose an unusual hazard to innocent parties
 - ❖ Any two wheel or three wheel vehicles, unless deadly force is justified
 - Pursuing units
 - Pursuing units shall coordinate with the deputy deploying the tire deflation devices in order to ensure the safe and effective use of the devices.

- 679 ▪ When the decision is made to deploy the device, the on duty supervisor shall
- 680 notify the deputy deploying the device as far in advance as possible of the
- 681 necessity of their use.
- 682 ▪ All pursuing units shall be notified when the device is in place.
- 683 ▪ Pursuing units shall increase their following distance and slow their speed when
- 684 approaching the deployment location.
- 685 ❖ Pursuing units must be cognizant of the fact that deflation prongs may have
- 686 detached from the device and be in the roadway.
- 687
- 688 ○ Deputy deploying the device
- 689 ▪ The deploying deputy shall notify the 911 Communications center of the specific
- 690 location where the device will be deployed.
- 691 ▪ The deputy deploying the device shall be in position at a predetermined location
- 692 in sufficient time for proper deployment.
- 693 ▪ The devices shall be deployed in accordance with the manufacturer's
- 694 recommendations and training guidelines.
- 695 ▪ Do not engage in physical contact with the rope or device while they are being
- 696 run over.
- 697 ▪ After deploying the tire deflation device, everyone at the scene should
- 698 immediately seek protection.
- 699 ▪ Deputies deploying the device are responsible for securing them immediately
- 700 after their use. This would include:
- 701 ❖ Searching the immediate area where the device was used and collecting any
- 702 spikes or points which may have become detached
- 703 ❖ Properly maintaining, preparing for reuse and storing the device.
- 704
- 705 ▪ The use of a tire deflation device constitutes a use of force.
- 706 ❖ The deputy deploying a tire deflation device must complete a Use of Force
- 707 Report in accordance with [GO 2-6, Use of Force](#).
- 708
- 709 ● Out-of-Jurisdiction Pursuits when Pursuit Originated Within Jurisdiction
- 710 ○ Due to the geography of York County and the City of Poquoson it is a very real
- 711 possibility that pursuits may involve pursuing in or through other jurisdictions.
- 712 ○ The following shall apply in the event a pursuit goes outside of York County:
- 713 ▪ Pursuits beyond the local jurisdiction require the direct approval of the on-duty
- 714 supervisor and, if approved, shall be conducted according to this order.
- 715 ▪ The dispatcher shall notify the appropriate jurisdiction of the pursuit and request
- 716 help.
- 717 ▪ Deputies shall review Section [19.2-76](#), Code of Virginia, concerning arrests
- 718 outside the jurisdiction where the offense is charged and Section [19.2-77](#), Code of
- 719 Virginia, concerning pursuits and arrests anywhere within Virginia.
- 720 ▪ Deputies are authorized to pursue a suspect and apprehend him wherever he is
- 721 found within Virginia.
- 722 ▪ Once the pursuit has entered another jurisdiction, York County deputies shall
- 723 continue the pursuit until officers from that jurisdiction enter the pursuit and take
- 724 it over.

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- The primary pursuit unit will safely continue the pursuit to the location of apprehension and make him or herself available for investigating the origin of the pursuit.
 - Once officers from another location have sufficiently taken over the pursuit, pursuing county deputies, other than the primary pursuit unit, shall cease the pursuit, unless circumstances require their continued pursuit, turning off emergency equipment.
- Pursuits Originating Outside of Jurisdiction by Other Agencies
 - If officers from another jurisdiction pursue a suspect into the County of York/ City of Poquoson, deputies shall take over the pursuit after receiving approval of the on-duty supervisor.
 - Any non-pursuit assistance, including apprehension of a stopped suspect, may be provided as circumstances dictate.
 - When the fleeing suspect is apprehended in another jurisdiction, the pursuing deputy shall take the arrested person before a judicial officer as specified by the Code of Virginia.
 - When a fleeing suspect from another jurisdiction is apprehended within the County by officers from that jurisdiction, from which he was fleeing, the apprehending officer shall take the arrested person before a judicial officer as allowed by the Code of Virginia.
 - ❖ If York County deputies are involved in the apprehension, the on-duty supervisor shall confer with the other jurisdiction to determine who shall maintain custody of the suspect based upon the totality of the circumstances. See, Section [19.2-76](#), Code of Virginia and Section [19.2-77](#), Code of Virginia for information where the suspect must be taken when apprehended outside of the pursuing agency's jurisdiction.

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753 **TERMINATING PURSUITS**

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- This order has noted the necessity for a pursuing deputy to continuously evaluate the risks and goal of a pursuit. Under some conditions, abandoning a pursuit may prove the most intelligent decision the deputy can make.
 - Discontinuing a pursuit does not mean that the deputy cannot follow the vehicle at a safe speed, or remain in the area ready to resume the pursuit if the opportunity presents and circumstances warrant.
 - No deputy can be disciplined for discontinuing a pursuit.
 - It is not the intent of the Sheriff to second-guess the decision of a deputy or supervisor not to pursue or to discontinue pursuit because of safety considerations.
 - Deputies shall discontinue a pursuit under the following circumstances:
 - At the direction of the on-duty supervisor.
 - The pursuing vehicle experiences an equipment or mechanical failure that renders the vehicle unsafe for emergency driving.

- 770 ▪ The pursued vehicle has outdistanced the pursuing deputy such that its location is
- 771 not known.
- 772 ▪ A person has been injured during the pursuit and no medical or other sheriff's
- 773 office personnel are able to provide help.
- 774 ▪ The pursuing deputy perceives a clear, unreasonable danger to deputies, the
- 775 fleeing suspect, or the public, and the danger created by continuing the pursuit
- 776 outweighs the value of apprehending the suspect at the time.
- 777 ▪ If the violator's identity is established to the point where later apprehension may
- 778 be accomplished and where there is no immediate threat to the safety of the public
- 779 or the deputy.

780 **FOLLOW-UP REQUIREMENTS**

- 783 • The on-duty supervisor shall ensure that all participating deputies document their
- 784 involvement in the pursuit prior to the end of the shift whether or not the suspect was
- 785 stopped.
- 786 ○ The deputy initiating the pursuit and all deputies participating in the pursuit or
- 787 assisting following a pursuit shall:
 - 788 ▪ Document their involvement in the form of a report in the RMS system for
 - 789 initiating deputy or a supplemental report to the initial report for other deputies
 - 790 involved in the pursuit or assisting following the pursuit.
 - 791 ▪ The report shall contain the following:
 - 792 ❖ The names of participating deputies and officers from other agencies involved
 - 793 ❖ A narrative description of where the pursuit began and under what
 - 794 circumstances including:
 - 795 ➤ Reason for initiating the pursuit,
 - 796 ➤ Weather Conditions,
 - 797 ➤ Traffic Conditions (Heavy, Moderate or Light),
 - 798 ➤ Speeds during the pursuit,
 - 799 ➤ Duration of the pursuit in time and approximate miles,
 - 800 ➤ Tactics used to stop the suspect vehicle and their effectiveness, such as tire
 - 801 deflation devices,
 - 802 ➤ Observations of the behavior or actions of the fleeing driver that may
 - 803 support additional criminal charges,
 - 804 ➤ A description of how the offender was apprehended,
 - 805 ➤ Level of force used to apprehend the offender or offenders,
 - 806 ➤ Description of any property damage as a result of the pursuit:
 - 807 ✓ To County Vehicles, or
 - 808 ✓ Private Property including offender's vehicle,
 - 809
 - 810 ➤ Offenses for which the offender or offenders or passengers were charged,
 - 811 ➤ Location where the pursuit ended,
 - 812 ➤ Reason for terminating the pursuit.
 - 813
 - 814 ○ The supervisor shall:

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- Complete an entry, regarding the pursuit, in the Internal Affairs Module for Pursuits.
 - ❖ All applicable fields shall be completed within the module.
 - ❖ An administrative review of all pursuits shall be conducted by the Patrol Division Commander.