

## **CHICAGO P.D. REVISED PURSUIT POLICY**

Chicago Police Department      General Order G03-07      FOOT PURSUITS

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### **“HIGHLIGHTS”**

<https://home.chicagopolice.org/chicago-police-department-announces-new-foot-pursuit-policy/>

- Reminding officers to begin any interaction with tactics meant to reduce the possibility of a foot pursuit.
- Defining foot pursuits as appropriate only when there is probable cause for an arrest or it is believed an individual has committed, is committing or is about to commit a crime.
- Prohibiting foot pursuits stemming from minor traffic offenses.
- Detailing tactics to avoid a foot pursuit, including continual communication with a subject and encouraging officers to position themselves in such a way to reduce the opportunity for a foot chase.
- Outlining alternatives to foot pursuits that should always be considered by officers, including establishing a surveillance or containment area and/or apprehending an identified suspect at another time or place.
- Ensuring circumstances surrounding a foot pursuit are considered before any foot pursuit takes place. Officers must ask themselves if the need to apprehend the subject is worth the risk to responding officers, the public, or the subject.
- Prohibiting foot pursuits for criminal offenses less than a Class A misdemeanor, unless the person poses an obvious threat to the community or any person.

- Discontinuing foot pursuits if someone is injured and requires immediate medical assistance; if officers are unaware of their location; and if the need to apprehend the subject is not worth the risk to responding officers, the public or the subject.
- Informing Department members that they should not separate from their partner or from assisting units in a foot pursuit if the loss of visual contact, excessive distance or nearby obstacles interfere with their ability to come to the aid of their partner.
- Termination of a foot pursuit if officers engaged in the pursuit believe they would not be able to control the suspect if a confrontation were to occur.
- Outline responsibilities for supervisors, which allow them to instruct officers to discontinue a foot pursuit at any time.
- Requiring officers to notify the Office of Emergency Management and Communications (OEMC) of a foot pursuit.
- Ensuring officers engaged in foot pursuits activate body-worn cameras to record the entire incident in accordance with the Department's body-worn camera policy.

### **FULL POLICY**

<http://directives.chicagopolice.org/directives/data/a7a57b9d-179a9317-d4d17-9a93-2a6d250bcc47c521.html>

#### **I. PURPOSE**

This directive:

A. establishes the Department policy on foot pursuits, including the considerations for Department members to:

1. reduce the likelihood of flight by a subject and mitigate the risks of foot pursuits.
2. determine whether to initiate, engage in, or continue a foot pursuit.

B. outlines the responsibilities for pursuing members, assisting members, and supervisors when involved in a foot pursuit and to safely apprehend fleeing subjects.

C. establishes a process for the Department review of foot pursuit incidents, including a representative sample of foot pursuits not involving a reportable use of force.

NOTE: The Department has determined extraordinary circumstances demand an immediate publication and implementation of this policy. The Department will continue to work to review and modify the procedures and responsibilities established by this directive, as necessary, to ensure the appropriate action, supervision, and accountability as related to Department members engaging in foot pursuits. While this review is being conducted and until a revised directive is published, the procedures established by this directive will remain in effect.

## II. POLICY OVERVIEW

A. The Department's mission is to serve our communities and protect the lives, rights, and property of all people in Chicago. The Chicago Police Department acts in a unified manner to uphold this mission with its highest priority being the sanctity of all human life, while maintaining order and enforcing the law impartially. The concept of the sanctity of human life is the belief that all human beings are to be perceived and treated as persons of inherent worth and dignity, regardless of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, immigration status, homeless status, source of income, credit history, criminal record, criminal history, or incarceration status. Department members must act with the foremost regard for the preservation of human life and the safety of all persons involved.

B. A foot pursuit is an event in which a sworn Department member, on foot, chases a subject who is fleeing on foot to resist apprehension for suspected criminal activity.

1. Apprehending a person for their well-being (e.g., suffering from dementia or an endangered missing person) is not considered a foot pursuit.

2. In these situations, the primary concern will be the safety of all persons involved and Department members will continue to follow the procedures

outlined in the existing Department directives, including "People with Disabilities" and "Recognizing and Responding to Individuals in Crisis."

C. Foot pursuits carry inherent risk to Department members, members of the public, and fleeing subjects. When engaging in a foot pursuit, the safety of Department members, members of the public, and the fleeing subject should be the primary consideration when determining whether a foot pursuit should be initiated or continued.

D. Department members will not engage in a foot pursuit when prohibited by this directive as outlined in Item V, including the prohibition on engaging in foot pursuits for offenses less than a Class A misdemeanor.

E. The Department recognizes that deciding to initiate or continue a foot pursuit is often a decision a Department member must make quickly and under tense, unpredictable, and dynamic circumstances. Due to the individualistic nature of foot pursuits, Department members should be prepared to develop a safe, flexible, and tactical approach to each situation to safely apprehend a fleeing subject.

F. Because of the inherent risk associated with engaging in foot pursuits, when safe and feasible to do so, sworn Department members must take precautions to reduce the likelihood of flight by a subject. Department members are required to use the Force Mitigation Principles as preventative measures, unless doing so would place a person or a Department member in immediate risk of harm or would be ineffective at the time.

G. Due to the rapidly evolving and individualistic nature of foot pursuits, whenever a sworn Department member engages in a foot pursuit, the member will continuously assess the circumstances of the pursuit and determine the appropriate response to effectively apprehend the subject and safely conclude the pursuit.

H. When deciding to not engage in or continue a foot pursuit, Department members will be required to take other appropriate police actions, including but not limited to making the required notifications and the coordination of tactical and technological apprehension efforts.

I. Department members, including supervisors, will not be disciplined for deciding not to engage in or continue a foot pursuit or for instructing that a foot pursuit be discontinued, based upon a reasonable assessment that the risk to the involved members, members of the public, or the subject of the continued foot pursuit

outweighs the necessity for the immediate apprehension of the subject.

### III. PRE-PURSUIT CONSIDERATIONS

A. When approaching a subject, Department members are required to use the Force Mitigation Principles as preventative measures, unless doing so would place a person or a Department member in immediate risk of harm or would be ineffective at the time. The Force Mitigation Principles include but are not limited to:

1. Continual Communication. Department members will attempt to use verbal control techniques to avoid or minimize flight and calm the subject by tone of voice and choice of words.

EXAMPLE: Department members should consider employing trauma-informed communications techniques, including using a respectful tone and acknowledging any confusion or mistrust by the person, to allow the individual to comply with the member's verbal direction.

2. Tactical Positioning. Department members will make advantageous use of positioning during the initial contact with the subject and should consider placing the subject in positions favorable to the member to reduce the opportunity for flight (e.g., sitting).

EXAMPLE: Department members should consider a coordinated approach with multiple officers when initiating contact with multiple subjects who present a reasonable risk of flight.

3. Time as a Tactic. Department members will consider using the element of time to request assistance, permit the de-escalation of the situation, and allow for the arrival of additional resources.

EXAMPLE: Department members should consider waiting for backup before stopping a vehicle or before approaching a subject who is on foot if there is a reasonable belief that the subject may present a flight risk.

B. Because of the inherent risks involved in foot pursuits, the most appropriate tactical option to safely apprehend a fleeing subject will differ in every circumstance. The decision to engage in a foot pursuit or employ other reasonable alternatives will be based on the totality of the circumstances faced by the member on the scene. Alternatives to engaging in a foot pursuit may include, but are not

limited to:

1. obtaining assistance from other Department members,
2. establishing containment or surveillance of the area,
3. the use of tactical and technological apprehension efforts,
4. requesting assistance from specialized units (e.g., Helicopter Unit, Canine Teams), or
5. apprehending the subject at another time and place, when probable cause exists for an arrest and the identity of the subject has been clearly established to the point that later apprehension can be accomplished.

C. Department members should consider alternatives to engaging in a foot pursuit in circumstances that create a heightened risk for Department members, members of the public, and the subject. When determining whether to initiate a foot pursuit or employ alternatives, Department members should consider factors that impact the risk or safety of the Department members, members of the public, and the subject such as:

1. the number of subjects involved.

NOTE: The simultaneous pursuit of two or more subjects by one member carries greater inherent risk to the pursuing member. Whenever faced with the pursuit of two or more subjects, Department members must, when safe and feasible to do so, consider other available tactical options, including limiting the pursuit to one subject.

2. the number of Department members involved, including working alone as a one-person unit.
3. whether the Department members involved have identified themselves or are readily identifiable as Chicago Police Officers.

NOTE: Non-uniformed Department members may not be readily identifiable as Chicago Police Officers. Therefore, non-uniformed Department members will identify themselves upon engaging in a foot pursuit, unless

identification would jeopardize the safety of the member or others.

4. whether the subject is believed or known to be armed.

NOTE: The pursuit of an armed subject carries greater inherent risk than pursuing a subject who is not. Whenever faced with a subject who is visibly armed with a firearm, Department members will, when safe and feasible to do so, consider other available tactical options, including cover and tactical positioning.

5. the severity of the offense committed by the subject, the presence of a victim, and likelihood that the offense will continue, recur, or endanger or disregard the safety of others if the subject is not apprehended.

6. the identity of the subject has been clearly established to the point that later apprehension can be accomplished.

7. the availability and proximity of assist units.

8. the availability of radio communications.

9. the safety concerns based on the physical characteristic of the pursuit location, that may include:

a. nature of the area: residential, commercial, school zone, roadway.

b. community setting: school dismissal, community event, pedestrian traffic.

c. weather, lighting, time of day, and other environmental factors such as unsteady terrain or obstacles present.

d. condition of the structures: abandoned or troubled building.

e. physical hazards: clotheslines, unrestrained animals, train tracks, rail yards, waterways.

f. the pursuing member's familiarity with the area.

#### IV. DECISION TO PURSUE

A. A Department member's decision to engage in a foot pursuit will be based on whether it is objectively reasonable to do so considering the totality of the circumstances faced by the member on the scene.

B. Department members may engage in a foot pursuit with subjects only when they have reasonable articulable suspicion to believe that the subject has committed, is committing, or is about to commit a crime, or probable cause to substantiate an arrest and the subject flees.

1. Department members may not engage in a foot pursuit based solely on a person's response to the presence of police, including a person's attempt to avoid contact with a Department member (e.g., walking away, declining to talk, running away, or crossing the street to avoid contact). People may avoid contact with a Department member for many reasons other than involvement in criminal activity.

2. If otherwise consistent with this directive, Department members may engage in a foot pursuit when a subject runs unprovoked from the police and there is reasonable articulable suspicion to believe the subject is running because they have committed, are committing, or are about to commit a crime. In this situation, the Department member must be able to articulate the specific facts establishing reasonable articulable suspicion, including how the subject's unprovoked flight is linked to their suspected participation in the type of criminal activity.

**EXAMPLE:** Facts that may establish a link between a subject's unprovoked flight and the type of criminal activity include that the Department member:

a. observes the subject taking actions that are consistent with the commission of the particular crime.

b. has personal knowledge that the subject has committed the crime previously or that there was a recent call for service about that particular crime being committed at that location.

C. When deciding to initiate or continue a foot pursuit, Department members will weigh the risks to the involved members, members of the public, and the subject

with the necessity for immediate apprehension of the subject.

## V. PROHIBITIONS

A. Department members will not initiate or continue a foot pursuit if the member:

1. reasonably believes the risk to Department members, members of the public, or the subject of the pursuit outweighs the necessity for immediate apprehension.
2. reasonably believes that the established reasonable articulable suspicion or probable cause is solely for a criminal offense less than a Class A misdemeanor (a sentence of less than one year of imprisonment) and the person:
  - a. poses no obvious threat to the community or any person, or
  - b. has no obvious medical or mental health issues that pose a risk to their own safety.

### EXAMPLE:

- a. Some examples of Class A misdemeanor offenses where foot pursuits are permitted include aggravated assault, battery, domestic battery, unlawful use of weapon, criminal trespass to residence or vehicle, theft, and retail theft.
  - b. Some examples of less than a Class A misdemeanor offenses where foot pursuits are prohibited include business license offenses, parking violations, ordinance violations (e.g., curfew, drinking on the public way), or Class B or C misdemeanors (e.g., simple assault or criminal trespass to land).
3. reasonably believes that the established reasonable articulable suspicion or probable cause is solely for a traffic offense that does not disregard or endanger the safety of others.

**EXAMPLE:**

a. Some examples of traffic offenses where foot pursuits are permitted include driving under the influence, reckless driving, and street racing.

b. Some examples of traffic offenses where foot pursuits are prohibited include licensing violations (e.g., fictitious, altered, suspended, revoked, or unlawful use of license), insurance violations, and other petty violations enforceable by citation only.

4. becomes injured and is unable to safely continue the foot pursuit or a third party is injured and requires immediate medical aid that cannot be provided by other on-scene Department members or emergency medical personnel.

5. is unaware of their current location or is unable to provide a location for support units to respond.

6. loses their Department-issued radio or loses the ability to effectively communicate with OEMC or other Department members.

7. loses their firearm or other essential equipment that may endanger the member or the public if recovered by another person.

8. reasonably believes they would not be able to control the subject should a confrontation occur (e.g., due to exhaustion or physical condition).

9. is directed by a supervisor not to initiate or continue a foot pursuit.

**NOTE:** If a foot pursuit concludes without the apprehension of the subject, immediate efforts for containment should be implemented by on-scene members and tactical and technological apprehension strategies considered based upon circumstances and available resources.

**B.** Department members are prohibited from intentionally provoking flight to justify engaging in a foot pursuit.

## VI. PROCEDURES

A. Consistent with the Department directive titled "Body Worn Cameras," Department members will:

1. activate their body-worn camera to event mode at the beginning of an incident to record law-enforcement-related activities as outlined in the Illinois Officer-Worn Camera Act (50 ILCS 706/10).
2. continue to record the incident with their body-worn camera when initiating and engaging in a foot pursuit to ensure the entire pursuit is recorded.
3. indicate if the incident was recorded in any reports completed for the foot pursuit.

B. Engaging in a Foot Pursuit. Upon engaging in a foot pursuit, the pursuing Department member:

1. will notify the Office of Emergency Management and Communications (OEMC) immediately upon the initiation of a foot pursuit or as soon as safely practical of the foot pursuit and attempt to broadcast the member's radio ID/beat number, location, and reason for the pursuit.
2. make reasonable efforts to provide OEMC with additional information and updates during the pursuit, including:
  - a. the direction of travel of the subject and pursuing Department member.
  - b. whether the subject is believed to be armed.
  - c. the subject's physical description or other identifiers.
  - d. the number of subjects who are fleeing.
3. will, to the extent possible:

a. avoid unnecessary continuous radio activation (e.g., open key situations) unless actively communicating pursuit information, so as not to impede communications from assist units.

b. monitor the radio communications for additional information from OEMC, the location of responding assist units, or guidance and direction from supervisors.

4. will continuously assess the circumstances and potential risks associated with continuing the foot pursuit and determine the appropriate response to effectively apprehend the subject and safely conclude the pursuit.

5. will maintain weapon discipline and weapon retention.

a. Running with a firearm unholstered and carried in the hand creates a greater inherent risk and could lead to injury or unintended hazards (e.g., unintentional firearm discharge, losing control of the firearm).

b. While it is safer to run with a firearm holstered, there are circumstances when it is objectively reasonable to run with a firearm unholstered and carried in the hand, based on the totality of the circumstances faced by the member on the scene, including but not limited to factors such as the:

(1) nature of the incident (e.g., call of a person with a gun).

(2) level of threat, resistance, or risk to a Department member or the public presented by the subject (e.g., possession, or indicators of possession, of a weapon).

6. should use caution when going over obstacles/barriers, rounding corners, or approaching the end of a fence, especially when following the same path as the subject.

7. will, based on the circumstances, consider whether to request assistance from other Department members such as assisting unit members, citywide units (e.g., Community Safety Team), or specialized support (e.g., Canine Team, Helicopter Unit).

8. may use force only when it is objectively reasonable, necessary, and proportional consistent with the Department directive titled "De-escalation, Response to Resistance, and Use of Force" prior to, during, and after a foot pursuit. Department members are prohibited from using:

- a. excessive or unlawful force.
- b. force as punishment or retaliation (e.g., force used to punish or retaliate for fleeing or resisting arrest).
- c. deadly force, including on a fleeing subject, unless necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person.

9. will comply with the guidance and instructions given by a supervisor during a foot pursuit, including instructions to hold a position or discontinue a pursuit. When instructed to discontinue a foot pursuit or hold their position, Department members will safely end the pursuit and take a safe tactical position without unreasonably endangering themselves or others.

### C. Working with a Partner.

1. Separation from a partner or other assist units carries greater inherent risk and may compromise the safety of the members or members of the public, hinder effective communication between members, delay the ability to provide assistance when confronted by the subject, or create a situation that places the member in a tactical disadvantage (e.g., potential cross-fire positioning).

2. When working with a partner, Department members engaged in a foot pursuit will:

- a. not separate from their partner or other assist units to the extent where the loss of visual contact, distance, or obstacles will delay the ability to provide assistance during the apprehension of the subject.
- b. work to remain in sight of and maintain communications with their partner. The pursuing member should concentrate on the subject's actions while the partner should concentrate on providing back-up and

maintaining communications with assisting members.

3. However, Department members may consider separating from a partner or other assist units through a coordinated effort when using tactical positioning or containment strategies to eliminate flight opportunities, reduce the likelihood of continued flight by a subject, preserve officer safety, or provide for the safe apprehension of the subject.

4. If two or more members have multiple subjects detained and one flees, Department members should not pursue the fleeing subject if that leaves his or her partner or assisting units in a situation in which the number of detained subjects cannot be safely controlled by the remaining member(s).

5. If two or more members have multiple subjects detained and multiple subjects flee, Department members should not separate if that leaves their partners or assisting units in a situation that would delay the ability to provide assistance during the apprehension of the subject.

D. Notifications. Immediately upon the notification that a Department member has initiated or is engaged in a foot pursuit, the OEMC dispatcher will:

1. immediately clear the radio zone channel of all radio traffic.

2. attempt to establish the identity and location of the unit initiating the foot pursuit and the reason for the pursuit.

3. notify and assign a supervisor from the pursuing member's unit to monitor the foot pursuit. If a supervisor from the pursuing member's unit is unavailable, the OEMC dispatcher will notify and assign a supervisor from the district of occurrence.

4. under direction from the assigned supervisor, notify and dispatch the appropriate or requested Department resources and coordinate the resources to assist in managing the foot pursuit to a safe conclusion.

5. create the appropriate "Foot Pursuit" Police Computer Aided Dispatch (PCAD) event for the foot pursuit and record the incoming information of the foot pursuit.

6. provide continual updates on the foot pursuit and maintain radio discipline until the pursuit is concluded or discontinued.

#### E. Tactical and Technological Apprehension

1. Based on the totality of the circumstances, rather than attempting to overtake and immediately apprehend the subject, Department members may determine that the most appropriate tactical option to safely apprehend a fleeing subject is to:

a. contain the subject and use tactical and technological apprehension efforts, or

b. employ reasonable alternatives to apprehend the subject at a later time.

2. When safe and feasible to do so, pursuing Department members:

a. should consider establishing a perimeter in the area to contain the subject. The pursuing member will coordinate with assist units to maintain and control the established perimeter.

b. will request assistance from other Department members (e.g., District Strategic Decision Support Centers (SDSC) and responding assisting Department members) and, if appropriate, outside unit support (e.g., Canine Team, Helicopter Unit) to support the tactical and technological apprehension efforts.

c. develop and coordinate the plan for the tactical and technological apprehension of the subject in a containment situation.

3. District Strategic Decision Support Centers (SDSC) will provide real-time support to field personnel engaged in the apprehension of subjects involved in foot pursuits consistent with the Department directive titled "Strategic Decision Support Center Initiative." SDSC personnel will support the tactical and technological apprehension efforts by:

a. using the Department's video and monitoring technology (e.g., Police Observation Devices (PODs)) to observe the scene of the incident and provide information on the movement and location of

any observed subjects and Department personnel.

b. using the Department's information technology systems to provide information on known subjects, including potential last known addresses, criminal history (e.g., previous weapons violations), or known associates.

c. effectively communicating the related information to the pursuing member and other on-scene Department members and supervisors.

REMINDER: Department members will minimize radio transmissions to allow the pursuing member(s) to effectively communicate pursuit and safety information.

#### F. Concluding a Foot Pursuit. Pursuing Department members:

1. will continuously assess the circumstances of the foot pursuit and weigh the risk to the involved members, members of the public, and the subject with the necessity for immediate apprehension of the subject.

2. will discontinue a foot pursuit when they reasonably believe:

a. the risk to Department members, members of the public, or the subject of the continued foot pursuit outweighs the need to immediately apprehend the subject.

b. an effective alternative exists to apprehend the subject at a later time, including when the identity of the subject has been clearly established to the point that later apprehension can be accomplished, unless doing so would place a Department member or another person in immediate risk of harm.

c. the foot pursuit is otherwise not in compliance with this policy, including the prohibitions to foot pursuits.

3. will discontinue a foot pursuit when directed to do so by a supervisor.

4. will, once the scene is safe and as soon as practical, request appropriate medical aid when an individual is injured, complains of injury, or requests medical attention. Department members may provide appropriate medical

care consistent with the member's training.

**REMINDER:** For use of force incidents resulting from a foot pursuit, as soon as it is safe and feasible to do so, members will provide life-saving aid consistent with their Department training, including the Law Enforcement Medical and Rescue Training (LEMART) training, to injured persons until medical professionals arrive on scene.

5. will, once the scene is safe and as soon as practical, notify OEMC of the end of the foot pursuit or apprehension of the subject, providing OEMC with the location of the member and the subject.

6. if unable to notify OEMC of the foot pursuit at the onset, provide OEMC with a notification as outlined in Item VI-B-1 as soon as it is safe to do so. This notification will be made even if the fleeing subject has eluded apprehension and there was no reportable use of force or there was no injury to any member or the fleeing subject.

7. document the foot pursuit on all appropriate Department reports. When a subject is apprehended at the conclusion of a foot pursuit, a seizure (i.e., investigatory stop or arrest) has occurred and will be documented consistent with existing Department procedures. Department members will continue to:

a. document investigatory stops based on reasonable articulable suspicion and probable cause on an Investigatory Stop Report, consistent with the Department directive titled "Investigatory Stop System."

b. process persons taken into custody based on probable cause and document arrests on an Arrest Report, consistent with the Department directive titled "Processing Persons under Department Control."

8. document any additional incident information consistent with the existing Department directives requiring incident reporting, including but not limited to:

a. the appropriate case report consistent with the guidelines established in the Incident Reporting Guide.

b. a Tactical Response Report for reportable uses of force associated with a foot pursuit consistent with the Department directive titled "Incidents Requiring the Completion of a Tactical Response Report."

c. the OEMC recordation of the pointing of a firearm consistent with the Department directive titled "Firearm Pointing Incidents."

G. Assisting Department Members. Assisting Department members will:

1. safely respond to the scene.
2. minimize non-essential radio transmissions to provide the pursuing members access to radio communication and allow the pursuing member(s) to effectively communicate pursuit and safety information.
3. take a tactically safe and strategic approach to assisting in a foot pursuit.
4. coordinate with pursuing member(s) to establish a perimeter and engage in tactical and technological apprehension efforts.

NOTE: If an assisting member engages in a foot pursuit, he or she will refer to the procedures outlined in this directive for a pursuing Department member.

## VII. SUPERVISION

A. At all times during their tours of duty, Department supervisors, including district station supervisors and watch operations lieutenants, will continuously monitor the radio to ensure that all foot pursuits occurring involving members under their direct supervision are conducted in accordance with this directive.

B. Upon becoming aware of a foot pursuit, the supervisor's role is to monitor the pursuit and appropriately direct and coordinate the situation so as to mitigate against risk to Department members, members of the public, and the subject of the pursuit.

C. Supervisors who are assigned to monitor a foot pursuit:

1. will make reasonable efforts to gather incident information to obtain a sufficient understanding of the circumstances to direct and coordinate the

foot pursuit.

REMINDER: Supervisors will minimize radio transmissions, except for any required coordination of Department member actions, to allow the pursuing member(s) to effectively communicate pursuit and safety information.

2. will continuously assess the circumstances of the pursuit and consider the potential risks to the involved members, members of the public, and the subject in relation to the necessity for immediate apprehension of the subject.

3. based on a reasonable understanding of the circumstances:

a. will direct and coordinate Department resources during a pursuit, including the actions of the pursuing member, assisting members, and support units, to safely apprehend the subject.

b. may advise pursuing members to hold their position, if circumstances and safety permit, to allow for assist members and additional resources to arrive.

NOTE: When advising pursuing members to hold their position, the supervisor will develop and coordinate a plan for the containment and tactical and technological apprehension of the subject.

c. will provide instructions to discontinue a foot pursuit if they reasonably believe that:

(1) the risk of the continued pursuit to Department members, members of the public, or the subject of the continued foot pursuit outweighs the need to immediately apprehend the subject.

(2) the pursuit lacks a legitimate law enforcement objective or is unsupported by reasonable articulable suspicion or probable cause.

(3) an effective alternative exists to apprehend the subject at a later time, including when the identity of the subject has been clearly established to the point that later apprehension can be

accomplished, unless doing so would place a Department member or another person in immediate risk of harm.

(4) the pursuit is otherwise not in compliance with this policy, including the prohibitions to foot pursuits.

4. when available, will respond to the scene of a pursuit resulting in an arrest or when a perimeter is established to contain the subject. If on scene, a supervisor will develop and coordinate the plan for the tactical and technological apprehension of the subject in a containment situation.

D. Department supervisors have the authority to provide guidance and instructions to pursuing and assisting Department members during a foot pursuit to direct and coordinate their actions and ensure compliance with Department policies. Department supervisors do not need to be physically present to direct or coordinate the actions of a foot pursuit.

E. Any monitoring supervisor, regardless of unit of assignment, who has specific knowledge that would necessitate discontinuing a foot pursuit has the authority to do so.

F. After the conclusion of a foot pursuit, the assigned supervisor will:

1. ensure the appropriate medical attention is requested or provided for any injured persons or persons who claim to be injured.
2. ensure that the appropriate incident documentation, including the pursuing member's reports identified in Item VI-F-7 and 8, is completed and promptly reviewed in accordance with this and other existing Department directives outlining incident reporting.
3. ensure any body-worn camera or in-car video data for the incident is appropriately retained consistent with the Department directives titled "Body Worn Cameras" and "In-Car Video Systems."
4. record the foot pursuit and, if appropriate, any actions taken on their Supervisor's Management Log (CPD-11.455) or other appropriate supervisory report by the end of their tour of duty.

5. when appropriate, complete any additional required supervisory reports, including an Injury on Duty Report, in accordance the existing Department directives outlining supervisory reporting.

6. promptly report any known or observed violations of Department policy or any other allegations of misconduct made aware of or received consistent with the Department directive titled "Complaint and Disciplinary Procedures."

G. Department supervisors will effectively supervise the members under their direct command, including identifying and adequately addressing any performance that is exceptional or that may be improved through corrective actions, including training or other nondisciplinary methods.

H. District station supervisors (DSS) will ensure foot pursuits occurring in their district are recorded on the Watch Incident Log (CPD-21.916).

## VIII. ADDITIONAL RESPONSIBILITIES

A. The Training Division will provide members with training, via in-service and during recruit training, on this foot pursuit policy, safety considerations during foot pursuits, and tactical and technological apprehension and containment techniques.

B. The Force Review Division (FRD) will be responsible for reviewing foot pursuits to identify tactical, equipment, or policy concerns consistent with the Department directive titled "Department Review of Use of Force." The FRD will:

1. review reportable use of force incidents that are indicated by the reporting member to be related to a foot pursuit conducted by the member.
2. review a representative sample of reported foot pursuits that are not indicated by Department members as being related to a reportable use of force.
3. identify any patterns, trends, or emerging concerns relative to the reviewed foot pursuits and recommend specific modifications to existing policy, procedures, training, tactics, or equipment that could result in minimizing the:

- a. occurrences of foot pursuits; and
- b. inherent risks involved in foot pursuits.

## GLOSSARY TERMS:

1. Reasonable Articulate Suspicion - Reasonable Articulate Suspicion is an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion. Reasonable Articulate Suspicion depends on the totality of the circumstances which the sworn member observes and the reasonable inferences that are drawn based on the sworn member's training and experience. Reasonable Articulate Suspicion can result from a combination of particular facts, which may appear innocuous in and of themselves, but taken together amount to reasonable suspicion. Reasonable Articulate Suspicion should be founded on specific and objective facts or observations about how a suspect behaves, what the subject is seen or heard doing, and the circumstances or situation in regard to the suspect that is either witnessed or known by the officer. Accordingly, Reasonable Articulate Suspicion must be described with reference to facts or observations about a particular suspect's actions or the particular circumstances that an officer encounters. The physical characteristics of a suspect are never, by themselves, sufficient. Instead, those characteristics must be combined with other factors, including a specific, non-general description matching the suspect or the observed behaviors of the suspect.

A. For Investigatory Stops, a sworn member must possess specific and articulable facts which, combined with rational inferences from these facts, reasonably warrant a belief that the suspect is committing, is about to commit, or has committed a criminal offense.

B. For a Protective Pat Down, a sworn member must possess specific and articulable facts, combined with rational inferences from these facts, that the suspect is armed and dangerous or reasonably suspects that the person presents a danger of attack to the sworn member or others in the area.

NOTE: An Investigatory Stop and a Protective Pat Down are two distinct actions - both require independent, Reasonable Articulate Suspicion (i.e., to stop a person there must be reasonable suspicion of criminal activity, and to stop a person and perform a Protective Pat Down of the person, there must be reasonable suspicion of criminal activity and reasonable suspicion that

the person is armed and dangerous or presents a danger of attack).

2. Probable Cause - Probable cause exists where the police have knowledge of facts that would lead a reasonable person to believe that a crime has occurred and that the subject has committed it. This differs from Reasonable Articulate Suspicion in that the facts supporting RAS do not need to meet probable cause requirements, but they must justify more than a mere hunch. The facts should not be viewed with analytical hindsight but instead should be considered from the perspective of a reasonable officer at the time that situation confronted him or her.