	<b>Abbotsford Police Department</b> <b>Policy and Procedure</b>	
	<b>Operations</b>	<b>Emergency Response</b>
	<b>II.A.090</b>	<b>Police Pursuit</b>

*Portions of this document have been severed pursuant to s. 15(1) of the Freedom of Information and Protection of Privacy Act.*

## PURPOSE

- (1) To ensure that Abbotsford Police Department (“AbbyPD”) police officers, prior to engaging in or continuing a Pursuit, take all reasonable steps to ensure that:
  - (a) the benefit of the Pursuit to the public outweighs the risk of harm to the public; and
  - (b) the Pursuit is conducted in compliance with all relevant internal policy, legislation, Police Services Division *Guidelines for Peace Officers Operating Emergency Vehicles* and other regulatory requirements.

## DEFINITIONS

- (2) **Boxing** - the safe positioning of Emergency Vehicles around a stationary suspect vehicle to prevent the movement of the suspect’s vehicle. Boxing should result in minimal or no contact between the Emergency Vehicle and the suspect’s vehicle. Boxing only occurs when a suspect’s vehicle is stopped.
- (3) **Close the Distance** - reduce the distance between the police officer’s vehicle and another vehicle but does not include a Pursuit. Depending on the circumstances, police officers may attempt to Close the Distance with or without Emergency Equipment engaged.
- (4) **Disable** – to render a vehicle incapable of moving. For clarity, disabling a vehicle does not require the vehicle to be rendered mechanically inoperative. Disabling a vehicle may include forcibly moving the vehicle to a terrain or location which does not support movement.
- (5) **Emergency Equipment** - an audible signal, bell, siren, or exhaust whistle and a flashing red and blue light.

- (6) **Emergency Vehicle** – for the purposes of this policy, an AbbyPD fleet vehicle equipped with Emergency Equipment.
- (7) **Primary Unit** – the police officer operating an Emergency Vehicle during a Pursuit who is responsible for control and direction of the Pursuit, subject to the direction of a supervisor.
- (8) **Pinning** - the use of an Emergency Vehicle to safely make physical contact with, and contain, the suspect's vehicle. Pinning only occurs at low speed or when a suspect's vehicle is stopped.
- (9) **Pursuit** - the driving of an Emergency Vehicle by a police officer while exercising the privileges granted by s. 122(1) of the *Motor Vehicle Act* for the purpose of apprehending another person who refuses to stop as directed by a peace officer and attempts to evade apprehension.
- (10) **Ramming** - the use of an Emergency Vehicle to physically contact the suspect's vehicle and Disable it. Ramming a suspect vehicle is considered a use of force and subject to use of force reporting requirements.
- (11) **Secondary Unit** – the police officer operating an Emergency Vehicle during a Pursuit under the control or direction of the Primary Unit or a supervisor.
- (12) **Terminated** – Emergency Vehicles have ceased following the suspect vehicle, have turned off Emergency Equipment, and have stopped at the side of the road.

## POLICY

- (13) All police officers engaged in a Pursuit will be held to a high standard of care due to the inherent danger of the activity and the foreseeable risk of serious injury and death.
- (14) Police officers will use safe and effective alternatives to a Pursuit if possible. If time and circumstances allow for approved alternate tactics to resolve a situation that has the potential to become a Pursuit, those measures should be implemented at the earliest opportunity.
- (15) All AbbyPD police officers will be governed by this policy, regardless of work assignment or location.
  - (a) **EXCEPTION:** AbbyPD police officers assigned to external agencies will be governed by the terms of any applicable Memorandum of Understanding

(MOU), and the policies and procedure of external agencies as noted in the MOU.

- (16) Decisions relating to a Pursuit must be based on the following principles:
- (a) the safety of the public, the police and the suspect are the paramount and overriding considerations;
  - (b) Pursuits are inherently dangerous; and
  - (c) an attempt to apprehend a fleeing suspect must be limited such that the Pursuit does not unnecessarily or unreasonably endanger the public, the police or the suspect.

These principles ensure that the protection of life takes priority over the apprehension of the offender or the protection or recovery of property. The apprehension of offenders and the protection or recovery of property are important police duties, but such duties must give way to the primary duty to protect life.

## PROCEDURE

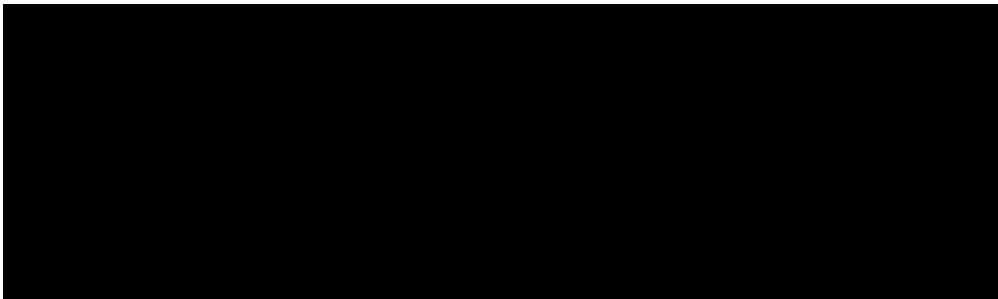
### ENGAGING IN OR CONTINUING A PURSUIT

- (17) To engage in or continue a Pursuit, a police officer must have:
- (a) Emergency Equipment activated; and
  - (b) reasonable grounds to believe that:
    - (i) immediate apprehension of the suspect is required to prevent death or grievous bodily harm;
    - (ii) the occupant of a vehicle being or to be pursued has committed, is committing, or is about to commit [REDACTED]
    - (iii) the seriousness of the offence and the need for immediate apprehension outweigh the risk to the safety of police officers of the public that may be created by the Pursuit.
- (18) All police officers involved in or supervising a Pursuit are accountable for the initiation and continuation of the Pursuit when circumstances indicate that it should not have been initiated or continued.

### FACTORS TO CONSIDER

- (19) In assessing whether to initiate, to continue, or to terminate a Pursuit, police officers will assess the following factors:
- (a) nature and circumstances of the suspected [REDACTED] offence;

- (b) risk of harm posed by the manner in which the Emergency Vehicle is being or is likely to be operated;
- (c) risk of harm posed by speed, distance, or time required or likely to be required to exercise the privileges for operation of an Emergency Vehicle under the *Motor Vehicle Act* (MVA);
- (d) nature, condition and use of the roadway;
- (e) number and nature of roadways, driveways and other access points intersecting with the roadway utilized by the suspect;
- (f) weather and visibility;
- (g) volume and nature of vehicle and pedestrian traffic that is, or might reasonably be expected to be, in the area;
- (h) availability of other methods of apprehension;
- (i) whether the suspect driver and/or occupants can be identified and apprehended at some later time;
- (j) the manner in which the suspect driver is operating the vehicle (i.e., objective indicators that the suspect is driving in such a manner that it unnecessarily or unreasonably endangers the public, police or the suspect);
- (k) whether the pursued vehicle is still on view;
- (l) likelihood of an apprehension;
- (m) age of the driver and occupants;
- (n) nature and apparent condition of the vehicles involved in the Pursuit;
- (o) consideration of the police officer's ability to operate the Emergency Vehicle;
- (p) availability of marked Emergency Vehicles;
- (q) effectiveness of communications;
- (r) the police officer's familiarity with the area and roadways; and
- (s) any other relevant factors.



**CLOSING THE DISTANCE**

- (21) In considering whether or not to Close the Distance the police officer must consider the same factors listed in Paragraph (19).
- (22) A police officer may exercise the privileges granted by s.122 of the MVA when attempting to Close the Distance between the Emergency Vehicle and the other vehicle without operating Emergency Equipment, if the police officer has reasonable grounds to believe that:
  - (a) an offence (criminal or traffic) has been, is being, or is about to be committed by the driver or passenger in the other vehicle; and
  - (b) the risk of harm created by operating with Emergency Equipment activated poses a greater risk than by operating without Emergency Equipment activated.
- (23) Paragraph (21) notwithstanding, Emergency Equipment must be activated in all cases where a police officer disregards a red light, stop sign, or approaches or passes signs relating to schools and playgrounds (during appropriate hours).
- (24) Police officers attempting to Close the Distance must advise of this activity on air, advise whether the activity is being attempted overtly or covertly, and provide regular updates.
- (25) The Pursuit will involve only one Primary (Pursuing) Unit and one Secondary (back up) Unit, unless otherwise authorized by a supervisor.
- (26) The Primary Unit will immediately identify themselves to the dispatcher, will request radio priority (Code 4), and will provide the reason for the Pursuit. The dispatcher will immediately broadcast alert tones over all channels to notify other police officers of the Pursuit.
- (27) Primary and Secondary Units must advise of their involvement on air and must provide regular updates.
- (28) Exigent circumstances notwithstanding, only Emergency Vehicles will participate in a Pursuit.
- (29) Emergency Vehicles involved in a Pursuit will activate Emergency Equipment.
- (30) No police officers will parallel the Pursuit route, unless authorized to do so by a supervisor.

- (31) Ramming will not be used, unless circumstances are exigent, and approval has been granted by the supervisor.
- (32) A police officer may not engage in a Pursuit if a person other than an on-duty police officer is in the Emergency Vehicle. Unless authorized by the Senior Operations Supervisor, any on-duty police officer in the pursuing Emergency Vehicle must be an AbbyPD police officer.
- (33) A police officer will not pass another Emergency Vehicle involved in a Pursuit unless requested to do so by the Primary Unit, or unless exigent circumstances exist, and it is considered reasonable to do so.
- (34) A police officer driving an unmarked Emergency Vehicle, motorcycle, prisoner transport van, or marked AbbyPD vehicle not used for standard operational response will relinquish their participation in a Pursuit to a marked Emergency Vehicle. as soon as practicable.
- (35) While exercising the exemptions granted by s.122(1) of the MVA, the police officer will:
  - (a) slow to a speed consistent with reasonable care when approaching or entering an intersection (this may include coming to a complete stop); and
  - (b) come to a complete stop before proceeding through an intersection against a red traffic control signal or stop sign.
- (36) Police officers not assigned to the Pursuit as the Primary Unit or the Secondary Unit will not engage in the Pursuit unless authorized by the supervisor but will remain alert to the Pursuit's progress and location. The Pursuit supervisor may, taking all circumstances into consideration, implement a containment strategy, requiring police officers not assigned to the Pursuit to remain in the Pursuit area.

### **Primary (Pursuing) Unit**

- (37) As soon as practicable the Primary Unit will broadcast information, including a full description of the pursued vehicle, the license number, the number of occupants, location, direction of travel, traffic conditions, speed, driving infractions (e.g. running red lights), and any other hazards or information which may affect the Pursuit.
- (38) Until a Secondary Unit is confirmed, the Primary Unit will maintain frequent radio communications with the dispatcher, updating Pursuit status, including location, direction, speed, traffic conditions and driving infractions.

- (39) The Primary Unit will, unless relieved by a supervisor, be responsible for controlling the Pursuit, including whether more than two units will engage in the Pursuit, and whether the Pursuit should be Terminated. The Primary Unit will continually assess the progression of the Pursuit and will terminate the Pursuit if deemed too dangerous to continue, or if the opportunity to apprehend the suspect by other means is identified.

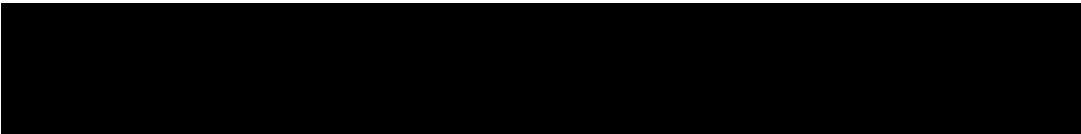
#### **Secondary (Back Up) Unit**

- (40) The Secondary Unit will be the closest available police officer and will confirm their status with the dispatcher. No additional police officers will become involved in the Pursuit unless assigned by the supervisor.
- (41) The Secondary Unit must be prepared to take over as the Primary Unit if required.
- (42) The Secondary Unit will assume responsibility for radio communication upon entering the Pursuit.

#### **Dispatch**

- (43) The dispatcher will:
- (a) when notified of a Pursuit and/or a request for radio priority, immediately give priority of radio communications to the Pursuit where possible;
  - (b) as soon as is practicable, notify the Senior Operations Supervisor and the Road Supervisor of the Pursuit;
  - (c) as soon as is practicable, broadcast the identity of the supervisor who has assumed command and control of the Pursuit;
  - (d) broadcast alert tones on all channels to notify other police officers of the Pursuit and will engage the channel marker tone on the Pursuit channel;
  - (e) maintain priority for radio transmissions related to the Pursuit;
  - (f) as soon as is practicable, obtain as much information as possible from available sources such as CPIC, PRIME and the Motor Vehicle Branch; and
  - (g) when advised by the Primary Unit or supervisor, inform other police services and adjacent jurisdictions of the Pursuit's proximity and other pertinent information to ensure maximum coordination and cooperation.

**SUPERVISION**

- (44) The Primary Unit assumes command and control until the Road Supervisor or Senior Operations Supervisor takes over. The Road Supervisor or Senior Operations Supervisor will take over command and control as soon as practicable.
- (45) A supervisor engaged in a Pursuit will disengage or relinquish command and control to another supervisor as soon as practicable.
- (46) Command and control means that the supervisor will:
- (a) announce over the radio that command and control is assumed;
  - (b) coordinate the Pursuit-related communications and ensure proper radio channels and procedures are in use;
  - (c) actively elicit relevant information so that informed decisions can be made;
  - (d) consider the factors listed in paragraph (19) when deciding whether to continue or terminate the Pursuit;
  - (e) monitor the progress of the Pursuit and direct other Pursuit support units as necessary;
  - (f) ensure other agencies are notified should it become necessary;
  - (g) ensure only the necessary number of police officers are involved in the Pursuit;
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- (i) ensure adherence to the law and policy;
  - (j) terminate the Pursuit as required and ensure Termination procedures as specified in this policy are followed;
  - (k) if the Pursuit is Terminated due to the successful apprehension of the suspected offender or due to a collision, attend the Termination site and supervise arrest procedures;
  - (l) ensure that for Pursuits resulting in injury, collisions or fatalities, the Duty Officer is contacted, and that collision analyst(s) attend and investigate;
    - (i) At the discretion of the supervisor, Duty Officer and collision analysts may not be advised of non-injury minor collisions;
  - (m) ensure that for Pursuits resulting in injury or fatalities the AbbyPD Professional Standards Section is notified; and



- (n) ensure post-incident notifications and [reports](#) are completed.

### **DUTY OFFICER**

- (47) When notified that a person has been seriously harmed or killed as a result of a Pursuit, the Duty Officer, in their capacity as the Independent Investigations Office (IIO) Liaison Officer, will initiate protocols for notifying the IIO and the Office of the Police Complaint Commissioner (OPCC).

### **TERMINATION OF A PURSUIT**

- (48) The decision to terminate a Pursuit must be made on an assessment of the risk of harm to members of the public and whether it is reasonable in the circumstances to continue the Pursuit considering the factors set out in paragraph (19).
- (49) A Pursuit may be Terminated by:
  - (a) any police officer involved in the Pursuit;
  - (b) a senior police officer on the shift in the absence of a supervisor; or
  - (c) any police supervisor/manager involved in monitoring the Pursuit, whether AbbyPD or police from another jurisdiction.
- (50) When a Pursuit is Terminated:
  - (a) The police officer or supervisor terminating the Pursuit will advise the dispatcher that the Pursuit is Terminated. The dispatcher will confirm that the Pursuit is Terminated with each police officer involved in the Pursuit.
  - (b) All police officers involved in the Pursuit will acknowledge their termination of the Pursuit with the dispatcher.
  - (c) The Pursuit supervisor may direct involved police officers to leave the area, or may, taking all circumstances into consideration, implement a containment strategy, requiring all or some police officers to remain in the area.
  - (d) AbbyPD will not re-engage in that Pursuit unless a new offence or other circumstances alters the assessment of risk that resulted in the termination of the Pursuit, making it reasonable to re-engage in the Pursuit.
  - (e) The Road Supervisor may authorize an area search.

- (51) A Pursuit initiated by any agency in any jurisdiction that is Terminated will be considered a Terminated Pursuit under this policy.

### **CROSS BOUNDARY PURSUITS**

- (52) When a Pursuit approaches an adjacent police jurisdiction, or at the direction of Supervisor or police officer engaged in the Pursuit, the dispatcher will notify the appropriate police agency.
- (53) If a Pursuit enters an adjacent jurisdiction, that jurisdiction will assume responsibility for the Pursuit at the earliest opportunity.
- (54) Unless advised by the adjacent agency that continued AbbyPD involvement is requested, the original Pursuit police officers will terminate their involvement in the Pursuit immediately on being satisfied or being advised that the adjacent police agency has assumed responsibility for the continuation of the Pursuit.
- (55) Charges resulting from a Pursuit should be jointly decided upon by the police agencies involved in the incident.
- (56) When a Pursuit from an adjacent jurisdiction enters or is expected to enter Abbotsford, or a Pursuit is commenced in Abbotsford by another police agency, the dispatcher will immediately advise a Road Supervisor.
- (57) The Road Supervisor, in consultation with the other police agency, will determine the reason for the Pursuit. If the Pursuit does not comply with this policy, the other police agency will be advised that AbbyPD will not take over or assist with the Pursuit. The supervisor will take steps to notify any AbbyPD police officers engaged in the Pursuit (or their supervisors) that the Pursuit does not comply with AbbyPD policy, and request that the Pursuit be Terminated by the other agency.
- (58) If the Road Supervisor determines that AbbyPD will take over or assist in the Pursuit, direction will be provided according to this policy.

### **CANADA/USA BORDER**

- (59) Pursuits across the USA/Canada border are prohibited.

**BOX AND PIN MANEUVERS**

- (60) Boxing stationary and/or Pinning slow-moving vehicles following a Pursuit is permitted, subject to AbbyPD policy II.A.095 Box and Pin Maneuvers.

**TIRE DEFLATION DEVICES**

- (61) Tire deflation devices will only be used when:
- (a) considered a practicable and safe means to terminate the Pursuit;
  - (b) use has been authorized by the police officer in charge of the Pursuit; and
  - (c) the police officer deploying the device is trained in its use.
- (62) Tire deflation devices will not be used to stop motorcycles or vehicles whose stability may be affected upon coming into contact with the device.
- (63) To avoid a Pursuit, tire deflation devices may be used if there is reasonable suspicion that the vehicle will flee, and if use is authorized by a supervisor. The conditions for deploying a tire deflation device to avoid a Pursuit are the same as noted in paragraph (61).

**USE OF AERIAL SUPPORT**

- (64) If deemed necessary, the supervisor may, in advance of a Pursuit, authorize the request for aerial support through the dispatcher. If engaged, aerial support will be employed as the Primary Unit during a Pursuit.
- (65) If a Pursuit commences prior to aerial support engagement, the dispatcher will request aerial support assistance and will notify the supervisor.
- (66) Once aerial support is in position to observe a Pursuit, it will assume the responsibilities of the Primary and Secondary Units. At the direction of aerial support, police officers involved in the Pursuit of the suspect vehicle will disengage from the Pursuit and take direction from aerial support and the supervisor. The Road Supervisor will remain in command of the incident, and follow the Pursuit Termination procedures as outlined in paragraphs (48) to (51).
- (67) Aerial support will monitor the target vehicle, unless this appears to be exacerbating the driving behaviour of the target vehicle.
- (68) Police officers involved in the Pursuit will remain alert as to the location of the target vehicle and be prepared to assist in the apprehension of the suspect(s) if

the vehicle is abandoned. Aerial support will inform ground units when the target vehicle is slowing or stopping and provide direction to facilitate the safe apprehension of the suspect(s).

## **POST PURSUIT REPORTS**

### **Primary Unit**

- (69) Following all Pursuits, the Primary Unit involved will complete the "Police Pursuit Report" (APD-246) and will provide a detailed PRIME narrative for review by the Road Supervisor. The detailed narrative will include:
- (a) reason(s) for initiating and continuing the Pursuit;
  - (b) reason(s) the Pursuit was Terminated;
  - (c) a comprehensive description of the circumstances;
  - (d) a description of damages or injuries;
  - (e) any charges laid or recommended;
  - (f) any involvement in the Pursuit by secondary (assistance) police officers; and
  - (g) a description of support units participating in the event, such as the Forensic Identification Section, collision analyst(s), Police Dog Service, the IIO or the Coroner.

### **Secondary Units**

- (70) Secondary Units will complete a detailed narrative of involvement and submit it to the NCO supervising the Pursuit ("Supervising NCO").

### **Supervising NCO**

- (71) The Supervising NCO will ensure the "Police Pursuit Report" (APD-246) and police officers' narratives are properly completed.
- (72) The Supervising NCO will collect, for the purposes of review:
- (a) a copy of the CAD log relating to the Pursuit;
  - (b) the names and duties of dispatch personnel involved in the Pursuit;
  - (c) a copy of the radio transmissions relating to the Pursuit;
  - (d) a map outlining the route of the Pursuit;
  - (e) the Report to Crown Counsel relating to the Pursuit (if applicable);
  - (f) any other relevant materials, information or statements; and

- (g) in the case of a collision involving an Emergency Vehicle:
  - (i) copy of the Police Vehicle Collision Report (APD-196);
  - (ii) photographs;
  - (iii) diagram of the collision;
  - (iv) copy of the Damage to Police Vehicle Report (APD-44);
  - (v) collision analyst report (if applicable);
  - (vi) copy of Vehicle Mechanical Inspection Report (APD-231) (if applicable); and
  - (vii) copy of report to coroner (if applicable).
- (73) The Supervising NCO will forward the Police Pursuit Report and supporting material to the Senior Operations Supervisor (or if outside Patrol Branch, the applicable branch OIC).

#### **Reviewing Senior Operations Supervisor or Branch OIC**

- (74) The Senior Operations Supervisor (or if outside Patrol Branch, the applicable branch OIC) will review:
  - (a) the seriousness of the Pursuit (e.g. Emergency Vehicle collision, property damage, personal injury, fatality);
  - (b) whether AbbyPD policy was adhered to;
  - (c) whether the Pursuit event appropriately assessed the balance of risks taken against the need for apprehension;
  - (d) whether the police action taken was justified and conducted within the police officer's ability while conforming to AbbyPD policy; and
  - (e) any recommendations with respect to police officers' actions, training issues identified or any other relevant issue(s).
- (75) The Senior Operations Supervisor (or if outside Patrol Branch, the applicable branch OIC) will forward their review to the OIC Patrol. The OIC Patrol will assign another Senior Operations Supervisor to conduct a review where the Senior Operations Supervisor of the originating shift had involvement in the Pursuit.

#### **OIC Patrol**

- (76) Exceptional circumstances notwithstanding, the OIC Patrol will:
  - (a) assign review of the Pursuit to the Patrol Administrative Staff Sergeant; and

- (b) approve and file the report.
- (77) If injuries are involved or exceptional circumstances exist, the OIC Patrol will forward the review to the Deputy Chief Constable, Operations (“DCC Operations”) for review and approval; the DCC Operations will advise the Chief Constable of the review and any action recommended as a result.
- (78) A pursuit review will be conducted for all pursuits occurring outside of Abbotsford and engaged in by AbbyPD police officers. If a pursuit occurs within Abbotsford and is engaged in by AbbyPD police officers assigned to integrated units, the OIC in charge of the external secondment will ensure that a review is conducted by the integrated unit to which the police officer reports.

**Chief Constable**

- (79) The Chief Constable or designate will ensure a process whereby all police officers are aware of AbbyPD policy governing Pursuits.
- (80) The Chief Constable or designate will review, assess, and if appropriate implement, recommendations regarding Pursuits brought forward by the DCC Operations.