

# PROVINCIAL GUIDELINES FOR MOTOR VEHICLE PURSUITS





## Contents

1. PURPOSE.....	4
2. DEFINITIONS.....	4
3. PEACE OFFICERS .....	5
4. STATEMENT OF PRINCIPLES .....	5
5. FACTORS TO CONSIDER .....	5
6. “CLOSING THE DISTANCE” or “CATCH UP SITUATIONS” .....	6
7. RESTRICTIONS .....	6
8. ALTERNATIVE MEASURES TO PURSUITS .....	7
9. MOTOR VEHICLE PURSUIT MANAGEMENT AND CONTROL .....	9
10. RESPONSIBILITY OF THE PRIMARY UNIT .....	9
11. RESPONSIBILITY OF THE SECONDARY UNIT .....	10
12. RESPONSIBILITY OF OPERATIONAL COMMUNICATION CENTRE (OCC) .....	10
13. RESPONSIBILITY OF THE MOTOR VEHICLE PURSUIT SUPERVISOR .....	11
14. INTER-JURISDICTIONAL MOTOR VEHICLE PURSUITS.....	12
15. TERMINATION OF THE MOTOR VEHICLE PURSUIT .....	13
16. REPORTING REQUIREMENTS (Forms & Reports).....	13

## 1. PURPOSE

The purpose of these guidelines is to provide Provincial standards regulating motor vehicle pursuits so that police officers act lawfully and with reduced risk when engaging in a motor vehicle pursuit. These guidelines will apply to all police services and peace officer employers.

## 2. DEFINITIONS

**Marked police vehicle:** a police vehicle that has mounted emergency lighting (exterior or interior), agency markings on doors, and/or hood and/or trunk lids (subdued markings included).

**Motor vehicle pursuit:** when a police officer follows a vehicle with the intent to stop or identify the vehicle or driver, and the driver, being aware of the police officer's actions, fails to stop or remained stopped, and the driver initiates evasive action or ignores directions to stop/avoid apprehension.

**Motor vehicle pursuit supervisor:** a person of promoted rank or a person in authority who has overall responsibility for decisions made involving the motor vehicle pursuit. Where more than one jurisdiction is involved, the responsible supervisor is the supervisor in the jurisdiction where the motor vehicle pursuit is ongoing.

**Operational Communications Centre (OCC):** the radio communications center that handles radio/dispatch duties for a police service.

**Peace officer:** As defined by the *Peace Officer Act*.

**Police officer:** As defined by the *Police Act*.

**Primary unit:** usually the police unit which initiates a motor vehicle pursuit, but in all cases is the unit in closest proximity to the fleeing vehicle.

**Secondary unit:** the police unit that trails the primary unit at a safe distance and is immediately available to assume the primary role or to assist the primary unit in the event the fleeing vehicle stops. In the event the fleeing vehicle stops and the occupant(s) of the vehicle flee on foot, the secondary unit will provide direction of travel and descriptions of suspects to the motor vehicle pursuit supervisor.

**Termination of a motor vehicle pursuit:** Anyone involved in the motor vehicle pursuit has the authority and responsibility to terminate the motor vehicle pursuit if, in their assessment, there is a clear and unreasonable danger to those involved in the motor vehicle pursuit or the public that outweighs the necessity of immediate apprehension of the suspect(s).

**Unmarked police vehicle:** a police vehicle that does not have roof mounted emergency lighting, agency markings on doors, and/or hood and/or trunk lids.

### 3. PEACE OFFICERS

No motor vehicle pursuit shall be undertaken by a peace officer unless that peace officer is exempt under S.24.7 of the Peace Officer Program Policy and Procedures Manual.

A peace officer other than those described above shall not engage in a motor vehicle pursuit. In the event that a motorist does not heed the peace officer's direction to stop, the peace officer shall notify the police service of jurisdiction and cease any efforts stop the motor vehicle.

### 4. STATEMENT OF PRINCIPLES

The paramount concern is public safety. Any decision to initiate, continue or discontinue a motor vehicle pursuit must be based primarily on public safety. The public includes all other citizens as well as the occupants of the vehicle being pursued and the officers involved. Any doubt in the minds of those involved as to the justification of a motor vehicle pursuit, or the need to continue a motor vehicle pursuit, must be resolved in favour of public safety. The considerations surrounding public safety may change rapidly and must be continually assessed.

A motor vehicle pursuit will only be initiated as a last resort and when all other alternatives are unavailable or unsatisfactory. The police officer involved must have reasonable grounds to believe that the seriousness of the offence and the necessity to immediately apprehend an offender outweigh the level of danger created by a motor vehicle pursuit to those involved and the public.

### 5. FACTORS TO CONSIDER

In assessing whether to initiate, continue, or terminate a motor vehicle pursuit, the police officer, motor vehicle pursuit supervisor, or person in authority monitoring the motor vehicle pursuit must continually assess the following factors and how they will affect public safety.

- nature and seriousness of the offence
- availability of other methods of apprehension
- road and weather conditions
- volume of traffic both vehicular and pedestrian
- area: residential, commercial or rural
- whether or not the driver of the vehicle has been identified or is otherwise known and could include factors including approximate age of driver/passengers
- manner with which the suspect driver is operating the vehicle
- presence of persons other than the driver in pursued vehicle

- nature and apparent condition of the vehicles involved
- limitations on the police officer's ability to operate the vehicle
- limitations on the ability of the driver being pursued to operate the vehicle
- the driver of the pursued vehicle is known to be suicidal or mentally unstable
- the presence of unauthorized persons in the police vehicle
- a license number has been obtained and run through CPIC
- the length, time and distance involved in the motor vehicle pursuit

## 6. "CLOSING THE DISTANCE" or "CATCH UP SITUATIONS"

This section addresses situations that involve a law enforcement vehicle, including Peace Officers, attempting to close the distance on a suspected violator to further an enforcement effort. These situations are not considered a motor vehicle pursuit, unless some overt action by the suspected offender suggests an attempt to avoid apprehension. This practice has been referred to as "closing the distance" or "catch up."

In these situations, a police vehicle is being operated in a manner that is different from normal traffic patterns. A police or peace officer involved in such a situation must continually evaluate all factors that involve public and police or peace officer safety. If the risk assessment indicates a risk to public safety the siren must be activated.

## 7. RESTRICTIONS

- a. A motor vehicle pursuit shall only be initiated if a police officer has reasonable and probable grounds to believe a criminal code offence has been committed or is about to be committed and is in accordance with the police service's respective motor vehicle pursuit policies.
- b. The offence of criminal flight as described in section 320.17 of the *Criminal Code* (2020-12-28) is not justification to initiate a motor vehicle pursuit. It is only a charge available incidental to a motor vehicle pursuit that has been undertaken as set out above.
- c. Situations may arise where the pursuit of a suicidal person may occur in cases where a criminal offence has not occurred. The pursuit of an alleged suicidal individual may only be commenced or continued when the officer has a reasonable belief that the need to intervene to protect the lives of members of the public, the subject, or officers outweighs the level of danger created by the pursuit. The motor vehicle pursuit supervisor shall be contacted immediately and advised that a motor vehicle pursuit of a suicidal person is likely or has commenced.

- d. A motor vehicle pursuit shall not be entered into if persons other than police officers are present in the police vehicle. This includes civilians or persons already in custody.
- e. A police officer shall not discharge a firearm at a moving vehicle or its driver, except as a self-defence measure or an immediate need to save another person from imminent harm. Any use of a firearm must be consistent with the Use of Force policies governing the police officer.
- f. A motor vehicle pursuit is an emergency situation; the siren and emergency lights on all participating units shall be activated continuously. All police vehicles involved in a motor vehicle pursuit shall have functioning emergency lights and siren.
- g. Only two police vehicles (designated primary and secondary unit) shall be actively involved the motor vehicle pursuit. The motor vehicle pursuit supervisor may, if circumstances warrant, approve the participation of other units or specialists and allow the secondary vehicle to operate without siren to broadcast information.
- h. The secondary police unit shall not pass the primary unit unless approved by the motor vehicle pursuit supervisor.
- i. Other police vehicles shall stay clear of the motor vehicle pursuit route but be available to assist if required.
- j. In an urban setting, other police vehicles are not permitted to parallel the motor vehicle pursuit on other roads. Motor vehicle pursuits in rural settings, however, may require supporting units to parallel a motor vehicle pursuit to enable deployment of a tire deflation device or other alternative measures.
- k. Unmarked police vehicles or police motorcycles shall not be used as either a primary or secondary vehicle in a motor vehicle pursuit unless extenuating circumstances exist. Their use requires the approval of the motor vehicle pursuit supervisor.
- l. If an unmarked police vehicle or a police motorcycle is involved in a motor vehicle pursuit, it shall relinquish its position to a marked vehicle as soon as a marked unit is in position.
- m. A police officer shall not use a police vehicle to ram or force a suspect vehicle off the roadway unless they have received approval from the motor vehicle pursuit supervisor.

## 8. ALTERNATIVE MEASURES TO PURSUITS

Those involved in a motor vehicle pursuit shall consider other strategies or tactics that may be available which would be effective in apprehending the suspect(s) prior to the commencement and after a motor vehicle pursuit has commenced.

The motor vehicle pursuit supervisor shall be involved in any determinations involving alternative methods that may include, but are not limited to:

- a. Pre-emptive arrest: Deploy covert arrest units in the area to apprehend the suspect(s) before they enter the vehicle.
- b. Disable the suspect vehicle: Where the opportunity presents, members shall make efforts to render known suspect vehicle(s) unmovable or unusable before the suspect(s) enter the vehicle. For example:
  - i) Employ tire locking devices on the suspect vehicle or have the suspect vehicle towed
  - ii) Pre-place hedgehog tire deflation devices against the suspect vehicle tires
  - iii) Disable the suspect vehicle electrical system
- c. Contain suspect vehicle movement to a smaller area: Deploy police vehicles in the area to block or pin the suspect vehicle to prevent it from moving / fleeing; or deploy police units to block vehicle escape routes to safely restrict suspect vehicle movement.
- d. Tire Deflation Device
  - i) A tire deflation device, which has been specifically manufactured to deflate the tires of a pursued vehicle, should only be used by members trained in their proper deployment.
  - ii) A tire deflation device shall not be used against any two-wheel motor vehicle.
  - iii) A tire deflation device shall only be deployed at the direction of the motor vehicle pursuit supervisor.
  - iv) A tire deflation device shall be used in accordance with the policies and procedures of the police service.
- e. Aircraft
  - i) Where available, and practical, either a rotary wing or fixed wing aircraft shall be used instead of ground vehicles in motor vehicle pursuits.
  - ii) If an aircraft is involved in a motor vehicle pursuit, the flight officer shall notify the primary and secondary unit when the aircraft has assumed primary role (visual contact with the pursued vehicle). Once the aircraft is in primary all ground units shall discontinue the motor vehicle pursuit.
  - iii) A pilot or flight officer has the authority to discontinue a motor vehicle pursuit at any time if, in their assessment, there is a clear and unreasonable danger to those involved in the motor vehicle pursuit or those involved and the public, which outweighs the necessity of immediate apprehension.
- f. Roadblocks may be employed
  - i) To prevent the escape of a person who may be lawfully arrested for a serious criminal offence.
  - ii) To prevent a reasonably foreseeable threat of death or grievous harm to any person.



- iii) If the roadblock will not endanger the lives or safety of other persons.

## 9. MOTOR VEHICLE PURSUIT MANAGEMENT AND CONTROL

- a. Each police service shall have policy designating a motor vehicle pursuit supervisor who shall be contacted immediately and advised that a motor vehicle pursuit is likely or has commenced.
- b. The primary unit is the police vehicle conducting the motor vehicle pursuit. The members in this unit have responsibility to contact their OCC and clearly declare that a motor vehicle pursuit is likely or that they have initiated a motor vehicle pursuit. They are required to immediately provide the following information to OCC:
  - i) Reason for the motor vehicle pursuit
  - ii) Speed, location and direction of travel of the motor vehicle pursuit
  - iii) Traffic volume
  - iv) The number of persons in the suspect vehicle, if known
  - v) Description and license plate number (if available) of the suspect vehicle
- c. The primary unit shall terminate the motor vehicle pursuit if, in their assessment, there is a clear and unreasonable danger to the public which outweighs the necessity of immediate apprehension.
- d. Failure of the police officers involved to provide the necessary information during a motor vehicle pursuit shall result in the immediate termination of the motor vehicle pursuit.

## 10. RESPONSIBILITY OF THE PRIMARY UNIT

- a. Throughout the course of the motor vehicle pursuit, the primary and/or a secondary unit shall continuously transmit updates, which cover:
  - i) The route and location of the motor vehicle pursuit
  - ii) The speeds reached during the motor vehicle pursuit, especially if they involve traffic control violations
  - iii) Any traffic infractions that occur during the motor vehicle pursuit
  - iv) Traffic and road conditions
  - v) Driving patterns of the suspect vehicle
  - vi) Any collisions, however minor, that the suspect vehicle may be involved in and their location(s)

- vii) Any other information that would be relevant for the motor vehicle pursuit supervisor and others to be aware of

## 11. RESPONSIBILITY OF THE SECONDARY UNIT

Whenever possible, a secondary police unit shall be involved in the motor vehicle pursuit. The secondary unit shall:

- a. Maintain a safe distance from the primary unit, but be close enough to render assistance.
- b. With motor vehicle pursuit supervisor approval, continue the motor vehicle pursuit should the primary unit become disabled or be unable to continue. Loss of primary unit due to collision or other high-risk factors should cause immediate termination of the motor vehicle pursuit unless extenuating circumstances exist.
- c. Not pass or attempt to overtake and pass the primary unit unless directed to pass by the motor vehicle pursuit supervisor and then only if the action can be done safely.
- d. If the pursued vehicle stops and the driver and occupant(s) flee on foot the secondary unit shall broadcast the details to other units including suspect(s) descriptions and direction of travel.
- e. Transmit updates on behalf of the primary unit, if required, as per section 10.

## 12. RESPONSIBILITY OF OPERATIONAL COMMUNICATION CENTRE (OCC)

The OCC shall:

- a. Receive and record all incoming information on the motor vehicle pursuit and pursued vehicle.
- b. Notify the motor vehicle pursuit supervisor immediately.
- c. Clear the radio channel of all unnecessary traffic and advise all other units, as well as neighboring jurisdictions if/when applicable, that a motor vehicle pursuit is in progress, providing all relevant information.
- d. Designate a secondary unit if required by the primary unit.
- e. Perform all relevant record and motor vehicle checks and provide that information as required to the motor vehicle pursuit supervisor and the primary unit.
- f. Control all radio communications during the motor vehicle pursuit.
- g. Coordinate all assistance under the direction of the motor vehicle pursuit supervisor.

## 13. RESPONSIBILITY OF THE MOTOR VEHICLE PURSUIT SUPERVISOR

The motor vehicle pursuit supervisor shall not be directly involved as either a primary or secondary vehicle.

The motor vehicle pursuit supervisor shall:

- a. Acknowledge they have assumed command of the motor vehicle pursuit to those directly involved in the motor vehicle pursuit and all other units on the radio channel.
- b. Continuously monitor the motor vehicle pursuit to conduct ongoing evaluations of danger to those involved and the public.
- c. Direct that alternative tactics be utilized if/when needed.
- d. Terminate the motor vehicle pursuit if in their assessment there is a clear and unreasonable danger to those involved in the motor vehicle pursuit or the public that outweighs the necessity of immediate apprehension.
- e. Not engage in any other activities that would interfere with the effective supervision of the motor vehicle pursuit.
- f. Conduct follow-up reviews of the motor vehicle pursuit with regard to adherence to agency policy, provincial guidelines and any other applicable documents or direction. The motor vehicle pursuit supervisor shall immediately address any concerns regarding police officer conduct during the motor vehicle pursuit.
- g. If the motor vehicle pursuit supervisor cannot be immediately contacted the most senior police officer available who is not directly involved in the motor vehicle pursuit shall act as the motor vehicle pursuit supervisor until the on-duty motor vehicle pursuit supervisor is available.
- h. If the on-duty motor vehicle pursuit supervisor is directly involved as the primary or secondary vehicle, supervision of the motor vehicle pursuit shall be assigned to a supervisor not directly involved who will remain in command until the incident is resolved.
- i. The motor vehicle pursuit supervisor must be satisfied that they are receiving sufficient information to determine if the motor vehicle pursuit is justified and to assess the ongoing danger posed by the motor vehicle pursuit to those involved and the community. If the units involved do not broadcast sufficient information the motor vehicle pursuit shall be terminated.
- j. The motor vehicle pursuit supervisor shall terminate the motor vehicle pursuit at any time if, in their assessment, there is a clear and unreasonable danger to those involved or the public, which outweighs the necessity of immediate apprehension.
- k. The primary police vehicle shall terminate the motor vehicle pursuit at any time if, in their assessment, there is a clear and unreasonable danger to those involved or the public, which outweighs the necessity of immediate apprehension.

- View the current version of this publication at <https://open.alberta.ca/publications/provincial-guidelines-for-motor-vehicle-pursuits>
- l. Efforts to contact support services such as a police dog handler and/or available aircraft should be made through the motor vehicle pursuit supervisor and OCC.
  - m. When employing aircraft; once the flight officer acknowledges the air unit has assumed the primary position for the motor vehicle pursuit ground units shall discontinue their motor vehicle pursuit and:
    - i) Turn off all emergency equipment
    - ii) Reduce speed to approved highway speeds
    - iii) Break visual contact with the fleeing vehicle
  - n. When employing aircraft; the motor vehicle pursuit supervisor may direct specific units to continue to monitor the aircraft broadcasts. The motor vehicle pursuit supervisor may direct specific units to reengage in the motor vehicle pursuit if circumstances warrant such action.
  - o. The involvement of an aircraft does not transfer responsibility for management of the motor vehicle pursuit. The motor vehicle pursuit supervisor is in command of the motor vehicle pursuit at all times.
  - p. The motor vehicle pursuit supervisor shall monitor the motor vehicle pursuit to conduct ongoing evaluations of danger to those involved and the public and to ensure compliance with policy.
  - q. The agency shall ensure that motor vehicle pursuit supervisors conduct follow-up reviews of all motor vehicle pursuits with regard to adherence to agency policy, provincial guidelines and any other applicable documents or direction.

## 14. INTER-JURISDICTIONAL MOTOR VEHICLE PURSUITS

- a. If the motor vehicle pursuit enters the jurisdiction of a neighbouring police service, the motor vehicle pursuit supervisor shall immediately notify the receiving jurisdiction OCC.
- b. The receiving jurisdiction OCC shall immediately contact their on-duty motor vehicle pursuit supervisor who will assume responsibility for the motor vehicle pursuit and make a determination whether to continue or terminate the motor vehicle pursuit.
- c. If the receiving motor vehicle pursuit supervisor chooses to continue the motor vehicle pursuit, they shall coordinate the transfer of the primary and secondary positions to receiving jurisdiction units in accordance with the restrictions.
- d. If an aircraft is involved in the motor vehicle pursuit that enters another jurisdiction, the flight officer shall offer to continue as primary in accordance with their agency specific policy.
- e. Police services which border one another should prepare agreements in principle to address issues of primary responsibility, jurisdictional restrictions, and use of support services such as operational communications, canine and air support and other matters of joint concern.

## 15. TERMINATION OF THE MOTOR VEHICLE PURSUIT

Anyone involved in the motor vehicle pursuit has the authority and responsibility to terminate the motor vehicle pursuit if, in their assessment, there is a clear and unreasonable danger to those involved in the motor vehicle pursuit or the public that outweighs the necessity of immediate apprehension of the suspect(s).

The motor vehicle pursuit shall be terminated when any of the following circumstances exist:

- a. The level of public danger created by the motor vehicle pursuit is greater than the public need to immediately apprehend the suspect(s).
- b. The level of public danger is unreasonable based on the prevailing vehicular and/or pedestrian traffic, roadway and/or weather conditions.
- c. The identity of the suspect has been established and later apprehension can be accomplished without jeopardizing public safety.
- d. Insufficient information is being broadcast by the primary or secondary units to enable the motor vehicle pursuit supervisor to make an informed decision as to the level of danger posed by the motor vehicle pursuit.

## 16. REPORTING REQUIREMENTS (Forms & Reports)

- a. All police officers involved in the motor vehicle pursuit shall submit reports, in the format of the police services choosing, describing each police officer's actions and observations. These reports shall contain, at a minimum, but not be limited to:
  1. Justification For Pursuit
  2. Motor Vehicle Pursuit Start/Finish Times
  3. Route Maps (kms)
  4. Road Type
  5. Road Surface
  6. Road Conditions
  7. Weather
  8. Visibility
  9. Vehicle Traffic
  10. Pedestrian Traffic
  11. Area Zoning
  12. Posted/Travelling Speeds
  13. Maximum Speed Reached
  14. Motor Vehicle Infractions
  15. Tactics Used
  16. Collisions - Damages to Police Vehicles, Pursued Vehicles and Third Party Vehicles and Property
  17. Pursued Vehicle Type

18. Source of Termination (Pursued Complied or Force Required)
19. Lessons Learned – Effectiveness of Force
20. Driver Located and Condition (Drugs/Alcohol/Mental/Suicidal)
21. Injuries – Police Officers, Pursued, Third Parties (Levels)
22. Arrests/Charges

- b. The motor vehicle pursuit supervisor will submit a report containing a review of the conduct of the motor vehicle pursuit with regard to adherence to agency policy, provincial guidelines and any other applicable documents or direction.
- c. All reports shall be forwarded to the Commander/Supervisor of the members involved, who shall conduct a thorough review regard to compliance with agency policy, provincial guidelines and any other applicable documents or direction; a determination of risk/danger to all involved; and, any other concerns or commendations they wish to address.
- d. The Commander/Supervisor shall prepare a final review in a timely manner that will provide feedback to the members involved in the motor vehicle pursuit to compliment positive performance or correct inappropriate performance or behavior.
- e. Police services shall produce annual reports for their Chief/Commanding Officer and oversight bodies which includes at minimum the variables outlined in Section 16.a. The format of these reports is otherwise at the discretion of the police service and must be made available to the Government of Alberta upon request.
- f. All motor vehicle pursuit reports shall be kept on file by the respective police agencies in accordance with provincial and agency requirements and may be provided to the provincial government upon request.