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Foot Pursuits Training Bulletin

DEFINITION

A **foot pursuit** is an incident in which an officer is actively chasing, on foot, a suspect who is evading arrest or detention.

Department members will engage in a foot pursuit only when they have reasonable articulable suspicion to conduct an investigatory stop or probable cause to arrest.

Department members are reminded that a subject's action in fleeing from the police, by itself, does not automatically amount to reasonable articulable suspicion to conduct an investigatory stop or probable cause to arrest. However, a subject fleeing upon sight of a clearly identifiable police officer can be one factor in the totality of the circumstances to establish reasonable articulable suspicion. Factors that can contribute to an officer being "clearly identifiable" include whether or not the officer is in uniform or wearing a vest or other garment clearly marked "POLICE," whether or not they are in a marked vehicle, and whether they verbally announced their office.

RISKS TO BE CONSIDERED

Foot pursuits present potential risks of physical injury to members of the public, Department members, and the fleeing subject. **When engaging in a foot pursuit, Department members will assess the risks to the public, to themselves, and to the fleeing subject, in relation to law enforcement's duty to enforce the law and apprehend the subject.**

Officers should use caution when going over obstacles/barriers, rounding corners, or at the end of fences, especially when following the same path as the subject. Officers should be cognizant of losing sight of the subject, who may take the opportunity to lie in wait for the officer.

Officers should not separate from their partner absent exigent circumstances. Officers acting alone ("99" units) should consider this as a factor in determining whether to engage in a foot pursuit, and should use extra caution if they decide to do so. "Separation" is any situation in which one officer is unable to immediately render aid or otherwise assist the other officer in the apprehension of the subject.

Staying with your partner is the responsibility of both officers. Having your partner to assist in the possible arrest of a subject is greatly preferred for officer safety. Subjects who might decide to fight one officer when arrest is imminent, may decide not to do so when encountered with two officers. Similarly, subjects may lead a pursuing officer where they know persons who might assist in their escape are nearby, or where they know there is dangerous terrain, an improvised trap, or even an ambush awaiting a pursuing officer.

Officers should avoid the tactic of one officer pursuing on foot, while the other officer follows in the vehicle. If the subject runs into a gangway or other area not traversable by a vehicle, the officers will become separated.

When two officers are engaged in a foot pursuit, one should take the role of the “primary” or “lead” officer, who should direct the foot pursuit and focus on any observed threats, the actions of the subject, and the subject’s location.

The “secondary” or “support” officer should be responsible for radio communications, including updating the direction of travel, and requesting assist units. These roles may change between officers during the pursuit based on the circumstances. Officers should plan who should initially take on these roles, much as they would plan on which officer would be the “contact officer,” and which would be the “cover officer” during a traffic stop.

USING SOUND TACTICS: FACTORS TO BE CONSIDERED

Factors that may be part of an officer’s decision to engage in, not engage in, or discontinue a foot pursuit once engaged may include but are not limited to:

1. the number of subjects involved;
2. the number of officers involved;
3. whether the subject is believed or known to be armed;
4. the seriousness and nature of the offense committed by the subject;
5. the availability and proximity of assist units;
6. the availability of radio communications;
7. the physical characteristic of the pursuit location, including but not limited to the:
 - a. nature of the area: residential, commercial, school zone, roadway;
 - b. community setting: school dismissal, community event, pedestrian traffic;
 - c. environmental factors: weather, lighting, time of day;
 - d. condition of the structures: abandoned building, troubled building, gang and/or drug house;
 - e. physical hazards: clotheslines, unrestrained animals, unsteady ground, train tracks, rail yards, waterways;
 - f. The officer’s familiarity with the area.

Before a Pursuit Begins

While no tactic can completely eliminate the possibility of a foot pursuit, officers should try to use assistance from other units and other tactics to their advantage. If officers have reason to believe that a subject may present a flight risk, there may be ways to mitigate the circumstances. Be aware of signs that the subject may be about to flee, such as their body language and movements.

If officers believe a subject may present a flight risk, the officers should consider waiting for backup before stopping a vehicle, or before approaching a subject who is on foot. If a vehicle is already stopped, consider waiting for backup before getting the subjects out of the vehicle. Once you are ready, have subjects, normally starting with the driver, exit the vehicle one at a time, and secure them before having the next subject step out. Using sound tactics might prevent or discourage a subject from fleeing.

Deciding Whether to Pursue

No officer can prevent every subject from fleeing. Once a subject flees, officers need to make a quick decision as to their most prudent course of action. If an officer does not have reasonable articulable suspicion or probable cause to stop a subject, an officer should not engage in a foot pursuit. For example, if a subject looks in the direction of an officer and begins to run, and there are NO other factors to contribute to reasonable articulable suspicion, the officer should not engage in the foot pursuit. Officers should also take other immediate factors into consideration.

What is the nature of the offense? Apprehending a subject who has committed a violent crime is much more important than the necessity of apprehending someone for a minor non-violent offense.

Has the subject's identity been established? If we know the identity of the subject and there is no indication that a delay in arrest will risk harm to life or damage to property, then arrest at a later date might be advisable.

Where is the subject running to? Is the subject running into a building with a large red "X" over the door, or otherwise abandoned or dilapidated property? If so, an officer should consider this as a factor in deciding whether to pursue.

When making the decision to pursue, or to continue to pursue, the safety of the public, Department members, and the fleeing subject, should be the foremost considerations.

Once a Member Engages in a Foot Pursuit

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

Officers will discontinue the foot pursuit if they determine that the risk to themselves, the subject, or the public outweigh the need to apprehend the subject, or if instructed to do so by a supervisor. Other potential response options may include obtaining backup from other members, establishing a perimeter to contain the subject, or requesting assistance from specialized units.

IF A PURSUIT IS INITIATED

Officers will:

- Immediately notify the Office of Emergency Management and Communications (OEMC) and attempt to broadcast their location, description of the subject, direction of travel, and the reason for the footpursuit.
- Include in that notification the fact that an officer is in plain clothes or undercover dress, if applicable.
- Make reasonable efforts to update their location and direction of flight during the pursuit. If a pursuing officer is unable to do so, their partner or an assisting unit who knows the location and direction of flight is responsible for doing so.
- Except in cases of emergency, units should avoid radio communications not related to essential information regarding the apprehension of the offender or officer safety.
- Coordinate with responding officers to establish a perimeter to contain the subject.
- Request outside unit support if appropriate (saturation teams, canine units, helicopter unit, etc.).
- Be mindful of weapon retention and weapon discipline. Running with a firearm in hand is to be avoided.
- Activate the body worn camera and/or in-car video system at the beginning of the incident, record throughout the entire incident, and conform to other requirements regarding body worn and in car cameras consistent with Department policy.
- Monitor radio communications for additional information from OEMC, the location of the responding units, or guidance and direction from supervisors.
- Notify OEMC of any discontinuation of a pursuit or apprehension of the subject.

Other officers should minimize radio traffic/communications to allow the pursuing officer(s) to communicate effectively. When assisting in a foot pursuit, responding officers should take a tactically safe and strategic approach, and coordinate with initiating/pursuing officer(s) to establish a perimeter.

Injuries Before or During a Pursuit: If another officer or member of the public is injured prior to or during the pursuit, Department members should determine whether assisting in the treatment of a serious injury is more important than the apprehension of the subject. All incidents will be resolved with the foremost regard for the preservation of human life and the safety of all persons involved.

Evidence Recovery Before or During a Pursuit: If easily recoverable evidence is discarded by the subject before or during the foot pursuit, officers should determine if delaying, interrupting, or discontinuing the foot pursuit might be required. This is particularly true for items that pose a serious risk to public safety, such as firearms.

Immediate Apprehension vs. Containment: Based on the totality of the circumstances, officers may determine that the best course of action may be to contain the subject, rather than attempting to overtake and immediately apprehend them.

Containing the subject allows for the response of other units. For example, containment may be the best course of action if the subject enters a building, or if they are armed. The “secondary” or “support” officer should coordinate containment efforts, including radio transmissions, while the “primary” or “lead” officer should concentrate on the location of the subject and possible threats.

Use of Force and Foot Pursuits: Deadly force may not be used on a fleeing subject unless the subject poses an imminent threat of death or great bodily harm to the officer or another person. Force used on a subject who is fleeing, or who is being or has been apprehended, must, as in all use of force, be objectively reasonable, necessary, and proportional.

Supervisors will monitor foot pursuits to appropriately coordinate the situation. Based on a reasonable understanding of the circumstances, supervisors monitoring a foot pursuit will ensure the coordination of Department resources during the pursuit, including the actions of assisting member(s) and support units(s), in order to safely apprehend the subject. As in any other incident, a supervisor may take control of the situation even if not physically present on-scene.

If available, supervisors who are monitoring the foot pursuit should respond to the scene (1) to develop and coordinate a plan for subject apprehension when a perimeter is established, or (2) when a pursuit results in an arrest. **A supervisor will issue instructions to discontinue the foot pursuit if they determine that the risk to the officers, the subject, or the public outweigh the need to apprehend the subject.**

When engaging in a foot pursuit, Department members will consider their own safety, as well as the safety of the public and the fleeing subject, in relation to law enforcement's duty to enforce the law and to apprehend the subject.

RESOURCES

G03-02-01 Force Options

G03-01-01 Radio Communications

S03-03-06 District Field Sergeants

*Illinois v. Wardlow 528 U.S. 119
(2000)*

Terry v. Ohio 392 U.S. 1 (1968)