
Authorized by Sheriff Dallas Baldwin

- Purpose:** To establish rules that govern the Pursuit of Subjects.
- Policy:** Subject to limited exceptions set forth in this regulation, deputy sheriffs have the discretion to engage in a Pursuit of a Subject. Deputies must follow the rules set forth in this administrative regulation when engaging in a Pursuit.
- Scope:** This regulation applies to all deputy sheriffs and dispatchers that are involved in a Pursuit.

1. Definitions

- 1.1 **"Patrol Supervisor"** means a deputy sheriff that is assigned by the Sheriff to the Patrol Division and that holds the rank of corporal, sergeant, lieutenant, captain, major, or chief deputy.
- 1.2 **"Primary Unit"** means the deputy sheriff that is engaged in a Pursuit and is the Unit with the primary responsibility for the conduct of the Pursuit.
- 1.3 **"Priority 1 Call"** refers to a call from a dispatcher that is classified under Patrol Division Standard Operating Procedures as Priority 1.
- 1.4 **"Pursuit"** means the act of a deputy sheriff following a Subject in a motor vehicle that fails to stop after a law enforcement officer has provided a visual and audible warning, i.e., activation of the police cruiser's emergency lights and siren, to the Subject to stop the vehicle.
- 1.5 **"Precision Immobilization Technique" ("PIT")** refers to maneuvers that law enforcement officers employ in a Pursuit to force a motor vehicle to abruptly turn sideways, causing the motor vehicle to stop.
- 1.6 **"Release"** refers to a document that is (1) signed by an individual that is not an employee of the Franklin County Sheriff that will be a passenger in a deputy's police cruiser and (2) releases the Sheriff of any claim of liability that arises out of that individual's occupancy in the deputy's police cruiser.
- 1.7 **"Roadblock"** means a physical impediment to traffic that is constructed by, or under the direction of, law enforcement officials to stop a motor vehicle.
- 1.8 **"Secondary Unit"** means the deputy sheriff that is engaged in a Pursuit as a Unit that supports the Primary Unit.

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- 1.9 **"Special Pursuit Tactics"** refers to PIT, Stop Sticks, and Roadblocks.
- 1.10 **"Stop Sticks"** refers to tire-deflation devices that are placed on a road and used to cause a motor vehicle to stop.
- 1.11 **"Subject"** means the operator of a motor vehicle that has not stopped after a law enforcement officer provides a visual and audible warning, i.e. activation of the police cruiser's emergency lights and siren, to the operator to stop the vehicle.
- 1.12 **"Unit"** means a deputy sheriff that is operating a motor vehicle, except those vehicles listed section 2.3, while the deputy is on duty.
- 1.13 **"Unmarked Car"** means a motor vehicle that is not marked in a manner similar to that prescribed for county sheriffs and their deputies by the county sheriffs' standard car-marking and uniform commission.

2. Initiating a Pursuit

- 2.1 When a Subject in a motor vehicle fails to stop after a law enforcement officer provides a visual and audible warning, i.e., activation of the police cruiser's emergency lights and siren, to the Subject to stop the vehicle, a deputy sheriff may engage in a Pursuit of the Subject after the deputy sheriff has reviewed the factors in section 2.2. A deputy sheriff shall not engage in a Pursuit unless the deputy has completed a driving training course administered by the Franklin County Sheriff.
- 2.2 Before engaging in a Pursuit, a deputy sheriff must weigh all factors that are relevant to the safety of the public, the deputy, and the Subject, including the following:
- (1) The seriousness of the offense committed, or reasonably believed by the deputy to be committed imminently, by the Subject;
 - (2) Whether the deputy knows the identity of the Subject;
 - (3) The type of neighborhood, e.g., residential, business, rural, etc., through which the deputy is driving;

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- (4) The time of day;
- (5) The type of road, e.g., freeway, two-lane highway, etc.;
- (6) Traffic conditions, e.g., the number of pedestrians and motor vehicles on the roadways;
- (7) Weather conditions;
- (8) The approximate speed at which the Subject's vehicle is traveling;
- (9) The condition of the pursuing deputy sheriff's cruiser;
- (10) Road conditions, e.g., construction zone, school zone, etc.; and
- (11) The feasibility of apprehending the Subject.

After weighing all factors in this section 2.2, a deputy sheriff may engage in a Pursuit if the deputy reasonably believes that the reasonably foreseeable risk of harm posed by the Subject outweighs the reasonably foreseeable risk of harm to the public, the deputy sheriff, and the Subject in engaging in the Pursuit.

2.3 A deputy sheriff may not engage in a Pursuit if the deputy is operating any of the following motor vehicles:

- (1) A prisoner transport van;
- (2) Any vehicle in which an arrested individual is an occupant of the vehicle;
- (3) An Unmarked Car, where the Chief Deputy of the Investigations Division or the Major of the Investigations Division has not authorized the deputy sheriff operating the Unmarked Car to engage in the Pursuit;
- (4) Any vehicle in which there is an occupant that is not an employee of the Franklin County Sheriff and who has not given a Release to a Patrol Supervisor; or

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- (5) Any vehicle in which there is an occupant that is less than 18 years of age.

2.4 Immediately upon engaging in a pursuit, a deputy sheriff shall notify the dispatcher that the deputy is engaged in a Pursuit and provide to the dispatcher the following information:

- (1) The deputy's unit number;
- (2) The location of the Pursuit;
- (3) Direction of travel of the Subject and the deputy;
- (4) The deputy's basis for engaging in a Pursuit;
- (5) The deputy's estimated speed at which the Subject's vehicle is traveling;
- (6) The license plate number and a description of the Subject's vehicle;
- (7) The deputy's estimate of the number of occupants in the Subject's vehicle; and
- (8) Weather and traffic conditions.

3. Rules of Engagement of Pursuits

- 3.1 When engaged in a Pursuit, a deputy sheriff shall comply with the provisions of section 3 of this administrative regulation and all lawful directions of a Patrol Supervisor. Upon receiving an order from a Patrol Supervisor during a Pursuit, the deputy sheriff shall acknowledge via radio the deputy's receipt of the order.
- 3.2 A deputy sheriff shall keep the cruiser's emergency lights and siren activated throughout the duration of the Pursuit.
- 3.3 Throughout a Pursuit, a deputy sheriff shall drive with due regard for the safety of all persons and property upon the highway.

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- 3.4 Throughout a Pursuit, a deputy sheriff shall take reasonable measures to afford pedestrians and motorists the opportunity to yield to the deputy's cruiser.
- 3.5 If a deputy sheriff is operating a vehicle in which the vehicle's emergency lights and siren are activated, a deputy may, to the extent allowed under R.C. 4511.041, operate the vehicle in disregard of the provisions of the traffic laws of the Ohio Revised Code during a Pursuit.
- 3.6 Throughout a Pursuit, a deputy sheriff shall continually weigh the factors that are relevant to the safety of the public, the deputy, and the Subject, including those factors listed in section 2.2. A deputy sheriff may terminate the Pursuit in accordance with section 7.
- 3.7 Upon approaching an intersection during a Pursuit, a deputy sheriff shall slow the deputy's vehicle as necessary to avoid a collision with a pedestrian or another vehicle. Upon approaching an intersection during a Pursuit, a deputy sheriff shall not proceed into the intersection unless the deputy reasonably believes that traffic in and traffic proceeding into the intersection has stopped moving.
- 3.8 Subject to section 3.8.1, a deputy sheriff shall not drive a vehicle against traffic.
 - 3.8.1 A deputy sheriff may drive a vehicle against traffic only if the deputy is serving as a Secondary Unit and is ordered by a Patrol Supervisor to drive in front of the Subject's vehicle to warn oncoming traffic of the approach of the Subject's vehicle.
- 3.9 A deputy sheriff shall not drive the deputy's vehicle alongside a Subject's vehicle in such a manner as to prevent the Subject from avoiding an obstacle. While engaged in Pursuit, a deputy sheriff shall not position the deputy's vehicle in front of a Subject's vehicle.
- 3.10 Unless additional Units are authorized by a Patrol Supervisor, only two Units may be engaged in a Pursuit: a Primary Unit and a Secondary Unit. Deputy sheriffs engaged in a Pursuit shall follow the provisions, as applicable, of sections 3.10.1 and 3.10.2 for Primary Units and Secondary Units. If a Patrol Supervisor authorizes any Unit in addition to the Primary Unit and Secondary

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Unit to engage in a Pursuit, each additional Unit shall comply with the direction of the Patrol Supervisor. A K-9 Unit may, and is not required to obtain the approval of the Patrol Supervisor to, remain in reasonably close proximity to a Pursuit for the purpose of assisting deputies in a locating a Subject.

3.10.1 Primary Unit Responsibilities

- 3.10.1.1 Unless a Patrol Supervisor orders otherwise, the deputy sheriff that initiates a Pursuit will be the Primary Unit.
- 3.10.1.2 Until another Unit assumes the role of the Secondary Unit, the Primary Unit shall provide to the dispatcher promptly the information listed in section 2.4. The Secondary Unit will provide the dispatcher with prompt updates as to changes in the information listed in section 2.4.

3.10.2 Secondary Unit Responsibilities

- 3.10.2.1 Unless a Patrol Supervisor orders otherwise and unless another Unit is already operating as the Secondary Unit, a Unit may assume the role of the Secondary Unit in a Pursuit.
- 3.10.2.2 Upon assuming the role of the Secondary Unit, the Secondary Unit shall immediately notify the dispatcher that the Unit has assumed the role of the Secondary Unit.
- 3.10.2.3 Upon notifying the dispatcher of the Unit's assumption as the Secondary Unit, the Secondary Unit shall assume all radio communication on behalf of the Primary Unit and promptly update the dispatcher as to changes in the information listed in section 2.4.
- 3.10.2.4 The Secondary Unit shall maintain a distance behind the Primary Unit that is far enough to avoid a collision with the Primary Unit but close enough to render aid to the Primary Unit if necessary.

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3.10.2.5 If the Primary Unit becomes disabled, the Secondary Unit shall assume the role of the Primary Unit and immediately notify the dispatcher of the Unit's assumption of the Primary Unit role. In such case, another Unit will assume the role of the Secondary Unit pursuant to section 3.10.2.1.

3.11 If a Subject drives a vehicle off of the road and continues to drive off of the road, a deputy sheriff may continue the Pursuit by vehicle off road, but only after the deputy has reasonably determined that the reasonably foreseeable risk of harm posed by the Subject outweighs the risk of harm to the public, the deputy, the Subject, and property.

3.12 If a Subject exits the Subject's vehicle and attempts to avoid apprehension, the deputy sheriffs in the Primary Unit and Secondary Unit may stop their vehicles and continue to pursue the Subject and any occupants from the Subject's vehicle.

3.13 A deputy sheriff shall not solicit, or accept any offer of, the public to assist in a Pursuit.

3.14 A deputy sheriff shall not continue a Pursuit into another county without advising the dispatcher and without permission of a Patrol Supervisor.

3.15 Special Pursuit Tactics

3.15.1 Precision Immobilization Techniques

3.15.1.1 Subject to section 3.15.1.2, a deputy sheriff shall not intentionally cause the deputy's vehicle to make contact with another vehicle during a Pursuit.

3.15.1.2 A deputy sheriff may use PIT in a Pursuit only in accordance with the regulations of the Sheriff that govern PIT.

3.15.2 Stop Sticks

3.15.2.1 If after considering all factors that are relevant to the safety of the public, the deputy sheriffs engaged in the Pursuit, and the Subject, a deputy sheriff reasonably believes that the deputy's deployment of Stop Sticks will cause the

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Pursuit to end without an unreasonable risk of harm to persons or property, the deputy may deploy Stop Sticks to end a Pursuit.

- 3.15.2.2 A deputy sheriff shall not deploy Stop Sticks unless the deputy has been trained to use Stop Sticks. A deputy sheriff may deploy Stop Sticks only in accordance with the instruction provided in the deputy's training.
- 3.15.2.3 A deputy sheriff shall not deploy Stop Sticks in a Pursuit if the Subject is operating a motorcycle, a three-wheeled vehicle, or an all-terrain vehicle.
- 3.15.2.4 A deputy sheriff that deploys Stop Sticks shall report promptly to the dispatcher the location of the Stop Sticks that the deputy deployed.
- 3.15.2.5 To prevent damage to other vehicles, a deputy sheriff that deploys Stop Sticks shall promptly remove the deployed Stop Sticks after the Subject's vehicle crosses the deployed Stop Sticks.

3.15.3 Roadblocks

- 3.15.3.1 A deputy sheriff shall not construct a Roadblock unless a Patrol Supervisor has authorized the deputy to do so.
- 3.15.3.2 If a deputy sheriff is authorized by a Patrol Supervisor to construct a Roadblock, the deputy shall follow the instructions of the Patrol Supervisor in constructing the Roadblock.

4. Supervisor Responsibilities

- 4.1 A Patrol Supervisor shall supervise and direct all Units that are engaged in a Pursuit.
- 4.2 While supervising a Pursuit, the Patrol Supervisor shall continually weigh all factors that are relevant to the safety of the public, the deputy sheriffs engaged in the Pursuit, and the Subject, including the factors listed in section

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2.2. A Patrol Supervisor may direct the Primary Unit and, if applicable, the Secondary Unit to terminate the Pursuit in accordance with section 7.

4.3 During a Pursuit, a Patrol Supervisor may, in accordance with this section 4.3, authorize and direct a deputy sheriff to use Special Pursuit Tactics to end the Pursuit.

4.3.1 Supervision of a Deputy Sheriff's Use of Stop Sticks

4.3.1.1 If after considering all factors that are relevant to the safety of the public, the deputy sheriffs engaged in the Pursuit, and the Subject, a Patrol Supervisor reasonably believes that a deputy's deployment of Stop Sticks will create an unreasonable risk of harm to persons or property, the Patrol Supervisor shall direct the deputy not to deploy Stop Sticks.

4.3.2 Authorization of Roadblocks

4.3.2.1 A Patrol Supervisor shall not authorize or direct a deputy sheriff to construct a Roadblock unless the Patrol Supervisor reasonably believes that the Subject is likely to cause serious injury or death to persons and that the Roadblock is the last resort to prevent serious injury or death.

4.3.2.2 If a Patrol Supervisor authorizes a deputy sheriff to construct a Roadblock, the Patrol Supervisor shall direct deputies as to the location at which the Roadblock will be constructed. The Patrol Supervisor shall direct the deputies to construct a Roadblock that does not create a significant risk of harm to the public or the Subject. The Patrol Supervisor shall direct the deputies that are constructing the Roadblock to leave a route of escape that is reasonably conspicuous and accessible to the Subject.

4.4 If a Patrol Supervisor authorizes any Units in addition to the Primary Unit and the Secondary Unit to engage in a Pursuit, the Patrol Supervisor shall direct the actions of each additional Unit.

5. Dispatcher Responsibilities

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- 5.1 The dispatcher shall coordinate all communication activities throughout a Pursuit.
- 5.2 Upon receiving a communication from a deputy sheriff that the deputy has engaged in a Pursuit, the dispatcher shall promptly communicate to the other Units that the channel has been designated as "emergency traffic only."
- 5.3 Upon receiving a communication from a deputy sheriff that the deputy has engaged in a Pursuit, the dispatcher shall promptly notify a Patrol Supervisor that a deputy is engaged in a Pursuit and provide to the Patrol Supervisor any information that the Patrol Supervisor requests.
- 5.4 The dispatcher shall record all information that is relevant to the Pursuit, and during the Pursuit shall request from deputies additional information that is relevant to the Pursuit but has not yet been provided to the dispatcher.
- 5.5 Unless a Communications Supervisor is doing so, the dispatcher shall take reasonable measures to keep all on-duty Patrol deputy sheriffs informed of the status and location of the Pursuit.

6. Multiple-Agency Pursuits

- 6.1 Unless a Patrol Supervisor has authorized the deputy to engage in the Pursuit, a deputy sheriff shall not engage in a Pursuit that was initiated by another law enforcement agency.
- 6.2 A Patrol Supervisor shall not authorize a deputy sheriff to engage in a Pursuit that was initiated by another law enforcement agency unless (1) an officer or deputy sheriff of the law enforcement agency that initiated the Pursuit requests assistance from the Franklin County Sheriff and (2) the request for assistance is a Priority 1 Call.
- 6.3 Subject to section 6.3.1, the law enforcement agency that requests assistance from the Sheriff will determine the role served by a Franklin County deputy sheriff.

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6.3.1 A Franklin County deputy sheriff that assists in a Pursuit in which more than 1 law enforcement agency is engaged shall continue to follow all lawful orders of a Patrol Supervisor during the Pursuit.

6.4 Only a Patrol Supervisor may make a request to another law enforcement agency for the law enforcement agency to assist the Franklin County Sheriff in a Pursuit that was initiated by a Franklin County deputy sheriff.

7. Terminating a Pursuit

7.1 A Pursuit ends by either the apprehension of the Subject or the cessation of the pursuit of the Subject by all deputy sheriffs that were engaged in the Pursuit.

7.2 If at any point during a Pursuit, a deputy sheriff believes or should reasonably believe that the risk of harm to the public, the deputy, and the Subject in continuing the Pursuit outweighs the reasonably foreseeable risk of harm posed by the Subject, the deputy shall terminate the Pursuit in accordance with this section 7.

7.3 If at any point during a Pursuit, the Patrol Supervisor believes or should reasonably believe that the risk of harm to the public, the deputy sheriff, and the Subject in continuing the Pursuit outweighs the reasonably foreseeable risk posed by the Subject, the Patrol Supervisor shall direct the Primary Unit and, if applicable, the Secondary Unit to terminate the Pursuit in accordance with this section 7.

7.4 To terminate a Pursuit, the Primary Unit shall promptly report to the dispatcher that the deputy is terminating the Pursuit and shall promptly cease pursuing the Subject. Upon the Primary Unit's reporting to the dispatcher the Pursuit has been terminated, the Secondary Unit and all other deputy sheriffs that were involved in the Pursuit shall cease their pursuing of the Subject.

8. Reporting a Pursuit

8.1 Any deputy sheriff that is engaged in a Pursuit shall prepare a report of the Pursuit. In the report, the deputy shall describe: (1) the deputy's actions that led to the deputy's engagement in the Pursuit; (2) the deputy's actions during the Pursuit; (3) the Subject's actions that the deputy observed during

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the Pursuit; (4) the manner in which the Pursuit was terminated; and (5) any other facts that are relevant to the Pursuit. If the deputy has documents that are relevant to the Pursuit, the deputy shall attach those documents to the report.

- 8.2 Any deputy sheriff that prepares a report pursuant to section 8.1 shall promptly submit the report through the deputy's chain of command.
- 8.3 If a deputy sheriff used any of Special Pursuit Tactics, the deputy shall specify in the report that the deputy prepared pursuant to section 8.1 the Special Pursuit Tactic used in the Pursuit. If a deputy sheriff deployed Stop Sticks during a Pursuit, the deputy shall prepare, in addition to the report required under section 8.1, a Stop Stick Pursuit Report Form and shall submit the Stop Stick Pursuit Report Form to a Patrol Supervisor in the Accidents and Investigations Bureau of the Patrol Division.