



**KNOXVILLE POLICE DEPARTMENT
KNOXVILLE, TENNESSEE**



General Order No. 1.8

Subject: Emergency Equipment and Pursuit Driving	Effective Date: August 15, 1993	Revised Date: July 17, 2020
Title: Procedures for Emergency Equipment and Pursuit Driving	Pages: 11	Distribution: All Members
Cross Reference: CALEA Standards T.C.A. 55-8-108	Chief of Police Approval:	

Purpose

The purpose of this directive is to establish procedures for the use of vehicular emergency equipment and pursuit driving by members of the Knoxville Police Department.

This directive shall consist of the following sections:

- I. TCA 55-8-108 – Authorized Emergency Vehicles
- II. General Provisions
- III. Emergency Equipment Operations
- IV. General Procedures for Pursuit Driving
- V. Administrative Review of Pursuits

I. TCA 55-8-108 – Authorized Emergency Vehicles

(a) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this section.

(b)

(1) A driver of an authorized emergency vehicle operating the vehicle in accordance with subsection (a) may:

(A) Park or stand, notwithstanding other provisions of this chapter that regulate parking or standing;

(B) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(C) Exceed the speed limits so long as life or property is not thereby endangered; and

(D) Disregard regulations governing direction of movement or turning in specified directions.

(2) Subdivision (b)(1) shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall subdivision (b)(1) protect the driver from the consequences of the driver's own reckless disregard for the safety of others.

(c)

(1) The exemptions granted under subsection (b) to a driver of an authorized emergency vehicle shall only apply when the vehicle is making use of audible and visual signals meeting the requirements of the applicable laws of this state, except that while parked or standing, an authorized emergency vehicle shall only be required to make use of visual signals meeting the requirements of the applicable laws of this state.

(2) Nothing in this section shall be construed to prohibit the driver of an authorized emergency vehicle, while parked or standing, from making use of both audible and visual signals meeting the requirements of the applicable laws of this state, in the discretion of the driver.

(d) An authorized emergency vehicle operated as a police vehicle may be equipped with or display a red light only in combination with a blue light visible from in front of the vehicle.

(e) Notwithstanding the requirement of this section that drivers of authorized emergency vehicles exercise due regard for the safety of all persons, no municipality or county nor the state or any of its political subdivisions, nor their officers or employees, shall be liable for any injury proximately or indirectly caused to an actual or suspected violator of a law or ordinance who is fleeing pursuit by law enforcement personnel. The fact that law enforcement personnel pursue an actual or suspected violator of a law or ordinance who flees from pursuit shall not render the law enforcement personnel, or the employers of the law enforcement personnel, liable for injuries to a third party proximately caused

by the fleeing party unless the conduct of the law enforcement personnel was negligent and that negligence was a proximate cause of the injuries to the third party.

II. General Provisions

- A. The Department definition of a police pursuit is an active attempt by a member in an authorized emergency vehicle to apprehend one or more occupants of a moving motor vehicle, providing the driver of such vehicle is aware of the attempt and is avoiding apprehension by maintaining or increasing the speed, eluding the emergency vehicle, by failing to stop, or other evasive actions that would lead a reasonable officer to believe the driver is clearly fleeing.
- B. All employees/members of the department including front seat passengers when in any motorized vehicle (except motorcycles), shall wear the seat belt restraint devices anytime a vehicle is in motion.

III. Emergency Equipment Operations

- A. For the purpose of policy, "emergency equipment" includes: (1) primary devices, consisting of blue light bar and the police vehicle siren, (2) secondary devices, consisting of headlights, emergency vehicle flashers, auxiliary blue lights and the spotlight.
- B. The blue light and siren shall be engaged during all pursuits to signal other users of the roadway that emergency conditions exist and the right-of-way should be relinquished to the police vehicle. The simultaneous use of the blue light and siren shall be required in all pursuits and in all other emergency responses.
- C. In addition to the use of emergency primary devices, all members of the department are encouraged to use the secondary devices, such as the headlights, emergency flashers, and the spotlight.
- D. During traffic stops the spotlight may be used to illuminate the interior of a violator's vehicle so that all occupants are kept within view and are placed at a distinct disadvantage when attempting to look back at the police vehicle and member. The spotlight may also be utilized as protection to the member during a felony stop or other hazardous situation and when dealing with

known or suspected felons. The spotlight will not be used to “blind” a suspect or violator while their vehicle is in motion.

- E. The public address system can be valuable when stopping a known felon. The desired actions of the violator can be directed from a safe distance minimizing the hazard to the member. The public address system may be utilized by members when circumstances exist which may jeopardize the public or member’s safety. The public address system is also useful in directing persons when unusual conditions exist, such as the traffic artery temporarily obstructed, alerting pedestrians to hazardous conditions or elements, and communicating with other persons concerned with relieving the emergency situation.
- F. During an emergency response or pursuit, the operator of the emergency vehicle shall not use distracting devices such as cellular telephones, AM/FM radios, or MDTs. The accepted communications device during such an event will be the police radio. All other communication devices are to be turned off, ignored or made less of a distraction.
- G. Officers transporting suspects, complainants, witnesses or prisoners shall not operate their vehicle in an emergency response.

IV. General Procedures for Pursuit Driving

A. Initiating Pursuits

1. Pursuits originating from traffic stops may be initiated when an individual who is suspected of a felony or serious misdemeanor offense is observed operating a motor vehicle, and the officer has legal grounds to stop the vehicle.
2. The major factors for consideration of initiating a pursuit and/or the termination of said pursuit include the following:
 - a) Safety of the public and member(s)
 - b) Seriousness of the offense/violation and the danger the suspect poses to the community if not immediately apprehended
 - c) Opportunity for delayed arrest of the violator
 - d) Traffic density and conditions
 - e) Exercising good judgment

- f) Weather and road conditions
 - g) Presence of passengers
 - h) Presence of pedestrians
 - i) Degree of control suspect has over their vehicle
 - j) Degree of danger the suspect poses through their driving practices
 - k) Speed and duration of pursuit
 - l) Demeanor and radio communication of the pursuing officer
3. Members initiating a pursuit shall immediately activate the primary devices, consisting of the blue light and siren, as well as their in-car recording equipment to narrate the pursuit while it is in progress. Additionally, if a member in an unmarked vehicle or motorcycle without a camera initiates a pursuit, the said responding member shall terminate their pursuit when a marked police vehicle actively engages the fleeing vehicle. Members in unmarked vehicles or motorcycle may stay active in the pursuit, as a secondary unit, until a second marked unit actively engages in the pursuit. Members operating vehicles that are not equipped with emergency lights and sirens shall not be involved in emergency response or pursuit situations.
4. Members initiating a pursuit shall notify the Communications Center via designated police radio frequency of the following:
- a) Unit number
 - b) Reason for pursuit, state violation or offense
 - c) Location and route of vehicle
 - d) Complete description of vehicle
 - e) State and number of license plate
 - f) Number and sex (if possible) of occupants of vehicle
 - g) Speed of vehicle
 - h) Traffic Volume
5. The primary pursuing member shall be responsible for broadcasting the progress of the pursuit. To promote a safer driving environment, the primary unit may delegate radio communications to the secondary unit via radio commands.

6. Members in a second unit joining the pursuit shall activate the primary devices, consisting of the blue light and siren, as well as the in-car recording equipment, to narrate the pursuit while it is in progress. Secondary units should notify Communications that they have actively engaged in the pursuit to assure no additional units attempt to join.
7. Members involved in the pursuit shall not attempt to pass the primary unit unless authorized to do so by the primary unit.
8. Pursuits are limited to a maximum of two units. Other units, not active in the pursuit, may utilize parallel routes and attempt to cover escape routes while monitoring the pursuit. Any such vehicle must activate the primary devices, consisting of the blue lights and siren, when engaging in any of the activities set forth in TCA 55-8-108(b)(1).
9. The monitoring supervisor may authorize additional units to join the pursuit based on the need for a K9 unit or to increase officer safety due, but not limited to, the number of suspects or the severity of the crime suspected.
10. Police vehicles transporting suspects, complainants, witnesses or prisoners shall not be involved in a pursuit.
11. If any unit has a ride-a-long, that unit will drop out of the pursuit once a secondary marked unit takes over, unless the circumstances make this infeasible.
12. Members involved in a pursuit shall not drive off a paved surface during the pursuit unless the assailant is a violent fleeing felon.

B. Termination of pursuits

1. Pursuits shall be terminated once the risk to the member or public is greater than the benefit of apprehension of the violator.
2. Pursuits should be terminated if the location of the suspect becomes unknown.
3. Pursuits should be terminated if radio communication is lost with Communications.

4. Upon the termination of a pursuit, officers shall immediately discontinue the use of the emergency equipment and turn off the roadway or pull off on the shoulder of the road. The officer will then notify dispatch of the termination of the pursuit, the description of the vehicle and the last known direction of travel.
5. Officer Terminated Pursuits
 - a. Initiated Only Pursuits
 1. Upon a vehicle fleeing from an initiated traffic stop, the officer shall determine if a pursuit is reasonable based on the major factors in initiating pursuits. If in the officer's judgement the violation does not meet those factors, the officer will immediately discontinue contact with the fleeing vehicle.
 - b. Self-Terminating Pursuits
 1. The primary pursuing member may self-terminate any pursuit at any time.
 2. The terminating unit shall wait at their stopped location for the monitoring supervisor to respond to their location, unless otherwise directed by the supervisor.
6. Supervisor Terminated Pursuits
 - a. A supervisor, not involved in a pursuit, shall monitor all pursuits.
 - b. Pursuits may be terminated by the monitoring supervisor at any time.
 - c. Once a pursuit has been terminated it can only be reinitiated by the monitoring supervisor and only if the risk of the public has increased since termination.
7. Roadblocks and Forcible Stops

- a. Roadblocks and forcible stops may be established only to stop a violent felon or a suspect whose offense or violation poses an imminent danger to the community if not immediately apprehended. A roadblock or forcible stop should be based on strategy designed to minimize the risk of injury to citizens, suspect and members and make the best use of available manpower and provide safety and convenience in stopping vehicles.
- b. Roadblocks and forcible stops shall not be utilized where road or weather conditions limit visibility such that the suspect and/or others cannot reasonable stop.
- c. Roadblocks should only be employed after all reasonably available means of apprehension have been exhausted.
- d. Roadblocks and forcible stops will only be utilized when specifically authorized by a supervisor. If a supervisor is involved in the pursuit, approval must be from a supervisor not involved in the pursuit.
- e. The Pursuit Termination Devices shall be considered a form of forcible stop.
 1. Pursuit termination devices are devices that contain numerous hollow steel spikes that deflate tires at a rapid and controlled rate.
 2. All officers shall receive biannual training on the deployment of pursuit termination devices.
 3. Pursuit termination devices should be deployed in areas with unobstructed views of the roadway from both directions, so as to aid in deployment and lessen the possibility of an accident, or injury.
 4. Pursuit termination devices should be designed to maximize member as well as public safety. Consideration should be given regarding not using pursuit termination devices against public transportation vehicles or trucks carrying explosive or hazardous materials, unless a

substantial risk to the public is imminent and apparent by not terminating the pursuit.

5. Pursuit termination devices should only be designed using accepted methods acquired through training conducted by the department's Training Unit. The training will include but will not be limited to deployment and safety issues concerning the devices
- f. Members establishing roadblocks or utilizing pursuit termination devices should consider the environment, to include nearby innocent motorists.
- g. Roadblocks are considered a lethal force and must meet lethal force criteria described in General Order 1.6 "Use of Force".
- h. A forcible stop where contact is made by any vehicle considered a use of force. A forcible stop must meet the criteria described in General 1.6 "Use of Force".
 1. A forcible stop that includes striking the suspect vehicle, is considered lethal force and must meet lethal force criteria described in General Order 1.6 "Use of Force."
 2. A stop that involves "boxing in" a suspect vehicle without physical contact, is considered a forcible stop.

C. Reporting Criteria

1. All pursuits, including "Initiated Only," require the primary pursuing member to complete a pursuit report.
2. A pursuit that has been terminated and reinitiated will require separate reports.
3. Supervisors shall conduct an investigation and provide a full written report on the pursuit to the Internal Affairs Unit and the Division Commander, via the Chain of Command.
4. The Office of the Chief of Police and Training Unit will be provided with an annual, documented analysis of pursuits that will be completed by

the Internal Affairs Unit. This analysis will reveal any patterns or trends that may indicate training needs or policy modifications.

5. The Internal Affairs Unit will complete an annual review of pursuit policies and reporting procedures and will document any needed modifications in the annual analysis of pursuits.

D. Supervisor Responsibility

1. It is the field supervisor's responsibility to constantly and objectively monitor and evaluate the reasonableness of the pursuit based on the aforementioned criteria. The pursuit may be terminated at any time by a supervisor. A supervisor should terminate the pursuit when further action is pointless or presents an unreasonable danger to members or the public.

Supervisors should recognize that they may be in the best position to objectively assess the reasonableness of a pursuit.

2. In the event that a supervisor is involved in the pursuit as either the primary or secondary unit the responsibility for monitoring the pursuit shall be given to another supervisor.
3. If the pursuing member loses sight of the fleeing vehicle the monitoring supervisor may reinstitute the pursuit if reasonable.
4. In pursuits that do not end as a result of the primary member self-terminating, a field supervisor shall respond immediately to the termination point and assume responsibility for police action at the scene.

E. Inter- and Intra- Jurisdictional pursuits

1. In the event an outside agency engaged in an active pursuit enters the City and requests assistance, a field supervisor may authorize assisting units to respond as emergency vehicles. Member safety and the nature of the pursuit will be taken into consideration.
2. The outside agency will be requested to provide the same information our primary unit is expected to provide. If two or more units from an outside agency are already in the pursuit situation, the supervisor must determine if and how K.P.D. units are utilized.

3. Members assisting outside agencies in pursuits will terminate their involvement when the pursuit leaves this jurisdiction, unless further assistance is requested by the outside agency and authorized by a field supervisor. Members assisting outside agencies in pursuit shall adhere to all departmental directives and other guidelines governing pursuits.
4. In the event a pursuit leaves this jurisdiction, the field supervisor must ensure that the adjoining jurisdiction is notified, and that information relevant to the pursuit is provided to them. Should such a pursuit be terminated while in another jurisdiction, then the field supervisor must ensure that the jurisdiction in which the termination took place is notified of the termination.
5. In cases involving a serious misdemeanor offense, members will terminate the pursuit when leaving this jurisdiction. Jurisdiction is defined as one (1) mile beyond the city limits.
6. In cases involving a felony offense, members may continue the pursuit if radio contact can be maintained and continuous pursuit is authorized by the field supervisor.
7. KPD officers will at all times, irrespective of their physical location, comply with the provision of this policy regarding pursuits.

V. Administrative Review of Pursuits

All pursuits in which members engage shall be reviewed and analyzed through the officer's chain of command. The purpose of the review is to determine reasons for initiating the pursuit, if it was allowed to continue what were the determining factors for its continuance, supervision of the pursuit, and compliance with policy. This review process goes through the officer's immediate supervisor, lieutenant, and district commander. The pursuit report is then submitted to the Internal Affairs Unit for review.