

General Order

Houston Police Department



ISSUE DATE:

September 1, 2020

NO.

600-11

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 600-11, dated April 3, 2017

SUBJECT: FOOT PURSUITS

POLICY

Foot pursuits are inherently dangerous police actions. Officer and public safety shall be the primary consideration in determining whether a foot pursuit should be initiated or continued. Officers shall consider the balance between protecting the safety of the public during police foot pursuits and the duty to enforce the law and immediately apprehend suspects.

Foot pursuits occur in a wide variety of dynamic and unpredictable circumstances that require officers to make quick and often immediate decisions to initiate or continue a pursuit. Therefore, this General Order is intended to provide general direction and guidance to officers when deciding to initiate, conduct, or continue such pursuits.

This General Order applies to all classified employees and emergency communications personnel.

DEFINITIONS

Active Suspect Search. A dynamic situation in which an officer no longer has sight of a suspect and substitutes approved tactics for apprehension, such as establishing a perimeter, canine search, or helicopter search.

Evading Arrest or Detention. A person commits an offense if he intentionally flees from a person he knows is a peace officer attempting to lawfully arrest or detain him. (*Texas Penal Code* § 38.04(a))

Foot Pursuit. A situation in which an officer is actively chasing (on foot) a person who is *evading arrest or detention*. A foot pursuit may evolve into an *active suspect search*.

Perimeter Search. An active search for a suspect in which the suspect is contained within specified geographic borders.

Plainclothes Officer. For the purposes of this General Order, any on-duty or off-duty officer not in a department uniform.

1 GUIDELINES

Officers may initiate a *foot pursuit* of a person only when they have established the necessary reasonable suspicion or probable cause to detain or arrest the person. A person leaving a location due to the presence of police officers should not serve as the sole justification for a detention, arrest, or foot pursuit. Such actions on their own do not constitute the offense of *evading arrest or detention*. Officers shall be able to articulate one or more additional factors,

other than the mere flight of the person, to establish the reasonable suspicion or probable cause to detain or arrest the person.

To the extent possible, coordination of the foot pursuit should be assumed by the initiating officer unless circumstances dictate otherwise or until relieved by a supervisor. The officer initiating a foot pursuit shall, as soon as practicable, provide the following information to the police dispatcher:

- a. Unit number
- b. Officer location and direction of pursuit
- c. Number and description of suspects
- d. Whether or not the suspect is armed
- e. Why the suspect is being pursued

In deciding whether or not to initiate or continue a pursuit an officer should consider the following alternatives to foot pursuit:

- f. Containment of the geographic area
- g. Saturation of the area with patrol personnel
- h. Canine availability for search
- i. Air support
- j. Apprehension at another time and place if the officer knows the identity of the subject or has other information that would likely allow for later apprehension.

Risk factors officers should consider when deciding to initiate or continue a foot pursuit include, but are not limited to:

- k. Whether the officer is acting alone or without immediate back-up
- l. Communications availability
- m. Officer fitness level
- n. Environmental conditions such as weather and lighting
- o. Whether the suspect is armed
- p. If multiple suspects are involved
- q. Officer's familiarity with the area
- r. Area hostility

2 TACTICAL CONSIDERATIONS

Generally, the primary (initiating) officer should not try to overtake a fleeing suspect but shall keep him in sight until sufficient back-up is available to apprehend the suspect.

Officers in a foot pursuit should:

- a. *Stop, Look, and Listen* if the officers lose sight of the suspect.
- b. Avoid going over the same obstacles or barriers as the suspect.
- c. Utilize the “slicing the pie” technique when rounding corners or at the end of a fence.
- d. Use a “quick peek” to obtain a glimpse of what is on the other side of an obstacle or barrier.
- e. Be aware of hazards (dogs, swimming pools, clotheslines, etc.).

Officers should move to *active suspect search* mode if the suspect is no longer in sight. The primary officer, if possible, should immediately coordinate, directly or indirectly, through the dispatcher and with secondary officers to establish a perimeter in the geographic area to contain the suspect. Pursuing officers are reminded that voice transmissions while running and in other field tactical situations may be difficult to understand and may require repetition.

Assisting officers should immediately attempt to contain the pursued suspect. Unless the primary officer needs immediate assistance, secondary or back-up officers should consider that a better strategy may be to utilize a *perimeter search* rather than respond to the primary officer's location.

Under most circumstances officers shall have their firearms holstered when involved in a running foot pursuit. Although circumstances may dictate that officers may need to pursue a suspect fleeing on foot with an un-holstered weapon, special caution shall be given to running with a firearm in hand. When handling a firearm, officers shall always follow indexing procedures by keeping the trigger finger outside of the trigger guard until the officer has made the conscious decision to fire the weapon. Officers shall re-holster the weapon, if possible under the circumstances, before physically restraining a person.

When pursuing a suspect believed to have a firearm, rather than continuing with a foot pursuit, it may be a better course of action to move to a containment strategy or an *active suspect search* mode. Officers moving to a containment strategy or an *active suspect search* mode should consider available tactical options, such as cover and concealment. The decision to pursue an armed suspect for apprehension may be accomplished when the suspect is at a tactical disadvantage and an arrest can be accomplished with limited risk to officers and innocent persons.

Officers should consider alternatives to engaging in or continuing a foot pursuit when two or more officers become separated or lose visual contact with one another or when obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the subject in sight from a safe distance and coordinate the containment effort.

3 RESTRICTIONS

An officer shall not engage in or continue a foot pursuit if the officer believes the danger to pursuing officers or the public outweighs the necessity for immediate apprehension. Unless there are exigent circumstances, such as an immediate threat to the safety of pursuing officers or other persons, officers shall not engage in or continue a foot pursuit under any of the following conditions:

- a. If the suspect achieves tactical superiority by entering a building, structure, confined space, or wooded or otherwise isolated area. The primary officer shall notify the dispatcher, communicate the officer's location and the location of the suspect, and await the arrival of back-up officers to establish a containment perimeter. The use of a police canine shall be considered. See also General Order 600-05, **Special Threat Situations**.
- b. Officers lose possession of their firearm, radio, or other essential equipment.
- c. If the suspect's identity is established or other information exists that allows for the suspect's probable apprehension at a later time and there is no immediate threat to the public or police officers. Officers should balance the possibility of losing evidence of a crime (e.g., narcotics, weapon used in a crime) with the safety of later apprehension.
- d. If the primary officer loses communication with the dispatcher or communication with back-up officers is interrupted.
- e. If an officer or another person is injured during the pursuit and requires immediate assistance and there are no other police or medical personnel able to render assistance.
- f. If instructed to terminate by a supervisor.

When the pursuing officer terminates the pursuit the dispatcher shall be notified of the location and any assistance needed.

4 SUPERVISOR'S RESPONSIBILITIES

The designated supervisor shall terminate a foot pursuit at any time the supervisor concludes that the danger to pursuing officers or the public outweighs the necessity for immediate apprehension of the suspect.

The supervisor shall take command and control of and coordinate the foot pursuit, if possible. Given the primary officer's need for communication, the use of radio air time may not be appropriate during a foot pursuit. As in any tactical incident, the supervisor does not have to be physically present to assert control over the situation. Once the foot pursuit has concluded, the designated supervisor shall monitor the incident to determine if a supervisory response is needed.

5 PLAINCLOTHES AND UNDERCOVER OFFICER GUIDELINES

Foot pursuits of suspects by plainclothes or undercover officers can be inherently dangerous. Officers should exercise extreme caution in these situations including, but not limited to, the following guidelines:

- a. Although circumstances may dictate that a plainclothes or undercover officer may need to pursue suspects, they shall always follow a uniformed officer's commands (e.g., to lay down a weapon). Plainclothes and undercover officers shall be mindful that other officers, not apprised of their operation, may be responding to the scene and may not be aware of the officer's identity.
- b. Plainclothes and undercover officers shall notify the police dispatcher as soon as practicable that they are in plainclothes and attempt to provide their clothing description.
- c. Plainclothes and undercover officers shall terminate participating in a foot pursuit when uniformed officers have joined the pursuit and it is reasonably safe to do so.
- d. Plainclothes personnel should ensure that they are readily identifiable as police officers by wearing an outer garment such as a raid jacket along with their official police identification. Displaying the official police identification alone may not be sufficient.

6 EMERGENCY COMMUNICATIONS DIVISION RESPONSIBILITIES

The following procedures shall be completed by the police dispatcher upon being notified by a police officer that the officer is involved in a foot pursuit.

- a. Receive, record, and immediately report to other officers the suspect information coming in from the officer involved in the pursuit and ensure back-up officers are immediately assigned.
- b. Request the assistance of a canine unit and air support.
- c. Notify a patrol supervisor of the foot pursuit.

7 DOCUMENTATION OF FOOT PURSUITS

A foot pursuit in and of itself does not constitute a use of force. When a foot pursuit does not result in a Response to Resistance (R2R), officers shall complete the *Foot Pursuit/No R2R Form* via the *Response to Resistance Entry System* on the department's Intranet Portal. Supervisors shall complete an *After-Action Report*, but are not required to supplement the incident report.

If the foot pursuit involves a reportable R2R, officers shall complete the *Standard Response to Resistance* (R2R) form, which also contains the required foot pursuit documentation. Supervisors shall have the same responsibilities as those required for reportable R2R. Detailed R2R documentation requirements and procedures are outlined in General Order 600-20, **Response to Resistance Reporting**.



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Chief of Police