

Order J-04)

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The Oakland Police Department and Pursuit Driving (Department General Order J-04)

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Overview

- The primary consideration when deciding to engage in a pursuit is the protection of human life and the overall safety of the community.
- Vehicle pursuits are inherently dangerous, but at times, it may be necessary to apprehend individuals who are involved in dangerous criminal activity that harms the community, and who elect to attempt to evade apprehension by fleeing from law enforcement utilizing a vehicle.



The Balance

- When initiating or continuing a pursuit, involved officers are required to carefully weigh the risks potentially posed by continuing the pursuit (to the safety of the community, engaged person(s), and officers), against the benefit to public safety as a result of the immediate apprehension of the engaged person(s).
- Generally, Department Policy only allows for the pursuit of vehicles related to violent forcible crimes and/or crimes involving the possession of a firearm.



When a Pursuit may be Initiated

- When there is **reasonable suspicion** to believe a person committed a violent forcible crime and/or a crime involving a firearm, or **probable cause** that the person is in possession of a firearm.



Risk Factors

- There are nineteen (19) risk factors that are to be weighed before initiating a pursuit and then continuously throughout the pursuit.
- The risk factors are considerations made by an officer and the presence of a particular risk factor does not necessarily require the termination of the pursuit, but shall be part of the officer's risk assessment related to continuing the pursuit.



Risk Factorss

1. The volume of vehicular and pedestrian traffic in the area;
2. Traffic conditions;
3. Location of pursuit;
4. Safety of the public in the area of the pursuit (e.g., the presence of children, the elderly or disabled, the proximity to hospital or school zones in the vicinity of the pursuit);
5. Safety of the pursuing officers;
6. Speeds of both officer and suspect vehicles;
7. Familiarity of the officer and supervisor with the area of the pursuit;
8. Road and weather conditions;
9. Time of day;
10. Quality of communications between the pursuing units, the Communications Section, and/or supervisor;
11. The performance capabilities of the police vehicle or the operation of the emergency lights and siren;

Risk Factorss

12. Availability of air or field support;
13. Whether the officer has a ride-along passenger with him/her;
14. Whether the suspect is known and can be apprehended at a later time;
15. Whether the suspect is known to be a juvenile;
16. When a non-suspect vehicle and/or pedestrian accident has occurred during a pursuit;
17. The safety of occupants in the fleeing vehicle;
18. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; and
19. The pursued vehicle's location is no longer known.

Actions During a Pursuit

- All pursuits are required to be conducted with a red light and siren activated, as required by California Vehicle Code (CVC) Section 21055, and with due regard and caution for the safety of all persons using the roadway, as required by CVC 21056.



Pursuit Termination

- Vehicle Pursuits shall be terminated when, after evaluating the risk factors and the safety risks to officers and the public, the risks outweigh the benefits of immediately apprehending fleeing suspects.
- Pursuits may be terminated by any involved officer, supervisor, or commander based on their risk assessment.
- Once a pursuit has been terminated by any of the involved members, units are to disengage with the vehicle that was pursued.



Special Order 9212

- Special Order 9212 was put into place by the Chief of Police in December of 2022.
- Special Order altered the pursuit policy related to pursuit reporting requirements and the review process. The Special Order also created additional approval requirements related to any pursuit over 50 mph.
- Pursuit numbers dropped substantially as well as the percentage of pursuits that resulted in an arrest (2023-2024).



Resources to Mitigate Pursuits

- The overall goal of a pursuit is to safely apprehend the subject(s) associated to a crime related vehicle.
- By pursuing a vehicle, the hope is for the subject being pursued to realize that further flight is futile, and ultimately surrender safely.
- If the pursuit continues, the goal is to direct additional resources to the vehicle which may be able to apprehend the subject(s) by alternate means, or, to disable the vehicle in a manner that is safer than continuing the pursuit.

Resources to Mitigate Pursuits

- Air Support has been the most effective form of pursuit mitigation.
- Positive Contact and/or vehicle pins. (prior to pursuit)
- Tire deflation devices.
- Pursuit Intervention Techniques, commonly referred to as a PIT maneuver.
- Plainclothes surveillance teams.



Pursuits 2022

Total Pursuits – 130

Level 1 – 2

Level 2 – 26 (20%)

Injuries to 3rd Party Subjects – 2 (both complaints of pain).

Injuries to Subject of Pursuit – 1 severe (pelvic fracture), 1 minor laceration, 2 complaints of pain.

In Custody – 34 (26%)

Firearms recovered – 15

Average Speed (Surface Streets) – 58.63 mph



Pursuits 2023

Total Pursuits – 85

Level 1 – 0

Level 2 – 11 (12%)

Injuries to 3rd Party Subjects – 1 (complaint of pain).

Injuries to Subject of Pursuit – 2 minor (abrasions to skin), 2 moderate (collision with uninvolved patrol vehicle, collision with fence).

In Custody – 12 (14%)

Firearms recovered – 5

Average Speed (Surface Streets) – 60.04 mph



Pursuits 2024 (YTD)

Total Pursuits – 38

Level 1 – 0

Level 2 – 6 (16%)

Injuries to 3rd Party Subjects – 2 (both complaints of pain).

Injuries to Subject of Pursuit – 2 minor (abrasion and laceration), 2 complaints of pain.

In Custody – 9 (24%)

Firearms recovered – 3

Average Speed (Surface Streets) – 65.60 mph



Pursuits Where a Fatality Occurred as a Result of a Collision During a Pursuit

2019 – 0

2020 – 0

2021 – 1

2022 – 2*

2023 – 0

2024 – 0 (YTD)

Note: Oakland averages around thirty (30) fatal traffic collisions a year.



Comparable Data – Sheriff's Office 2021

- 162 total pursuits (101 Felonies, 41 Misdemeanors, 20 infractions)
- Arrest in 20 instances (12%).
- 78 pursuits terminated by the Deputy while 51 were terminated by the supervisor.
- 14 pursuits resulted in collisions (8.6% of total pursuits).
- Two subjects from the pursued vehicles were injured and four uninvolved parties were injured.
- No pursuits resulted in a collision leading to a fatality.

Police Executive Research Forum – Report 2023

- A report that was compiled by a collection of academics, highway safety officials, and current/former law enforcement members.
- The report recommends the implementation of police policies/practices surrounding pursuits. The overwhelming majority of these recommendations already exist with the Oakland Police Department's current pursuit policy and review practices.



A nighttime photograph of a city skyline reflected in water. The skyline includes several prominent buildings, some with illuminated signs like 'MARRIOTT' and 'THE CLOROX COMPANY'. A building on the right has a sign that says 'TRIBUNE'. In the foreground, there is a marina with several sailboats docked. The water reflects the lights from the buildings and the sky.

End of Presentation - Questions?

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