

MOTOR VEHICLE PURSUIT

Codified: 75.1

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Rescinds/Amends: 75.1

Pages: 6

PURPOSE

The purpose of this directive is to provide guidelines and delineate responsibilities governing the pursuit of motor vehicles and emergency driving.

DISCUSSION

It is the intent of this policy to specify the conditions under which an officer may engage in a motor vehicle pursuit and the conditions when the officer shall terminate a motor vehicle pursuit.

POLICY AND PROCEDURE

It is the policy of the Santa Fe Police Department to pursue suspects fleeing in motor vehicles under the following circumstances and conditions:

DEFINITIONS

75.1.01: Motor vehicle pursuit:

- A. Active attempts by an officer in an authorized emergency vehicle to apprehend an occupant of a motor vehicle, the driver of which is actively attempting to avoid apprehension by use of a vehicle.

75.1.02: Authorized emergency vehicle:

- A. A vehicle of this agency equipped with operable emergency equipment as required by state statute (66-7-6 NMSA 1978 as amended). Police vehicles that do not meet the statutory requirements for an authorized emergency vehicle shall not initiate or join a motor vehicle pursuit in progress.

75.1.03: Primary unit:

- A. The police unit which initiates a motor vehicle pursuit, or any unit which assumes control of the motor vehicle pursuit.
- B. The primary pursuit vehicle will handle all communications relating to direction of travel, suspects, descriptions, and all matters relating to the actual pursuit until such time that a secondary pursuing vehicle arrives to assist. This shall not restrict the supervisor from giving instructions or other information directly to the

primary vehicle, the secondary vehicle, or the Santa Fe Regional Emergency Communications Center (RECC).

- C. The primary unit shall not be passed during the motor vehicle pursuit unless authorized by the primary pursuit unit and/or the supervisor in charge.

75.1.04: Secondary Pursuit Unit:

A. Assisting/secondary pursuit units shall:

1. Engage all emergency equipment.
2. Notify RECC of his/her identity.
3. Pursue at a safe distance for back-up purposes.
4. Upon visual contact with the primary pursuit vehicle, assume radio transmissions responsibility, allowing the primary unit to devote full attention to driving.
5. In the event that a secondary unit must pass the primary unit to assume the primary position, the officer shall notify the primary unit of his/her intent to pass, via police radio. Passing will only take place when it is safe to do so and only when it does not require movement into oncoming lanes of traffic.
6. Exercise due care and caution to protect lives, property, and public safety. To ensure this end, secondary units are to proceed at the minimum response level that will still allow effective assistance to the primary unit.

PROCEDURES

75.1.05: Initiation of motor vehicle pursuit:

- A. A law enforcement officer may initiate a motor vehicle pursuit to apprehend a suspect who the officer has reasonable grounds to believe poses a clear and immediate threat of death or serious injury to others, or who the officer has probable cause to believe poses a clear and immediate threat to the safety of others that is ongoing and that existed prior to the motor vehicle pursuit;
- B. A law enforcement officer shall not initiate or continue a motor vehicle pursuit when the immediate danger to the officer and the public created by the motor vehicle pursuit exceeds the immediate danger to the public if the occupants of the motor vehicle being pursued remain at large;
- C. When deciding whether to initiate or continue a motor vehicle pursuit, the following factors, at a minimum, shall be taken into consideration:
 1. The seriousness of the offense for which the motor vehicle pursuit was initiated;

2. Whether a suspect poses a clear and immediate threat of death or serious injury to others;
3. Road, weather, environmental, and vehicle conditions;
4. The amount of motor vehicle and pedestrian traffic;
5. Knowledge of the suspect's identity, possible destination, and previous activities that may make apprehension at a later time feasible; and
6. No more than 2 law enforcement vehicles shall become actively involved in a motor vehicle pursuit, unless specifically authorized by a supervisor.

PURSUIT OPERATIONS

75.1.06: NMSA 1978 section 66-7-6 authorizes emergency vehicles to deviate from adherence to the state traffic code. However, it does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of others. This statutory privilege is also conditional, based upon the existence of an actual emergency, use of adequate warning devices, and the continued exercise of due care and caution for the safety of others.

75.1.07: Upon engaging in a motor vehicle pursuit, the pursuing vehicle shall activate all appropriate warning equipment, to include the siren. The driver of an unmarked vehicle or a police vehicle without roof mounted light bars shall ensure all standard installed emergency equipment is utilized. Santa Fe Police Department motorcycles shall ensure all emergency equipment is activated.

75.1.08: Upon engaging in a motor vehicle pursuit, the officer shall notify RECC of the location, direction, and speed of the motor vehicle pursuit, the description of the pursued vehicle, and the initial purpose of the intended stop. The officer shall keep RECC updated on the motor vehicle pursuit. RECC personnel shall notify any available supervisor of the motor vehicle pursuit, clear the primary radio channel of non-emergency traffic, and relay necessary information to other officers, agencies, and jurisdictions.

75.1.09: When engaged in a motor vehicle pursuit, officers shall not drive with reckless disregard for the safety of other road users or pedestrians.

75.1.10: The primary pursuit unit shall become the secondary unit when the fleeing vehicle comes under air surveillance or when another unit has been assigned primary responsibilities. This would apply to marked police vehicles assuming primary duties from an unmarked police vehicle or a police motorcycle.

SUPERVISORY RESPONSIBILITIES

75.1.11: When made aware of a motor vehicle pursuit, the appropriate supervisor shall monitor incoming information, coordinate and direct activities as needed to ensure the proper procedures are being used, and shall have the discretion to terminate the motor vehicle pursuit.

75.1.12: Where possible, a supervisory officer shall respond to the location where a vehicle has been stopped following a motor vehicle pursuit.

PURSUIT TACTICS

75.1.13: Officers shall not follow the motor vehicle pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicle or pedestrian traffic.

75.1.14: Patrol units having the most prominent markings and emergency lights shall be used as the primary and secondary units. Unmarked units and motorcycle units may pursue vehicles as a primary unit only until the arrival of a marked unit, if they meet the statutory requirements of an authorized emergency vehicle.

75.1.15: The motorcycle or unmarked unit will continue as the secondary unit until an additional marked unit arrives. Upon the arrival of the marked unit, the operator of the unmarked vehicle or motorcycle shall terminate their involvement in the motor vehicle pursuit.

75.1.16: All intervention tactics, short of deadly force, such as stop sticks, tactical intervention techniques, and channeling (with appropriate advance warning) should be used in areas where deployment of these tactics can be done in a reasonably safe manner, without unnecessarily endangering life or property. The tactic(s) should be commensurate to the actions of the person being pursued and the violation the person is being pursued for. Only those individuals who are properly trained in these techniques shall be authorized to implement the tactic(s) in order to attempt to stop a pursued vehicle.

75.1.17: Use of roadblock, ramming, or boxing in a suspect vehicle, shall be governed by Department directive 72.1, entitled "Use of Force" and shall not be utilized without specific technical training and supervisor approval.

- A. The use of the Pursuit Intervention Technique (PIT) maneuver shall be governed by Department directive 72.1, entitled "Use of Force" and Department Directive 75.2, entitled "Pursuit Intervention Technique (PIT)" and shall not be utilized without specific technical training.

75.1.18: Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall only use reasonable and necessary force to take suspects into custody.

TERMINATION OF THE PURSUIT

75.1.19: The primary pursuing unit shall continually re-evaluate and assess the motor vehicle pursuit situation including all of the initiating factors and terminate the motor vehicle pursuit whenever he or she reasonably believes the risks associated with continued motor vehicle pursuit are greater than the public safety benefit of making an immediate apprehension.

75.1.20: The motor vehicle pursuit may be terminated by the primary pursuit unit at any time.

75.1.21: A supervisor may order the termination of a motor vehicle pursuit at any time.

75.1.22: A motor vehicle pursuit may be terminated if visual contact with the suspect vehicle is lost for more than 10 seconds, the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, or apprehension at a later time is feasible.

INTER-JURISDICTIONAL PURSUITS

75.1.23: The pursuing officer shall notify RECC when it is likely that a motor vehicle pursuit will continue into a neighboring jurisdiction or across the county or state line. The supervisor controlling the motor vehicle pursuit shall direct RECC to initiate coordination and request assistance with the agencies of jurisdiction and relay the information to pursuing units as soon as possible.

75.1.24: Motor vehicle pursuits into a bordering state shall conform to the law of both states and any applicable inter-jurisdictional agreements.

75.1.25: When a motor vehicle pursuit enters this jurisdiction, the action of officers shall be governed by the policy of the officers' own agency, specific inter-local agreements and state law as applicable. Assistance with the motor vehicle pursuit will be accomplished in accordance with this pursuit policy after receiving supervisor approval.

AFTER-ACTION REPORTING

75.1.26: Whenever an officer engages in a motor vehicle pursuit, the officer shall file a written report detailing the circumstances of the motor vehicle pursuit. This report shall be reviewed by the appropriate supervisor and the pursuit review committee to determine if policy has been complied with and to detect and correct any training deficiencies.

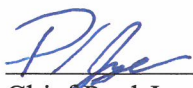
75.1.27: The Department shall periodically analyze police motor vehicle pursuit activity and identify any additions, deletions, or modifications warranted in Departmental pursuit procedures.

75.1.28: The on-duty supervisor shall complete a supervisor's report detailing the motor vehicle pursuit no later than 14 calendar days. The supervisor's report shall be reviewed by the chain of command and the pursuit review committee to determine compliance with this policy.

TRAINING

75.1.29: Officers who drive police vehicles shall be given initial and periodic refresher training on the agency's motor vehicle pursuit policy, emergency driving techniques, stop sticks, and safe driving tactics.

Drafted (wdn/04-04), Revised (bdg/05-25)

Approved: 
Chief Paul Joye

Date: 6/11/2025